

DRUGS AND
DEMOCRACY:
TOWARD A
PARADIGM SHIFT

Statement by the Latin
American Commission
on Drugs and Democracy

SECRETARIAT OF
THE COMMISSION:

Bernardo Sorj
Ilona Szabó de Carvalho
Miguel Darcy de Oliveira
Rubem Cesar Fernandes

SUPPORT:

Open Society Institute
Instituto Fernando Henrique Cardoso
Viva Rio
Centro Edelstein de Pesquisas Sociais

To know more about the
Commission access the site

www.drugsanddemocracy.org

or write to the email:
ilona@drogasydemocracia.org

Graphic design // Cacumbu

Latin American Commission on Drugs and Democracy

César Gaviria // Colombia // co-president

Ernesto Zedillo // Mexico // co-president

Fernando Henrique Cardoso // Brazil // co-president

Ana María Romero de Campero // Bolivia

Antanas Mockus // Colombia

Diego García Sayán // Peru

Enrique Krauze // Mexico

Enrique Santos Calderón // Colombia

General Alberto Cardoso // Brazil

João Roberto Marinho // Brazil

Mario Vargas Llosa // Peru

Moisés Naím // Venezuela

Patricia Marcela LLerena // Argentina

Paulo Coelho // Brazil

Sergio Ramírez // Nicaragua

Sonia Picado // Costa Rica

Tomás Eloy Martínez // Argentina

1//

A FAILED WAR

Prohibitionist policies based on the eradication of production and on the disruption of drug flows as well as on the criminalization of consumption have not yielded the desired results. We are further than ever from the announced goal of eradicating drugs.

Violence and the organized crime associated with the narcotics trade are critical problems in Latin America today. Confronted with a situation that is growing worse by the day, it is imperative to rectify the “war on drugs” strategy pursued in the region over the past 30 years.

Prohibitionist policies based on the eradication of production and on the disruption of drug flows as well as on the criminalization of consumption have not yielded the expected results. We are farther than ever from the announced goal of eradicating drugs.

A realistic evaluation indicates that:

- Latin America remains the major global exporter of cocaine and cannabis, has become a growing producer of opium and heroin, and is developing the capacity to produce synthetic drugs;
- The levels of drug consumption continue to grow in Latin America while there is a tendency toward stabilization in North America and Europe.

The in-depth revision of current drug policies is even more urgent in Latin America in light of their enormous human and social costs and threats to democratic institutions.

Over the past decades we have witnessed:

- A rise in organized crime caused both by the international narcotics trade and by the growing control exercised by criminal groups over domestic markets and territories;
- A growth in unacceptable levels of drug-related violence affecting the whole of society and, in particular, the poor and the young;
- The criminalization of politics and the politicization of crime, as well as the proliferation of the linkages between them, as reflected in the infiltration of democratic institutions by organized crime;
- The corruption of public servants, the judicial system, governments, the political system and, especially the police forces in charge of enforcing law and order.

2//

BREAKING THE SILENCE, OPENING UP THE DEBATE

Breaking the taboo, acknowledging the failure of current policies and their consequences is the inescapable prerequisite for the discussion of a new paradigm leading to safer, more efficient and humane drug policies.

Current drug repression policies are firmly rooted in prejudices, fears and ideological visions. The whole issue has become taboo which inhibits public debate. The association of drugs with crime blocks the circulation of information and segregates drug users in closed circles where they become even more exposed to organized crime.

Hence, breaking the taboo and acknowledging the failure of current policies and their consequences is the inescapable prerequisite for opening up the discussion about a new paradigm leading to safer, more efficient and humane drug policies.

This does not mean the outright rejection of policies that combat the narcotics trade which have consumed over the years vast economic resources and implied the sacrifice of countless human lives. Nor does it detract in any way from the urgent priority to strengthen the struggle against cartels and drug traffickers. The way forward lies in acknowledging the insufficient results of current policies and, without dismissing the immense efforts undertaken, launching a broad debate about alternative strategies. It is also high time to involve in this discussion sectors of society that so far have remained at a distance from the drug problem under the assumption that its solution is a matter for public authorities.

The challenge at hand is to drastically reduce the harm caused by illegal narcotics to people, societies and public institutions. To move in this direction, it is essential to differentiate between illicit substances according to the harm they inflict on people's health and the social fabric.

The search for more efficient policies, rooted in the respect for human rights, implies taking into account the diversity of national situations and emphasizing prevention and treatment. These policies do not deny the importance of repressive actions – including the participation of the Armed Forces in extreme situations, according to the decision of each country – to confront the threats posed by organized crime.

LIMITS AND UNDESIRABLE EFFECTS OF REPRESSIVE STRATEGIES

The long-term solution for the drug problem is to reduce drastically the demand for drugs in the main consumer countries.

