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## HIGH-LEVEL DIALOGUE – WORKING GROUP ON “ALTERNATIVES TO INCARCERATION”

### AGENDA

Under the framework of the Working Group on “Alternatives to Incarceration” headed by the Government of Colombia, through the Ministry of Justice, as president of the Inter-American Drug Abuse Control Commission (CICAD) in the Organization of American States (OEA)

**Cartagena, Colombia. 20<sup>th</sup> to 21<sup>st</sup> of October, 2014**

During the Fifty-fourth Regular Session of the Inter-American Drug Abuse Control Commission (CICAD) – which took place in December, 2013 in Bogota – Colombia, who assumed the presidency, requested the Executive Secretariat of CICAD that a Working Group be created and charged with setting forth different alternatives to incarceration for drug-related offenses. During the Fifty-fifth Regular Session of CICAD – which took place in April, 2014 in Washington – the Commissioners approved in plenary the creation of this Group.

The Working Group is comprised of experts designated by the Member States and is supported by a Technical Support Group. The government of Colombia is in charge of the coordination of the Group and the Ministry of Justice and Law directs the Technical Secretariat, which is supported by a “Legal Technical Leader.” In fulfilling its mandate, the Technical Support Group is currently producing a Technical Report on “Alternatives to Incarceration,” with CICAD’s support.

**Objective:** Encourage a high-level dialogue between OAS Member States on alternatives to incarceration for drug-related offenses

This activity is taking place under the framework of the Working Group on Alternatives to Incarceration lead by the government of Colombia, through the Ministry of Justice, as President of the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security, Organization of American States (OAS). This workshop is receiving financial support from the government of Colombia, the Spanish Agency for International Development Cooperation (AECID), and the government of the United States of America (through the *Closing the Gap* initiative).



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**MONDAY, OCTOBER 20<sup>TH</sup>, 2014**

**9:00 – 9:30 Registration of participants and distribution of materials.**

**9:30 – 11:00 OPENING THE DIALOGUE**

- **Mercedes Flórez**, Director, AECID Training Center in Cartagena, Spanish Agency for International Development Cooperation
- Ambassador **Paul E. Simons**, Executive Secretary of the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security, Organization of American States (OAS)
- **David Álamos**, Representative (E), United Nations Office on Drugs and Crime
- Vice-minister **Miguel Samper Strouss**, Vice-minister of Criminal Policy and Restorative Justice, Ministry of Justice and Law, Colombia

**11:00 – 11:15 PRESENTING THE PROGRAM: OBJECTIVES, METHODOLOGY, AND PARTICIPANTS**

- **Martha Paredes**, Acting Director of the Anti-Drug and Drug-Related Activity Policy Directorate, Ministry of Justice and Law, Colombia.

**11:15 – 11:30 COFFEE BREAK**

**11:30 -12:00 ALTERNATIVES TO INCARCERATION: PROGRESS SINCE THE ADOPTION OF THE HEMISPHERIC DRUG STRATEGY**

- Ambassador **Paul E. Simons**, Executive Secretary of the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security, Organization of American States (OAS)

**12:00 – 13:00 COMMON TRENDS FROM COUNTRIES IN THE REGION IN CRIMINAL LEGISLATION RELATING TO DRUGS, CONSEQUENCES OF THE CRIMINALIZATION OF DRUG-RELATED OFFENSES, AND EXISTING AND POSSIBLE OPTIONS FOR ALTERNATIVES TO INCARCERATION: THE MAIN CHALLENGES AND OPPORTUNITIES**

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**OBJECTIVE:** Present the findings of the Technical Support Group and an overview of the criminal legislation on drugs in the region and its effects. Explain the conceptual framework and methodology that underpin the report, analyze the alternatives identified, the salient aspects of these alternatives for countries in region, and opportunities presented by existing policy.

