

# A Message from the Publisher

*The numbers of non-Korean residents in Korea have increased and drug-related crimes have been occurring continuously.*

*This guide has been compiled to minimize drug-related issues that could occur due to differences in drug-control regulations among nations. Each country has different drug related problems, anti-drug measures, and culture.*

*Therefore, this guidebook is intended to help prevent drug-related problems by providing information on Korean Drug Control laws and systems, as well as the harmful effects of narcotic drugs on non-Korean residents in Korea.*

**December 2013**

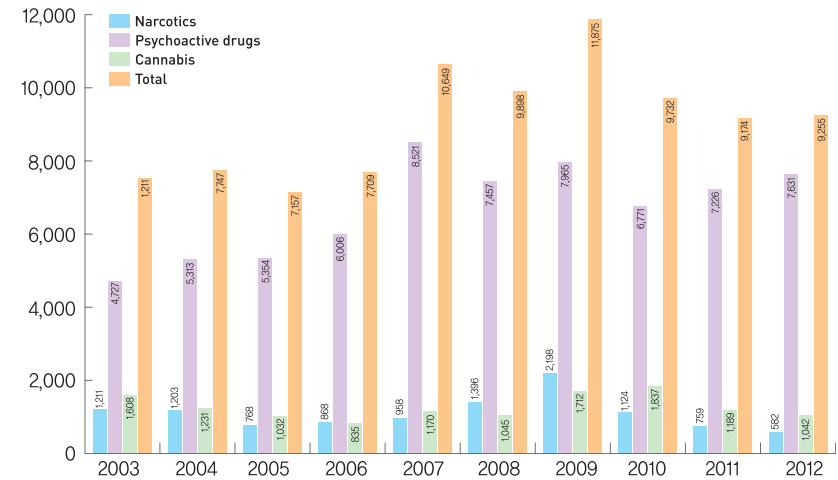
**Korean Association Against Drug Abuse**



## Drug-related offences in Korea

The number of drug offenders in Korea had increased since 1995 and remained at over 10,000 from 1999 to 2002. The number decreased from 2002 to 2006, falling to 7,000 because of the crackdown on drug offenders. However, it increased again to over 10,000 in 2007 and has held steady around 9,000 since then.

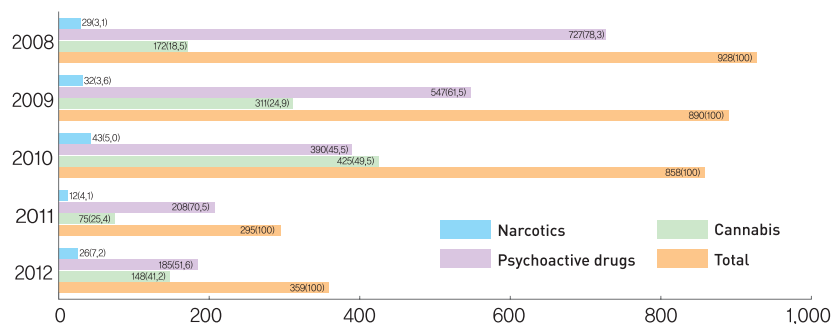
Drug-related crimes in Korea have mostly been involved with psychoactive drugs such as methamphetamine.



Source : White Paper on Narcotic Crimes 2012, Supreme Public Prosecutors' Office

## Foreign drug offenders

Until 1999, most of the foreign national drug offenders were marijuana offenders. However, the number of psychotropic substance offenders has continuously risen and surpassed the number of marijuana offenders in 2007. In 2011, the number of psychotropic substance offenders amounted to 70.5% of the total foreign national drug offenders while marijuana offenders totaled 26.4%. In 2012, the number of psychotropic substance offenders took 51.5% and the number of marijuana offenders took 41.2% of the total number.



Source : White Paper on Narcotic Crimes 2012, Supreme Public Prosecutors' Office

In 2012, the number of drug-related crimes committed by teachers from English-speaking countries and workers from USA, China, Vietnam, and other Southeast Asian countries increased to 359 (from 31 different countries). The largest numbers of offenders were from the USA, followed by China, Vietnam, Canada, and Thailand (three from the Philippines).