It is imperative to review critically the deficiencies of the prohibitionist strategy adopted by the United States and the benefits and drawbacks of the harm reduction strategy followed by the European Union. It is also important to question the low priority given to the drug problem by both industrialized and developing countries in other parts of the world.

Colombia is a clear example of the shortcomings of the repressive policies promoted at the global level by the United States. For decades, Colombia implemented all conceivable measures to fight the drug trade in a massive effort whose benefits were not proportional to the vast amount of resources invested and the human costs involved. Despite the country's significant achievements in fighting the drug cartels and lowering the levels of violence and crime, the areas of illegal cultivation are again expanding as well as the flow of drugs coming out of Colombia and the Andean region.

Mexico has quickly become the other epicenter of the violent activities carried out by the criminal groups associated with the narcotics trade. This raises challenges for the Mexican government in its struggle against the drug cartels that have supplanted the Colombian traffickers as the main suppliers of illicit drugs to the United States market. Mexico is thus well positioned to ask the government and institutions of American society to engage in a dialogue about the policies currently pursued by the US as well as to call upon the countries of the European Union to undertake a greater effort aimed at reducing domestic drug consumption. The traumatic Colombian experience is a useful reference for countries not to make the mistake of adopting the US prohibitionist policies and to move forward in the search for innovative alternatives.

The European Union policy focusing on the reduction of the damages caused by drugs as a matter of public health, through the provision of treatment to drug users, has proved more humane and efficient. However, by not giving appropriate emphasis to the reduction of domestic consumption in the belief that the focus on harm reduction minimizes the social dimension of the problem, the policy of the European Union fails to curb the demand for illicit drugs that stimulates its production and exportation from other parts of the world.

The long-term solution for the drug problem is to reduce drastically the demand for drugs in the main consumer countries. The question is not to find guilty countries and allocate blame for this or that action or inaction, but to reiterate that the United States and the European Union share responsibility for the problems faced by our countries, insofar as their domestic markets are the main consumers of the drugs produced in Latin America. It is, thus, pertinent for us, Latin Americans, to ask them as partners to design and implement policies leading to an effective reduction in their levels of drug consumption and, as a consequence, in the overall scope of the narcotics criminal activities.

THE VISION OF LATIN AMERICA: TOWARD A NEW PARADIGM

Treating drug users as a matter of public health and promoting the reduction of drug consumption are preconditions for focusing repressive action on two critical points: reduction of production and dismantling the networks of drug trafficking.

Taking into account our continent's experience in the fight against the narcotics trade and the seriousness of the problem, the Latin American Commission on Drugs and Democracy addresses the present statement to our countries' governments and public opinion, to the United Nations and the international community, proposing a new paradigm based on three main directives:

- Treating drug users as a matter of public health.
- Reducing drug consumption through information, education and prevention.
- Focusing repression on organized crime.

Our approach does not imply any complacency in regard to the drug problem. We acknowledge that narcotics are harmful to people and societies. Treating drug users as a matter of public health and promoting the reduction of drug consumption are actually the inescapable preconditions for focusing repressive action on two critical points: reduction of production and dismantling the networks of drug trafficking.

To translate this paradigm shift into concrete action, we propose the adoption by Latin American countries of the following initiatives in the framework of a global process of reframing the policies for fighting the use of illicit drugs:

1. Change the status of addicts from drug buyers in the illegal market to that of patients cared for in the public health system

The enormous capacity of the narcotics trade for violence and corruption can only be effectively countered if its sources of income are substantially weakened. To accomplish this goal, the State must establish the laws, institutions and regulations enabling those who have become addicted to drugs to stop being buyers in an illegal market and to become patients of the health care system. This change of status, combined with informational and educational campaigns, might have a significant impact in terms of reducing the demand for illegal drugs, lowering its price and, as a consequence, undermining the economic foundations of the drug business.

2. Evaluate from a public health standpoint and on the basis of the most advanced medical science the convenience of decriminalizing the possession of cannabis for personal use

Cannabis is by far the most widely used drug in Latin America. Its consumption has an adverse impact on the user's health, including mental health. But the available empirical evidence shows that the harm

caused by this drug is similar to the harm caused by alcohol or tobacco. More importantly, most of the damage associated with cannabis use - from the indiscriminate arrest and incarceration of consumers to the violence and corruption that affect all of society - is the result of the current prohibitionist policies.

It is also true that decriminalizing drugs as an isolated measure, disconnected from a strong investment in information and education to reduce consumption, could have the contrary effect of worsening the problems of drug addiction.

