POSSIBLE LEGISLATIVE POLICIES FOR COMBATING DRUG, APPLIED TO MANDATORY DRUG TESTING FOR GOVERNMENT EMPLOYEES

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ABSTRACT

Objective: Saudi Arabia is actively working to improve citizens’ quality of life and achieve comprehensive development, with a specific focus on combating drug abuse. Strict measures, including legislative policies, have been implemented to prevent, treat, and rehabilitate individuals involved in drug abuse. The emphasis is on creating a drug-free work environment for government employees, enhancing workplace safety, and improving overall performance through regular and random drug tests. Clear guidelines and protocols ensure transparency and fairness in policy implementation.

Methods: The study adopts a descriptive-analytical methodology, shedding light on the description and analysis of the actual reality of drug control and its impact on the development process within the country. The study relies on a range of primary and secondary sources, as well as scientific publications.

Results: The suggestion of conducting drug tests for employees may stir controversy due to privacy concerns and potential impact on employee integrity. To ensure the fair achievement of this goal, policies should include clear procedures for handling results and provide opportunities for rehabilitation and reemployment. Implementing drug testing policies requires enhancing transparency, clearly stating objectives and procedures to employees, confirming their rights, and specifying measures taken in case of positive results. Harmony between policies and legislation is necessary, emphasizing employee rights and striking a balance between security and individual dignity.

Suggestions: The social impact on an employee undergoing drug testing and showing positive results should be considered. Individuals using drugs often face discrimination and exclusion, and to avoid this, coherent legislative policies should be developed to balance the interests of the work environment with the rights and privacy of employees. This will help avoid injustice and negative effects on individuals who need support and assistance in changing their behavior.

Keywords: Legislative Policies, Drug Prevention, Preventive Measures, Government Employee.

POSSÍVEIS POLÍTICAS LEGISLATIVAS DE COMBATE ÀS DROGAS, APLICADAS AO TESTE OBRIGATÓRIO DE DROGAS PARA FUNCIONÁRIOS PÚBLICOS

RESUMO

Objetivo: A Arábia Saudita está a trabalhar ativamente para melhorar a qualidade de vida dos cidadãos e alcançar um desenvolvimento abrangente, com um foco específico no combate ao abuso de drogas. Medidas rigorosas, incluindo políticas legislativas, têm sido implementadas para prevenir, tratar e reabilitar indivíduos envolvidos no abuso de drogas. A ênfase está na criação de um ambiente de trabalho livre de drogas para funcionários do governo, aumentando a segurança no local de trabalho e melhorando o desempenho geral através de testes de drogas regulares e aleatórios. Orientações e protocolos claros garantem a transparência e a equidade na execução das políticas.

Métodos: O estudo adota uma metodologia descritivo-analítica, lançando luz sobre a descrição e análise da realidade real do controle de drogas e seu impacto no processo de desenvolvimento do país. O estudo conta com uma série de fontes primárias e secundárias, além de publicações científicas.

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**Resultados:** A sugestão de realizar testes de drogas para os funcionários pode suscitar controvérsia devido a preocupações com a privacidade e impacto potencial na integridade dos funcionários. A fim de assegurar a consecução justa deste objetivo, as políticas devem incluir procedimentos claros para o tratamento dos resultados e proporcionar oportunidades de reabilitação e reemprego. A aplicação das políticas de despistagem de drogas exige uma maior transparência, que indique claramente os objetivos e os procedimentos a seguir pelos trabalhadores, confirme os seus direitos e especifique as medidas tomadas em caso de resultados positivos. É necessária a harmonia entre as políticas e a legislação, salientando os direitos dos trabalhadores e estabelecendo um equilíbrio entre segurança e dignidade individual.

**Sugestões:** Deve-se considerar o impacto social sobre um funcionário submetido ao teste de drogas e apresentando resultados positivos. As pessoas que consomem drogas são frequentemente vítimas de discriminação e exclusão, pelo que, para o evitar, devem ser elaboradas políticas legislativas coerentes para equilibrar os interesses do ambiente de trabalho com os direitos e a privacidade dos trabalhadores. Isso ajudará a evitar injustiças e efeitos negativos sobre as pessoas que precisam de apoio e assistência para mudar seu comportamento.

