

Sep 3 2013

Latin America leads drug policy reform

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On 17 May, the Organization of American States (OAS) **published the results of a year-long review into drug policies in the Americas**, highlighting the limits and flaws of the current drug policy regime and outlining potential scenarios for the future, including regulation. Almost four months later, it is clear that the report broke new ground in drug policy. In August, Uruguay's House of Representatives passed a bill legalizing marijuana and regulating the production, distribution and sale of the drug by the government; US Attorney Eric Holder announced that the federal government would order prosecutors to sidestep federal mandatory minimum sentencing in certain low-level drug cases, as a way to reduce prison population; the Attorney General also confirmed that the Department of Justice would not seek to challenge the

marijuana regulation laws in Colorado and Washington.

As part of its [Drugs and Organized Crime project](#), Chatham House has recently produced a number of resources related to drug policy developments in the Americas:

- On 20th May, Associate Fellow Dr Claudia Hofmann wrote an Expert Comment entitled '[Gamechanging Report on Drugs in the Americas](#)'. She argued that the *Report on the Drug Problem in the Americas* 'marks a watershed in the international debate on drugs and organized crime' and opens the 'previously deadlocked debate on the best way to tackle drugs and organized crime'. However, while Dr Hofmann applauded the report for considering 'alternatives to a 'war on drugs'', setting 'standards for an evidence-based debate', and generating 'common understandings about the challenges that, in one way or another, are posed to all countries of the Americas', she noted that 'coming to a common or even concerted approach to end the drug problem in the Americas will remain difficult'.
- On 30th July, a discussion panel event with José Miguel Insulza (Secretary General, OAS), Fernando Carrera (Minister of Foreign Affairs, Guatemala), Dr Vanda Felbab-Brown (Senior Fellow, Brookings) and Mike Trace (Chair, International Drug Policy Consortium) was held at Chatham House. You can listen to a recording of the event and read the transcript of the speech given by José Miguel Insulza on the [Chatham House website](#).
 - Secretary General Insulza began by demonstrating the importance of the drug problem for the Americas – 'nearly half of the world's cocaine, heroin and opiate users and one quarter of those who consume marijuana live in our countries'. After presenting key aspects of the report, he gave four conclusions: 'First, although the drug problem in the Americas constitutes a single process, it does allow for different approaches at each of its stages and in the different countries in which they play out [...] Second, the links between drugs and violence in our countries are complex and have a greater impact in countries in which the State is not able to deliver effective responses. [...] Third, a public health approach to drug use is required in all our countries, with more resources and programs to ensure success. [...] Furthermore, we recognize that a reduction in the demand for drugs in principal markets could have a strong and positive impact on other manifestations and consequences of the drug problem'.
 - Minister Carrera praised the OAS for its report and noted that before the 2012 Summit of the Americas in Cartagena, drug policy was dogmatic and no one in government wanted to challenge the status quo. However through the OAS report, all options were put on the table and discussed. He stressed that 'we can destroy cartels, not drug trafficking', therefore a policy response solely focused on law enforcement is doomed to fail. The drug problem is primarily a health issue, and lessons on regulation can be learnt from other policy experiences including tobacco. However, regulation is an instrument that should be part of a broader strategy to address drug-related problems including money laundering, violence and the arms trade.
 - Dr Vanda Felbab-Brown discussed the regional implications of the OAS report. She noted that it was the first time that a major multilateral institution broke the taboo on drug policy and suggested that policy experimentation was needed. She argued that although the report calls for strong policy unity across the region, there are many differences in the Americas including on access to health, drug treatment, and on whether violence is related to trafficking. In addition, there is little consensus as to what drug policy should look like. In other words, Dr Felbab-Brown claimed that finding unity in a post-prohibition scenario might be highly problematic.

- Mike Trace suggested that decades of experience in drug policy have demonstrated that the key goals of the international counter-narcotics regime (e.g. prevention, deterrence, supply control) are impossible to attain. He reminded the audience that a vast majority of people who use drugs do not pose problem to themselves or others. Although he expressed his disappointment and concerns over Europe's political contribution to the debate – one of 'comfortable inertia', he noted that 'we can no longer defend the indefensible as we go into this period of exciting change'.
- On 31st July, Chatham House organized a closed roundtable workshop with key officials and experts to discuss in greater detail the Analytical Report and the Scenarios Report of the OAS, their policy implications for the region, Europe, West Africa and the rest of the world ahead of the OAS General Assembly in 2014 and the United Nations General Assembly Special Session on drugs in 2016. The [Meeting Summary](#) is a record of the day's proceedings, which were held under the Chatham House Rule. It aims to reflect the nature and topics of discussion rather than any specific point of view and highlight the key themes and findings of the event. The report concludes that a true reform process is under way, and that drug policy debate can no longer be ignored.
 - Watch an [interview with José Miguel Insulza](#)
- On 20th August, Dr Claudia Hofmann and Benoît Gomis wrote an article for *World Politics Review* entitled '[Uruguay Marijuana Bill Portends New Era in Drug Policy](#)'. The article points out that the bill 'sends a clear message that the existing drug prohibition regime is no longer adequate to address contemporary drug problems'. However, it is likely to create international tensions: 'First, the new legislation would contravene the international regime that imposes a comprehensive ban on narcotic drugs and psychotropic substances. [...] Second, individual states that support the prohibition policy as the most effective in reducing addiction and violence will perceive Uruguay's new approach as a danger to their security and decrease their aid packages'. However, the authors add that 'the fact that two U.S. states—Colorado and Washington—voted to legalize marijuana in November 2012 makes it very difficult for the U.S. federal government to publicly oppose policy developments toward regulation in Uruguay'. They finally present three key challenges 'to making these developments sustainable ahead of the 2016 UNGASS': 'The first is a lack of strong leadership on the issue in Latin America. There is a consensus across the region that the current situation, marked by significant drug-related violence and organized crime, is no longer sustainable and that change is needed. However, disagreements persist as to what reform might look like and who should champion it. [...] Second, a number of more orthodox players on the international scene are likely to challenge efforts to review the conventions and obstruct any policy experimentation. [...] Third, Europe has been reluctant to engage in this drug policy debate. U.K. Minister for Crime Prevention Jeremy Browne recently declared that the decrease in cocaine consumption in the U.K. showed that existing prohibitionist policies were working. This argument fails to recognize the international and interconnected nature of the drug problem, and therefore the larger responsibility of the British and other European governments.'

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