Committee on the Prevention of HIV Infection among Injecting Drug Users in High Risk Countries

Country Perspective – Malaysia

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Distribution of new HIV cases by mode of transmission

Cumulative number of HIV/AIDS by year

HIV prevalence
- blood donors 0.03%
- antenatal mothers 0.04%

Annual No of Reported HIV Infections from Drug Use 1990-2004

Drug Use in Malaysia

- Estimated no DUs 900,000
- IDUs 13%
- HIV prevalence 19-23%

HIV in Closed Settings: Malaysia 2001 - 2004

AIDS/STI Unit, MOH 2005
**Behavioural Surveillance Survey**

**IDU 2003**

N=800

- Mean age of first drug use -19 years
- Mean age at first injection - 22 years
- Mean duration of transition from smoking to injecting drug - 3.5 years
- The most frequent drug
  - heroin (79.5%)
  - morphine (20.6%)

AIDS/STI Unit, MOH 2004

**Drug Legislations in Malaysia**

**Dangerous Drug Act 1952**

**Drug Dependents (Treatment and Rehabilitation) Act 1983**

Sect 15, 39A

Where any person who consumes, administers to himself or any other person is found guilty he/she must undergo treatment and rehabilitation for a period of not less than two and not more than three years

- >2g but < 5 g of heroin, morphine
- >20 g but < 50 g of cannabis

**Recent HIV Prevention Efforts**

- **Drug Dependence Treatment**
  - Pilot project – methadone
    - October 2005
    - 17 centres - 1200 patients
  - Buprenorphine & Methadone
    - Available through private practitioners

- **Needle and Syringe Exchange & Outreach Program**
  - Pilot project
  - January 2006
  - 3 sites

**Barriers & Challenges**

**Drug Dependence Treatment**

- Ongoing reliance on the criminal justice system
- Revolving door of drug dependence, incarceration, and treatment without other rehabilitation services and social supports eg job training and job opportunities
- Limited availability and accessibility compared to the scale of needs
- Very limited availability of trained medical, public health and social workers in DDT and rehabilitation
- Limited involvement of families & community in treatment and rehabilitation programs
- Lack of integration of DDT services with HIV prevention and treatment services
- Expectation of “cure” from drug dependence
Harm Reduction & Islamic Principles

The principle of injury in Islam (Darar) asserts that no one should be hurt or cause hurt to others, *la darara wa la darar*. Drug addiction and HIV/AIDS hurt patients and their family in their life and health. The law requires that any injury should be mitigated to the extent possible. A legal dictum in Islam gives the provision that "a lesser harm may be tolerated in order to eliminate a greater harm", *al-darar al-ashadd yuzalu bi al-darar al-akhaff*.

Barriers & Challenges - NSP

- Contradicts current drug policies
  - Malaysia "Drug Free - 2015"
- Legal status - possession of needles and syringes
- Objections from religious leaders and the community
  - A legal dictum in Islam gives the provision that "a lesser harm may be tolerated in order to eliminate a greater harm"
  - In Islam public interest takes precedence over personal interest
  - A relevant legal dictum in the context of harm reduction is that "a particular harm may be tolerated in order to prevent harm to the general public"
- Skepticism, prejudices and preference for zero-tolerance criminal justice approaches
- Low level of dialogue, cooperation and coordination between drug control and public health agencies
- Limited number of skilled staff to meet needs

Harm Reduction & Islamic Principles

- The injunctions of the Shariah (Islamic law) are stipulated to preserve the faith, life, intellect, progeny and wealth of mankind which are threatened by drug use and HIV/AIDS
- In Islam life and good health must be protected and promoted in all circumstances and this includes prevention and treatment of any illness and disease
- In this regard, the numerous harms associated with drug addiction, a chronic medical condition should be prevented through measures that have been scientifically proven
- Islam also believes that every disease has a treatment known or discoverable by further scientific research.

Harm Reduction & Islamic Principles

- In Islam public interest takes precedence over personal interest
- A relevant legal dictum in the context of harm reduction is that "a particular harm may be tolerated in order to prevent harm to the general public". This means that whenever a conflict between personal and public interests arises, harm to the former may be tolerated so as to protect the latter