



## **Organisation of American States' Initiative on Global Drugs Policy**

### **Summary**

The OAS's June 2013 paper on the drugs problem in the Americas responded to a growing debate in Latin America and has been seen as groundbreaking. Its underlying message is that current approaches to drugs are not working and that change is needed. But there is no common view in the region on the way forward.

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### **Detail**

Colombia's President Santos and Guatemala's President Pérez Molina have led calls in Latin America for a re-think on global drugs policy on the basis that existing approaches are not succeeding in stemming drug flows; and producer / transit countries are bearing an unsustainable burden in terms of crime, violence and corruption. **To varying extents, protagonists in the debate argue that punitive policies are doing more harm than good**, citing as examples the number of drugs violence related deaths in Mexico in recent years (very hard to quantify, but most estimates range between 47,000 and 70,000 killed since 2006), Colombia's internal conflict and the high murder rates in many Central American countries.

In response to these calls, OAS Secretary General Insulza presented a paper on "*The Drugs Problem in the Americas*" at the organisation's General Assembly in June 2013. The paper aims to stimulate and inform debate rather than offer specific recommendations. **It has been seen by many as groundbreaking in its treatment of decriminalisation and legalisation as legitimate options.** The paper envisages four possible scenarios for the global approach to tackling the drugs problem:

*Together* – a law enforcement approach focused on citizen security with improved international co-operation and strengthened institutions.

*Pathways* – experiments in some countries with more radical policies including decriminalisation / legalisation.

*Resilience* – a bottom-up approach focusing on public safety, education and health at the local / community level.

*Disrupt* – producer / transit countries abandon the fight against trafficking on the basis that the costs have become unbearable, with the risk that criminal groups then penetrate national institutions creating narco-states.

The clear message in the report is that if no version or mixture of the first three emerges, then the more cataclysmic "disrupt" scenario becomes increasingly realistic.

OAS members have welcomed the report and associated debate, and **many Latin American leaders have shown a clear determination to maintain the momentum through to a special UN General Assembly session in 2016.** In many countries, the discussion plays well to voters' concerns about insecurity and provides a chance to highlight consumer countries' role in the problem. The debate should also be seen in the context of a number of Latin American countries seeking to develop a more assertive foreign policy, challenging those international and/or US policies that they feel were designed without their interests in mind – in this case the "war on drugs" and its various offshoots.

Despite the apparent momentum behind the debate, and agreement in Guatemala in June to continue it in a similar format next year, **there is very little consensus across the Americas about what the conclusion should be.** Presidents Pérez Molina and Santos have both said they would be open to decriminalisation or legalisation, if part of a global consensus. While the Obama administration has adopted a balanced approach, including treating drugs as a health issue, at Federal level the red line on decriminalisation and legalisation has remained. This position is shared by many Latin American countries, particularly those with a growing consumption problem, e.g. Brazil, now the world's 2<sup>nd</sup> biggest market for cocaine. The Peruvian and Venezuelan governments have expressed caution about more permissive approaches, as has Bolivia which, despite its defence of the ancestral right to chew coca leaves, is firmly opposed to legalising cocaine.

**This divergence of opinions throws up the prospect of countries in the Americas taking a “pick and mix” approach to existing UN conventions on drugs policy,** bringing associated risks in terms of externalities and tensions between neighbouring countries and regions. To an extent, a pattern towards unilateral action is already emerging: as we saw in November 2012 when Colorado and Washington States voted to legalise marijuana; and as we may see soon in Uruguay, if the Senate approves a proposal to create a state monopoly on the regulated sale of the same drug.

Certain Latin American countries (Colombia, Guatemala, Uruguay) are likely to become increasingly assertive in their calls for European countries to participate fully in both the OAS debate and the wider global discussion on the approach to drugs, referring to our responsibility as consumer countries to seek new ways of tackling this shared problem. **HMG has been clear in its willingness to have a debate and has in fact been implementing many of the ideas in the OAS report for several years.** That includes our expertise in innovative approaches on treatment and demand reduction, for which there is likely to be a growing market in countries where cocaine use is rising like Brazil, Chile and Argentina. The UK's nuanced approach on interdiction also aligns with many of the ideas in the report.

For some OAS members though, the crux of the debate centres on whether to introduce more radical changes (i.e. decriminalisation and/or legalisation) to focus on reducing harm in producer / transit countries. **We may therefore see ever more warnings like that in the report's fourth “disrupt” scenario: that unless there is radical change to global drugs policy, more and more Latin American countries may turn their backs on coercive policies that they see as damaging to their societies and as being imposed on them from outside.**