## Drug-crime involvement types and punishment

### >> Drug-crime involvement

|              |  |   |
|--------------|--|---|
| Delivery     |  | Delivering products containing illicit drugs as a trade for a free trip abroad or money   |
| Possession   |  | Unwitting storing or possessing of drugs smuggled in boxes or bags, on request of friends or acquaintances                      |
| Distribution |  | Selling drugs smuggled into Korea by drug runners to make profits or to maintain a livelihood                                   |
| Use          |  | Using illicit drugs in Korea because of addiction, as a habit, or for any reasons (whether or not acknowledging its illegality) |

### >> What will happen if I get caught taking part in drug-related crimes?

| Content  | Penal Provision  |
|--|--|
| Import or export marijuana, or possess it for import or export                 | Imprisonment for 5 years or more                             |
| Manufacture, import or export psychotropic substances such as Methamphetamine. | Imprisonment for 5 year or more                              |
| Giving, preparing, delivering of drugs to minor(under age)                     | Imprisonment for 5 years or more                             |
| Committing any of criminal offences for profit-making or from habit            | death penalty, imprisonment for life or for 10 years or more |

Basis : Narcotic Drugs Control Act 2000.

## Preventing involvement with drug-related crimes

>> Say NO to any temptation!

### Would you help me to carry this?

(You are asked to carry strangers' bags)



Strangers approach you saying they missed their flight or have too many carry-on bags. They ask for your favor to carry some of their bags. You carry their bag that is used for drug smuggling and get caught even if you did not know the bag had drugs.

### Free trips abroad!

(You are offered a free trip and asked for a favor)



You are a housewife, young woman, or unemployed and have been offered a free trip abroad. You are also asked to carry some bags for the trip. You are unwittingly involved with carrying bags that are used for drug smuggling and get caught.

### Hit the jackpot!

(You are tempted by money and sell drugs)



You are tempted by criminal organizations that you could make a fortune right away and get involved in sales and distribution of illicit drugs.

### It cures everything!

(You are told the drug has amazing health benefits)



You have heard things like 'it makes you lose weight,' or 'it has no adverse effects and is amazing' and you buy illicit drugs out of curiosity, not realizing their illegality.



## Regulations and laws on drug control



### Q Korea is very strict on drug-use and trafficking. What are the details of the punishment?

The purposes of the Narcotic Drugs Control Act is to improving the health of the general public by placing narcotics, psychotropic drugs, marijuana, or other basic substances for such narcotic drugs. under appropriate control and handling, thus preventing the harm and danger to the public health that may arise from the misuse or abuse thereof.

- ① Trafficking of methamphetamine, ecstasy, or marijuana (hashish) shall be sentenced to imprisonment for life or five or more years
- ② Use of methamphetamine or ecstasy shall be sentenced to imprisonment for a period not exceeding ten years or a penalty surcharge of up to KRW100 million.

### Q Will I be punished in Korea if I consumed illicit drugs in my home country?

Foreigners are not subject to a criminal penalty in Korea if they consumed illicit drugs in their home country. However, if foreigners use illicit drugs in Korea or smuggle illicit drugs to Korea, they are in violation of the Narcotic Drugs Control Act and are subject to a criminal penalty. If they are sentenced to imprisonment, they will be ordered to be deported upon the termination of the prison term and will not be allowed to enter Korea within five years from release.



### Q What if I receive a package from my home country that contains illicit drugs I did not order?

When a package you received from your home country contains illicit drugs, you are directly/indirectly involved in most cases. If you find illicit drugs in a package you received that you have no idea about, you must report to the nearest police station or Public Prosecutors' Office immediately. If you do not report it and keep the drugs in your custody, your statement would lack credibility and hence heavy punishment would be imposed.

### Q How are suspects on drug-related offences determined guilty or not?

suspect is determined guilty/not guilty based upon objective evidence, including statements of the suspect, statements of witnesses or associates, drugs impounded, and results of hair or urine tests. If the objective proofs are apparent and objectively reasonable, the suspect will most likely be convicted regardless of the suspect's denials. Therefore the best thing to do is to plead guilty to a charge and make sure to not commit any further crimes.