- **Rodrigo Uprimny**. Legal Technical Leader, Working Group on Alternatives to Incarceration (45 minutes)

#### QUESTION AND ANSWER SESSION (15 min)

**13:00 – 14:00 LUNCH**

**14:00 – 18:00 PANEL: PUBLIC POLICY OPTIONS WITH REGARD TO ALTERNATIVES TO INCARCERATION**

**Moderator:** Vice-minister Miguel Samper Strouss, Vice-minister of Criminal Policy and Restorative Justice, Ministry of Justice and Law, Colombia

**OBJECTIVE:** Present a wide range of policy options that provide responses other than the deprivation of liberty for those who commit drug-related offenses, focusing on public health and guaranteeing the protection of human rights.

#### Guiding questions:

- What are the salient practices, suggestions, recommendations, and lessons learned in each of the options analyzed?
- To which procedural stage does each alternative apply?
- What are the main benefits of each alternative?
- What are the mechanisms, levels of implementation, and relevant variables that affect how each alternative is adopted?

#### Case studies

- **Smart on Drugs, Smart on Crime, Richard Baum**, Chief, International Policy, Office of National Drug Control Policy (20 min)
- **Jorge Paladines**, Office of the Public Defender, Ecuador
- **Nuno Capaz**, Sociologist for Lisbon Commission for the Dissuasion of Drug Addiction (CDT), Portugal (20min).
- **Dr. Jennifer Fleetwood**, Lecturer in Criminology, University of Leicester, United Kingdom (20min).

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## QUESTION AND ANSWER SESSION (40 min)

### 16:00 – 16:15 COFFEE BREAK

- **Doris Ma. Arias Madrigal**, Magistrate of the Third Chamber of the Supreme Court of Justice. Republic of Costa Rica. Member of the Expert Group (20 min)
- **Stephane Jackson-Haisley**, Resident Magistrate, Corporate Area Criminal Resident Magistrate's Court, Kingston, Jamaica (20min)
- **HOPE and Back on Track: Julius Lang**, Director of Training and Technical Assistance, Center for Court Innovation, United States of America. Adviser to the Technical Support Group. (30min)

## QUESTION AND ANSWER SESSION (30 min)

**18:30 DINNER AND CULTURAL ACTIVITY: Juan del Mar Restaurant, Calle Plaza de San Diego, Calle 39 # 38-18, Cartagena de Indias, Bolívar, Colombia**

**TUESDAY, OCTOBER 21<sup>ST</sup>, 2014**

## 9:00 – 10:30 PANEL: KEY ELEMENTS OF THE STRATEGIES AND MECHANISMS FOR IMPLEMENTING ALTERNATIVES TO INCARCERATION AND THEIR APPLICABILITY IN THE CONTEXT OF LATIN AMERICA AND THE CARIBBEAN

**OBJECTIVE:** Contribute to the legal differentiation of conduct and substances, with the aim of providing more specific and appropriate responses, improving the applicability of existing and viable alternatives to incarceration, ensuring that these comprehensively respond to the distinct realities and characteristics of target populations, as well as the different phenomena that the countries of the hemisphere wish to address.

### Guiding questions:

- What are the diverse criminological realities that Member States face?
- What are the challenges and opportunities in the application and implementation of legislation for the issues and stages of the penal system?

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- c) What are the non-regulatory factors that affect, both positively and negatively, the implementation of legislation for alternatives to incarceration, with particular attention to vulnerable populations?

**Moderator: Adriana Henao, Program Manager Alternatives to Incarceration CICAD**

- **Gina Cabarcas**, Office of the State Prosecutor, Colombia (20 Min)
- **Catalina Pérez**, Professor/Researcher from the Department of Legal Studies at the Center for Research and Teaching in Economics (CIDE), Mexico (20 min)
- **Luciana Boiteux**, Rio de Janeiro State University, Brazil (20min)
- **Dr. Víctor Roberto Prado Saldarriaga**, Justice of the Supreme Court of the Republic, Peru (20 min)

**QUESTION AND ANSWER SESSION (40 min)**

**11:00 – 11:15 COFFEE BREAK**

**11:15 – 11:30 FINAL COMMENTS AND CLOSING**

- **Rodrigo Uprimny**, Legal Technical Leader, Working Group on Alternatives to Incarceration
- **Ambassador Paul E. Simons**, Executive Secretary of the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security, Organization of American States (OAS)
- **Yesid Reyes**, Colombian Minister of Justice and Law

**12:30 – 14:00 LUNCH**

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