**Palavras-chave:** Políticas Legislativas, Prevenção de Drogas, Medidas Preventivas, Funcionário do Governo.

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**1 INTRODUCTION**

In recent years, the Kingdom of Saudi Arabia has witnessed significant legal reforms in the field of drug control. These reforms include the issuance of new laws and the establishment of effective mechanisms to address this issue. They are part of the ongoing efforts to achieve comprehensive development in the Kingdom.

As a result, the Kingdom is intensifying its efforts to combat drug abuse by implementing strict systems and procedures aimed at reducing its prevalence and use, especially among government employees who play a vital role in achieving development. The Kingdom's commitment to legal reforms reflects a balance between drug control and comprehensive development. Therefore, the Kingdom seeks to address the problem of drug abuse by developing precise systems and procedures to impede its spread and use. Drug control is crucial for government employees in any country, given their pivotal role in promoting development and ensuring public safety.

One of the proposed preventive measures is drug testing for government employees, taking into account the balance between the public interest and employees' privacy during its implementation. This study aims to clarify the issue of drug abuse and its control mechanisms in the Kingdom, and to propose possible solutions to reduce this problem. For instance, the study explores drug testing for government employees as a preventive measure that can effectively contribute to drug control. The study also analyzes the current legal policies and

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procedures for drug control in the Kingdom, identifies challenges in their implementation, and provides recommendations and reforms to enhance the effectiveness of drug control efforts and improve safety and security in the community and the government workplace.

The drug abuse phenomenon is one of the most significant and serious social problems facing society today. It has health, economic, and security dimensions and serves as a major obstacle to development. Therefore, the state must address this issue through various means, especially concerning government employees who are essential pillars for achieving development. Hence, the core problem of the study revolves around the proposal of mandatory drug testing for government employees, with key ideas encompassing cultural and social reservations, which should be addressed through legal awareness and continuous dialogue with society. Additionally, the issue of privacy, especially regarding the collection, analysis, and storage of biological samples, is also examined.

The problem of the study can be summarized by addressing the following questions: How can possible legislative preventive policies be formulated to combat drug abuse? And how can they achieve a balance between employees' privacy and the public interest?

2 PREVIOUS STUDIES

- Al-Otaibi, Sanaa bint Mohsen. (2022). Titled "The Current Research Trends in Drug Issues in the Kingdom of Saudi Arabia: A Field Study on a Sample of Specialists." This study aimed to identify the recent research trends in drug issues from the perspective of a sample of specialists in Saudi society. The results indicated that the topic of prevention has received high priority. Regarding the most significant problems related to drugs, family issues were at the forefront, followed by economic problems. The results underscored the importance of collective efforts by all societal institutions for prevention and raising awareness about the harms of drug abuse.
- Al-Hashmaawi, Jassim Abdul Ali, Younis, & Adi, Mohammad Reza. (2022). Titled "Administrative Control Measures in Combating the Phenomenon of Drugs." This study addressed the drug phenomenon as one of the most significant and serious social problems facing society. The study emphasized that it was imperative for the state to confront this phenomenon using all possible means within the Iraqi legislative framework.
- Al-Adwan, Jafar Ahmed. Titled "The Institutional Excellence Factors in the Drug Control Sector according to the Vision of the Kingdom of Saudi Arabia 2030: A Field Study" (2021). This study aimed to shed light on the level of application of...
institutional excellence factors in the drug control sector from the perspective of heads of administrative units in this sector. To achieve the study's objectives, a theoretical framework was proposed to clarify the mutual interaction between institutional excellence factors and the methodology of drug control, from an administrative perspective.