### Q How are suspects in drug-related offences investigated?

Once a suspect is arrested, an arrest warrant is requested by prosecutors within 48 hours of arrest for custody investigation. Suspects are interrogated before being arrested and issued an arrest warrant, depending on the gravity of the crime, danger of recidivism, and concerns on harm to victims and key witnesses, if there is a reasonable reason to believe that the suspect committed the crime; the suspect has no residence; the suspect may destroy evidence; or may flee. Once the suspect is placed in a detention center and has a criminal trial, then if sentenced to imprisonment, the person will be deported from Korea after being released.

### Q Do I have to comply with the orders of the police if they try to arrest me?

An investigation agency may arrest an accused person if the accused person:

- ① is suspected of committing crimes for more than three years and;
  - there is concern that the accused may destroy the evidence;
  - or the accused has escaped or may flee;
- ② is currently committing a crime or has committed a crime (caught in the act);
- ③ is issued an arrest warrant by prosecutors.

These are all performed by Korean legal procedures, so the suspects and the accused must comply with the policy in any of the abovementioned cases. If the accused attempts to challenge the arrest without reasonable cause, he/she may be charged with obstruction of justice.

### Q They say illicit drug-use only harms the user and no one else?

This is not true. Use of illegal drugs is harmful to the user and his/her family as well as people around them. It causes countless domestic problems such as spousal or child abuse, divorce, and economic problems. In society, it causes numerous problems and incidents. Furthermore, it leads to national security issues resulting in a tremendous amount of economic and social costs. Therefore the social and economic costs of drug-related problems can never be ignored; it is estimated at around KRW 2.5 trillion a year.

### Q Will I be punished for using illicit drugs?

Using illicit drugs is a crime and may lead to punishment. In some countries, possession of illicit drugs is subject to punishment whereas using them is not subject to a penalty. In Korea, however, possession and use of illicit drugs are both subject to punishment. Even as a tourist visiting Korea, he/she will be charged and punished for possession or use of illicit drugs.



### Q What if I received illicit drugs but they turn out to be salt?

person who sells salt as methamphetamine or water as GHB shall be charged with fraud and sentenced to imprisonment not exceeding 10 years, or to a fine not exceeding KRW 20 million. A person who buys such substances, even if they are not actual drugs, shall be charged for violation of the Narcotic Drugs Control Act (attempted dealing in psychoactive drugs) and sentenced to imprisonment not exceeding 10 years, or to a fine not exceeding KRW100 million.

In addition Article 2, Clause 2 of the Special Act Against Illicit Drug Trafficking stipulates that a person who trades or possesses drugs or other substances knowing they are illicit narcotic drugs for the purposes of committing drug-related crimes (limited to trading and possession of narcotic drugs) shall be punished.

### Q Will offences related to new types of narcotic drugs that have not been stipulated be punished?

There has been a case of a foreigner in Korea who was caught selling new types of narcotics and denied the allegation, saying the laws on those narcotics were unclear. However, a judge found him guilty and said, "When psychoactive drugs and their analogues are continuously developed, it is not legislatively possible to list all the names of products one by one to control them." The judge also added it does not appear that the Act breaches the principle of clarity, a part of nullapoenasinelege(no penalty without a law).

### Q Will I be charged with violation of the Road Traffic Act if driving under the influence of drugs?

It is an offence to drive whilst unfit through drugs. If you drive under the influence of illicit drugs, you will be punished. Road Traffic Act states that if normal operation is deemed difficult due to the influence of narcotic drugs, the driver shall be punished. However, it is not limited to the status of 'deemed difficult to drive normally.' The act states that a driver under the influence of illicit drugs will be sentenced to imprisonment of up to three years or a fine of up to KRW 10 million.

## Types and effects of narcotic drugs

### 1. Definition

The term 'narcotic drugs' is referred to as narcotics, psychoactive drugs, and cannabis all together.

The legislation in Korea to control drugs includes the Narcotic Drugs Control Act, Special Act Against Illicit Drug Trafficking, Act on the Additional Punishment of Specific Crimes, and criminal laws.

### 2. Types - General classification

Narcotic drugs are substances that act on the central nervous system to elevate or depress central nervous functions, have physical or psychological dependence, and are under control and handling pursuant to relevant laws and regulations.