The United States is arguably the industrialized country that has invested the highest amount of resources in the fight against the narcotics trade. The problem lies in the effectiveness and consequences of its actions. Its policy of massive incarceration of drug users, questionable both in terms of respect for human rights and its efficiency, is hardly applicable to Latin America, given the penal system's overpopulation and material conditions. This repressive policy also facilitates consumer extortion and police corruption. The United States allocates a much larger proportion of resources to eradication and interdiction as well as to maintaining its legal and penal system than to investments in health, prevention, treatment and the rehabilitation of drug users.

3. Reduce consumption through campaigns of information and prevention that can be understood and accepted by young people, who account for the largest contingent of users.

Drugs affect and undermine people's decision-making capacity. Statements by former addicts about these risks might have greater power to influence behavior than the threat of repression or virtuous exhortations against drug use. The far-reaching social and cultural changes that have led to profound reductions in tobacco consumption show the effectiveness of information and prevention campaigns based on clear language and arguments that are consistent with the experience of those they try to reach.

Educational campaigns also face the challenge of constantly alerting the population at large and the drug users in particular about each person's responsibility towards the problem, the dangers that come with "easy money" and the costs of the violence and corruption associated with the narcotics trade.

Most of the current prevention campaigns implemented all over the world have failed. There is much to be learned from the innovative experiences carried out by European countries, such as the United Kingdom, the

The far-reaching social and cultural changes that led to profound reductions in tobacco consumption show the efficiency of information and prevention campaigns based on clear language and consistent arguments.

Netherlands and Switzerland. It is also important to share experiences and explore innovative approaches tested in other parts of the world.

4. Redirect repressive strategies to the unrelenting fight against organized crime

Public policies should be targeted to fighting the most harmful effects of organized crime on society, such as violence, institutional corruption, money laundering, arms trafficking, and the control over territories and populations. Insofar as the drug trade is a transnational problem, it is important to articulate domestic policies with regional and global strategies.

5. Reframe the strategies of repression against the cultivation of illicit drugs

Eradication efforts must be combined with the adoption of strongly financed alternative development programs adapted to local realities in terms of viable products and conditions for their competitive access to markets. It is important to speak not only of alternative cultivation but to envision a wide range of options, including the social development of alternative forms of work, democratic education and the search for solutions in a participatory context. Such initiatives must also take into account the legal uses of plants, such as the coca leaf, in countries with a long-standing tradition of ancestral use previous to the phenomenon of their exploitation as an input for drug production. Accordingly measures must be taken to strictly adjust production to this kind of ancestral use.

5//

ENGAGING CIVIL SOCIETY AND PUBLIC OPINION

Each country must face the challenge of opening up a large public debate regarding the seriousness of the problem and the search for policies consistent with their history and culture.

A new paradigm to address the drug problem must be less centered on repressive measures and more respectful of national societies and cultures. Effective policies must be based on scientific knowledge and not on ideological biases. This effort must involve not only governments but all sectors of society.

The social perception of the drug problem and the legislation on illicit drugs are going through an accelerated process of change in Latin America. A growing number of political, civic and cultural leaders have publicly called for a drastic policy shift.

The deepening of the debate concerning the policies on drug consumption must be grounded on a rigorous evaluation of the impact of the diverse alternatives to the prohibitionist strategy that are being tested in different countries, focusing on the reduction of individual and social harm.

This construction of alternatives is a process that requires the participation of a plurality of social actors: law and order institutions, educators, health professionals, spiritual leaders, families, opinion makers, and media. Each country must face the challenge of opening up a large public debate about the seriousness of the problem and the search for policies consistent with its history and culture.

At the Inter-American level, Latin America must establish a dialogue with the United States government, legislators and civil society to jointly develop workable alternatives to the current “war on drugs” strategy. The inauguration of the Barack Obama Administration offers a unique opportunity to reshape a failed strategy and engage in the common search for more efficient and humane policies.

Simultaneously, at the global level, we must move forward with the articulation of a voice and vision of Latin America to influence the international debate on illicit drugs, especially in the framework of the United Nations and the Inter-American Drug Abuse Control Commission. Latin America’s active participation in the global debate would mark its transition from a problem-region to a pioneering-region in the implementation of innovative solutions for the drug problem.

Drugs and Democracy: toward a paradigm shift

presents to the public debate the main findings of the Latin American Commission on Drugs and Democracy.

Convened by former presidents Fernando Henrique Cardoso of Brazil, César Gaviria of Colombia and Ernesto Zedillo of Mexico and composed of 17 independent personalities, the Commission evaluated the impact of the “war on drugs” policies and framed recommendations for safer, more efficient and humane policies.

The proposals presented in this Statement represent an in-depth paradigm shift in the strategy to deal with the drug problem in Latin America.