3 THE CONCEPT OF LEGISLATIVE POLICIES FOR DRUG CONTROL

Legislative policies for drug control encompass the legal measures and actions taken by governments\(^ {11}\) to prevent and reduce drug use and trafficking\(^ {12}\). These policies aim to safeguard individuals and society from the harmful effects of drugs\(^ {13}\) and promote public health and safety\(^ {14}\). Key components of such policies include criminalizing drug-related activities like possession, production, and trafficking, strengthening security measures to disrupt drug trafficking networks and reduce drug availability in communities\(^ {15}\), developing effective drug control policies and programs\(^ {16}\), offering treatment and support for drug addicts, and raising public awareness about the risks of drug use and its negative consequences\(^ {17}\). Drug use by public employees is treated as a serious crime due to its adverse impact on their job performance\(^ {18}\), ethical standards, and susceptibility to corruption\(^ {19}\).

Emphasizing the importance of comprehensive and balanced legislative policies in public employment\(^ {20}\), these policies should primarily target the prevention of drug\(^ {21}\) use among employees\(^ {22}\) while upholding human rights and social justice principles\(^ {23}\).

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The legal definition of drugs in Saudi Arabian law, as outlined in Article (1) of the Drug and Psychoactive Substances Control System, pertains to "narcotic substances" encompassing natural, compound, or manufactured substances listed in Schedule 1 of this system. This classification elucidates which substances fall under legal control, thereby establishing the legal framework for drugs and prohibited substances in Saudi Arabia.

Subsequently, drug control constitutes a multifaceted effort aimed at combatting drug-related crimes, preventing them, addressing their root causes, and creating the necessary conditions within health, social, and economic domains to reduce and eventually eradicate the drug problem.

The battle against drugs plays a pivotal role in realizing the objectives of Saudi Arabia’s Vision 2030, which seeks a comprehensive transformation across various aspects of life. Drug control aligns with several key goals of this vision, such as promoting societal well-being, safeguarding public health, fostering a healthy and secure society, enhancing domestic security and stability, and reflecting the Kingdom’s commitment to maintaining a drug-free environment.

4 POSSIBLE PREVENTIVE MEASURES AGAINST DRUG ABUSE

Preventive measures against drug abuse are a contemporary and progressive strategy that forms a crucial part of new drug control policies in developed nations. These measures prioritize prevention over punitive measures like suppression, imprisonment, or treatment. They are proactive and precautionary steps rather than therapeutic interventions. Implementing these preventive measures requires collective community efforts aimed at addressing drug abuse and preventing its spread.

The mandatory drug testing for public employees is one of the initiatives undertaken in certain countries to combat drug abuse. This decision is aimed at screening and identifying drug use among government employees as a fundamental element of a prevention strategy to


restrict the prevalence of this issue within the public sector. Such measures are intended to reduce drug use and promote a drug-free working environment within the public sector.  

5 THE PROPOSED STRATEGY FOR COMBATING DRUGS (COMPULSORY DRUG TESTING FOR GOVERNMENT EMPLOYEES AS A PREVENTIVE MEASURE)

In recent times, the Kingdom of Saudi Arabia has been actively introducing and implementing unprecedented legal amendments to support the country's development across various sectors. The public employment sector is one of the most critical areas that the Kingdom is continuously working to enhance. One crucial aspect of this development is combating drug abuse in the public employment sector. Therefore, the decision to conduct compulsory drug testing for government employees contributes significantly to safeguarding against drug abuse. Drug testing for employees is part of the nation's efforts to combat drug abuse. Its primary goal is to prevent drug use as a fundamental requirement for employees to maintain their positions. Drug testing can be done through the assessment of urine, blood, hair, or saliva and may be conducted randomly or regularly for employees. If drug use is confirmed for any employee, necessary legal actions are taken. Public employees serve as a reflection of the state; thus, legislative regulations governing their selection are crucial. These regulations reflect the fundamental principles governing appointments in public positions, including the principle of selecting the most qualified and deserving individuals. Ensuring the best choice is not limited to the stage before the appointment decision but extends to the subsequent stage after the appointment decision. To accommodate the specific context of applicants for government positions, the proposed strategy comprises two main sets of procedures:

- **Procedures for Applicants for Government Positions:**
  Compulsory drug testing can be conducted in some government agencies as a condition for hiring employees in government positions. This ensures that competent individuals are selected and serves as an incentive for everyone to refrain from using drugs, which could lead to job deprivation.