#### Methamphetamine

Methamphetamine, commonly called philopone, is the popular drug among psychotropic substances in Korea.

Methamphetamine increases the amount of the neurotransmitter dopamine, leading to high levels of that chemical in the brain.

Dopamine is involved in reward, motivation, the experience of pleasure, and motor function. Methamphetamine's ability to release dopamine rapidly in reward regions of the brain produces the euphoric "rush" or "flash" that many users experience. Repeated methamphetamine use can easily lead to addiction-a chronic, relapsing disease characterized by compulsive drug seeking and use.

People who use methamphetamine long-term may experience anxiety, confusion, insomnia,



and mood disturbances and display violent behavior. They may also show symptoms of psychosis, such as paranoia, visual and auditory hallucinations, and delusions (for example, the sensation of insects crawling under the skin).

Long-term methamphetamine use has many negative consequences for physical health, including extreme weight loss, severe dental problems (“meth mouth”), and skin sores caused by scratching.



### Cannabis

Marijuana refers to the dried leaves, flowers, stems, and seeds from the hemp plant *Cannabis sativa*, which contains the psychoactive (mind-altering) chemical delta-9-tetrahydrocannabinol (THC), as well as other related compounds. This plant material can also be concentrated in a resin called hashish or a sticky black

liquid called hash oil. The highest density of cannabinoid receptors is found in parts of the brain that influence pleasure, memory, thinking, concentration, sensory and time perception, and coordinated movement. Marijuana overactivates the endocannabinoid system, causing the “high” and other effects that users experience. These effects include altered perceptions and mood, impaired coordination, difficulty with thinking and problem solving, and disrupted learning and memory. Marijuana also affects brain development, and when it is used heavily by young people, its effects on thinking and memory may last a long time or even be permanent. Marijuana use may have a wide range of effects, particularly on cardiopulmonary and mental health.



### MDMA

MDMA(3,4,-Methylenedioxy-methamphetamine) is a synthetic, psychoactive drug that has similarities to both the stimulant amphetamine and the hallucinogen mescaline. MDMA acts by increasing the activity of three neurotransmitters, serotonin, dopamine, and norepinephrine. The surge of serotonin caused by taking MDMA depletes the brain of this important chemical, however, causing negative after effects - including confusion, depression, sleep problems, drug craving, and anxiety - that may occur soon after

taking the drug or during the days or even weeks thereafter. MDMA can have many of the same physical effects as other stimulants like cocaine and amphetamines. These include increases in heart rate and blood pressure, which are particularly risky for people with circulatory problems or heart disease. MDMA users may experience other symptoms such as muscle tension, involuntary teeth clenching, nausea, blurred vision, faintness, and chills or sweating.

In high doses, MDMA can interfere with the body’s ability to regulate temperature. On rare but unpredictable occasions, this can lead to a sharp increase in body temperature (hyperthermia), which can result in liver, kidney, or cardiovascular system failure or even death.



### Ketamine

Ketamine is a drug used in human and veterinary medicine for the induction of general anesthesia. It is relatively safe but can lead to physical and psychological dependence as well as withdrawal symptoms if abused or misused. It especially has a higher probability to be abused when veterinary ketamine is distributed. It is called ‘K’ or ‘Special K’ and used as a replacement for ecstasy. It develops tolerance, may lead to dependence, and even death if overdosed.



### Heroin

Heroin, or diacetylmorphine, is a semi-synthetic drug synthesized from morphine, a derivative of the opium poppy.

Heroin can be injected, inhaled by snorting or sniffing, or smoked.

All three routes of administration deliver the drug to the brain very rapidly, which contributes to its health risks and to its high risk for addiction, which is a chronic relapsing disease caused by changes in the brain and characterized by uncontrollable drug-seeking no matter the consequences.



### Cocaine

Cocaine is a powerfully addictive stimulant drug made from the leaves of the coca plant native to South America.

Cocaine is a strong central nervous system stimulant that increases levels of the neurotransmitter dopamine in brain circuits regulating pleasure and movement. This gives users a hallucination that bugs are creeping on or under the skin, which is a common side effect of use of cocaine. A high dose of cocaine significantly increases heart rate, causes an imbalance of breathing, fever, and convulsion as well as respiratory failure, which can result in sudden death.