- **Procedures for Current Employees:**
  Compulsory drug testing can uncover early cases of drug use among government employees. This allows for early intervention and assistance in overcoming drug abuse problems. For instance, employees may face pressures or circumstances that increase the

likelihood of drug use. Mandatory drug testing can contribute to providing support for these individuals to overcome drug abuse and its consequences.

To respect individuals' rights and protect their privacy, drug testing must be carried out in a legal and ethical manner, ensuring the employees' rights are preserved. The following steps can be taken:

- Drug testing should be conducted after obtaining official approval.
- Employees should be informed of the compulsory drug testing and its schedule.
- Privacy and confidentiality should be guaranteed for the employees being tested.

Government employees who receive positive results in drug testing are subject to both legal and administrative sanctions according to the laws and regulations applicable in the Kingdom of Saudi Arabia. These sanctions include:

- **Legal Penalties:**
  Employees with positive drug test results are subject to legal penalties in accordance with the laws and regulations in force in the Kingdom of Saudi Arabia.

- **Administrative Penalties:**
  Government agencies may take necessary administrative actions against employees with positive drug test results, including suspending allowances, benefits, promotions, and, in extreme cases, termination of employment.

### 6 RESULTS AND DISCUSSION

According to Article (4) amended in the Saudi Civil Service Law, it is a prerequisite that an applicant for a government position be "physically fit." This condition is considered an initial requirement that must be met to assume the position, in addition to other conditions. A government employee who is a drug user will undoubtedly have their mental fitness affected after a period, which will, in turn, impact their physical health, a fundamental requirement for the position. If the proposed compulsory drug testing is implemented as a preventive measure, it will have a significant positive impact. This measure will serve as a strong incentive to prevent employees from turning to drug use and, at the same time, will be an effective means of combating drug use among employees.

In conclusion, this measure is a fundamental support for achieving development as it works to enhance public safety and contribute to the role of employees as essential elements in achieving comprehensive development.

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The proposed drug testing for public employees aims to create a safe and healthy work environment and ensure effective performance of governmental tasks. Drug testing for public employees is a measure that may be implemented in the governmental context to verify that employees are not using drugs. This measure is taken with the goal of preserving public safety, ensuring effective job performance, and reducing the health and security risks associated with drug use. This can be achieved through:

Drug testing typically occurs when new employees are hired as part of the selection process. Prospective candidates are usually required to provide samples of urine, blood, or hair for testing.

After employment, employees may be requested to undergo regular drug testing. This testing may occur periodically or based on suspicion or as per a specific policy set by the governmental entity.

If drug use is confirmed by a government employee, there may be legal and administrative consequences. These penalties can include suspension from work, referral for treatment, or even termination of employment.

Drug testing procedures should maintain the privacy of employees and ensure the transparency of the process. They are typically organized in accordance with local laws and regulations.

Support and treatment programs should be made available to employees who test positive for drugs to help them overcome addiction and return to their job in a healthy condition.

7 CONCLUSION

The Kingdom of Saudi Arabia is actively working towards striking a balance between national security and human rights in its efforts to combat drug abuse. These efforts involve carefully developing legislative policies to reduce drug use and provide appropriate support to individuals, reflecting sustainable and comprehensive thinking in addressing the drug problem.

The proposed drug testing for public employees may initially appear controversial as it touches upon sensitive issues such as privacy rights, employee integrity, and social responsibility. Therefore, a policy like drug testing should include clear procedures that address consultations, rehabilitation, and reintegration into the workforce.

However, it is essential to consider the social impact on an employee who undergoes drug testing and shows a positive result. Individuals who use drugs often face discrimination and exclusion. To avoid this, harmonious legislative policies should be established that strike a balance between the interests of the work environment and the rights and privacy of employees. This will help prevent injustice and the negative impact on individuals who need support and assistance in changing their behavior.

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REFERENCES


https://doi.org/10.3109/10826089609063993


https://journals.ekb.eg/article_43570_e4b23078817526ce1114f4c31de3d59d.pdf


https://www.asjp.cerist.dz/en/downArticle/124/14/2/203113


file:///Users/doaabadr/Downloads/0328-062-001-002.pdf