### Yaba

Yaba is a yellow or red tablet containing a mixture of methamphetamine (25%), caffeine (70%), and other compounds (including 5% of codeine). As it is in either tablet or capsule form, it is easily disguised as medicine.

The user experiences its effects a few minutes after ingestion, which includes increased heart rate and blood pressure that lasts up to 30 hours. It also leads to dehydration, impaired nervous tissues, and difficulty in eating. Other effects include euphoria, excitement, aggression, and depression. Yaba is addictive, has hallucination effects, and continuous consumption of it may cause paranoid delusions and mental confusion.



### GHB

GHB(Gamma Hydroxy Butyrate) is an odorless, colorless, and tasteless central nervous system (CNS) depressant. It is usually ingested orally, either in liquid or powder form and called 'mulppong (watery methamphetamine)' in Korea, as it is frequently combined with alcohol and other beverages. Its

effects, which have been described as euphoria and disinhibition, are apparent within minutes and may last up to 3-4 hours. If taken with alcohol the effects become more potent which can result in unconsciousness. GHB overdose may lead to brain death, and even death.



### Synthetic Cannabinoids

"Spice" refers to a wide variety of herbal mixtures that produce experiences similar to marijuana (cannabis) and that are marketed as "safe," legal alternatives to that drug. Sold under many names, including K2, fake weed, Yucatan Fire, Skunk, Moon Rocks, and others - and labeled "not for

human consumption" - these products contain dried, shredded plant material and chemical additives that are responsible for their psychoactive (mind-altering) effects.

Some Spice products are sold as "incense," but they more closely resemble potpourri. Like marijuana, Spice is abused mainly by smoking. Sometimes Spice is mixed with marijuana or is prepared as an herbal infusion for drinking. Spice users report experiences similar to those produced by marijuana elevated mood, relaxation, and altered perception - and in some cases the effects are even stronger than those of marijuana. Some users report psychotic effects like extreme anxiety, paranoia, and hallucinations.

Spice abusers report symptoms that include rapid heart rate, vomiting, agitation, confusion, and hallucinations. Spice can also raise blood pressure and cause reduced blood supply to the heart (myocardial ischemia), and in a few cases it has been associated with heart attacks. Regular users may experience withdrawal and addiction symptoms.

Three types of synthetic cannabis, including JWH-018(JWH-122, etc.), HU-210, and CP-47497, have been defined as narcotics in Narcotic Drugs Control Act, etc. and they are analgesic, acting upon the central nervous system.



### Kratom

Mitragyna speciosa Korth is a 4 to 16 metre high tropical tree indigenous to South East Asia, the Philippines and New Guinea but now cultivated elsewhere. In Thailand, the tree and leaf-preparations from it are called kratom. Traditionally, fresh or dried

kratom leaves are chewed or made into tea. At a low dose, kratom has stimulant effects and is used to combat fatigue during long working hours. At high dosages, however, it can have sedative-narcotic effects, intoxication, and aphrodisiacs. It is also used in traditional medicine and as an opium substitute.



### Bath Salts

The term “bath salts(Synthetic Cathinones)” refers to an emerging family of drugs containing one or more synthetic chemicals related to cathinone, an amphetamine-like stimulant found naturally in the Khat plant.

The synthetic cathinones in bath salts can produce euphoria and increased sociability and sex drive, but some users experience paranoia, agitation, and hallucinatory delirium; some even display psychotic and violent behavior, and deaths have been reported in several instances.

### Inhalants

Most abused inhalants other than nitrites depress the central nervous system in a manner not unlike alcohol. The effects are similar - including slurred speech, lack of coordination, euphoria, and dizziness. Inhalant abusers may also experience light-headedness, hallucinations, and delusions. With repeated inhalations, many users feel less inhibited and less in control. Some may feel drowsy for several hours and experience a lingering headache. Chemicals found in different types of inhaled products may produce a variety of other short-term effects, such as nausea or vomiting, as well as more serious long-term consequences. These may include liver and kidney damage, hearing loss, or bone marrow damage. Effects may also include loss of coordination and limb spasms due to damage to myelin - a protective sheathing around nerve fibers that helps nerves transmit messages in the brain and peripheral nervous system. Inhalants can also cause brain damage by cutting off oxygen flow to the brain.

Inhalants can even be lethal. Sniffing highly concentrated amounts of the chemicals in solvents or aerosol sprays can directly cause heart failure within minutes. This syndrome, known as “sudden sniffing death,” can result from a single session of inhalant use by an otherwise healthy young person. High concentrations of inhalants may also cause death from suffocation, especially when inhaled from a paper or plastic bag or in a closed area.

## Face Change Caused by Use of Methamphetamine

When the appearances of drug (methamphetamine) criminals were compared, their appearances changed significantly between 2005 when they were imprisoned and three months to three years later to the point that it was difficult to consider that they were the same people. What was common among them was that they aged rapidly, given their ages and elapsed time. In addition, they also experienced rapid loss of weight and severe hair loss (February 2011).





# Korean Association Against Drug Abuse

The Korean Association Against Drug Abuse(KAADA) is Korea's sole private organization engaged in projects aimed to prevent narcotic drugs abuse and to promote drug abuse rehabilitation. Since its establishment in 1992, the KAADA has been striving to realize a 'drug-free, healthy society' in an environment where drug abuse prevention projects were virtually non-existent.

## 1. Legal Basis of Establishment and Purposes

- Date of establishment : April 22, 1992
- Legal Basis of Establishment : Article 51-2 of the Narcotic Drugs Control Act.

## 2. Anti-Drug abuse Efforts

### 2-1. Anti-Drug Public Awareness Campaigns

- Organizing a Commemorative Event for the International Day against Drug Abuse and Illicit Trafficking
- Anti-Drug Public Service Advertising
- Operation of Narcotics-Specializing Homepage
- Anti-Drug Poster Contests
- Anti-Drug Campaigns
- Magumi Award Program



### 2-2. Preventive Education Programs against Drug Abuse

- Preventive Education
- Drama Preventive Education
- Peer Counseling Education
- High-Risk Group Program (Anti-Drug Class)
- Education to Cultivate Preventive Education Experts
- Training and Education for KAADA Employees

### 2-3. Programs to Facilitate Drug Dependents' Return to Society

- Songcheon Rehabilitation Center A imed to Assist Drug Addicts to Return to Society
- Rehabilitation Education for Drug Offenders at Eight Correctional Facilities in Korea
- Education for Adult and Teenage Drug Offenders at Other Correctional Facilities
- Supreme Prosecutors' Office's Suspension of Indictment Conditional upon Receiving Rehabilitation Education



- Probation-Drug Abuse Attendance Order Program
- Professional Counseling Service on Narcotics and Substances
- Self-Support Groups and Family Gatherings for Drug Dependents

### 2-4. Material Development and Dissemination

- Publication of a Narcotics Newsletter 'Beautiful Youth'
- Publication of Anti-Drug PR Materials

### 2-5. Survey and Research Projects

- Surveys on Public Perceptions on the Seriousness of Narcotics
- Surveys on Drugs and Substance Abuse among Teenagers

### 2-6. International Cooperation Projects, etc.

- International Narcotics Control Board (INCB) : June 29, 2012
- Drug-related organizations in three Asian countries : July 5, 2012
- Singapore Interior and Foreign Minister : Nov. 29, 2011
- NA Japan representatives : Nov. 10, 2011
- Delegation from the Laos National Commission for Drug Control and Supervision (LCDC) : Oct.31, 2011
- Delegation from Vietnam's Standing Office on Drug Control (SODC) : July 5, 2011

#### ▶ Collaboration with Organizations Concerned(MOUs)

- Cooperation on prevention of recurrence of drug crime offenders and facilitation of their treatment and protection
- Signed on June 27, 2011 at the KAADA headquarters

#### ▶ An MOU between the KAADA and the Korea Customs Service

- Cooperation on publicizing harmful effects of drugs targeting youths and preventive activities against drug abuse
- Signed on June 17, 2011

#### ▶ Others

- Consultations with probation and parole offices, education offices and prosecutors' offices