

HIGHLIGHTS

FROM THE

OAS REPORT ON THE DRUG PROBLEM IN THE AMERICAS

Presented in Bogota, Colombia, on May 17, 2013

ANALYTICAL REPORT

- Unlike previous approaches, the OAS Report establishes that there is no single "Drug Problem in the Americas," but many problems related to: a) the different stages of the process associated with controlled drugs (cultivation, production, transit, sale, consumption), b) the ways in which these stages affect the countries of the region.
- The health problems associated with substance use is present in all our countries, in all of which there is evidence of drug use. However, the effects of this problem in terms of the number of people affected are greater in the countries of North America, where consumption is higher, although consumption is increasing in other countries.
- By contrast, the impact on the economy, social relations, security and democratic governance is greater in the countries where cultivation, production and transit take place, located in South America, Central America, Mexico and the Caribbean. In the countries of North America, which are the main destinations for trafficked substances, these effects are much less severe.
- From the perspective of the value generated in each of the stages that make up the illegal drug economy (cultivation, production, transit and sale), the sale is undoubtedly the one which generates the highest revenues and profits, reaching 65% of the total, while growers and the original producers generate and receive about 1%.
- Most of those who act as producers, traffickers and drug dealers, including the assassins of organized crime gangs, come from vulnerable areas in our societies and in most cases have been subject to unequal opportunities, low levels of education and family poverty.

- Consumption, while it cuts across all sectors of society, tends to be proportionally higher among those same vulnerable sectors who, due to the type of substances consumed (inhalants, smokeable cocaine) often run greater risks while at the same time, due to their marginal condition, often have less access to treatment and rehabilitation.
- Criminal activity associated with the production, but mainly with the trafficking of drugs to the end-use countries and markets is overwhelmingly greater and more alarming than that associated with retail and consumption.
- All drugs are potentially harmful to health, even legal ones like alcohol and tobacco. It is also clear that some drugs are more harmful than others, such as heroin and cocaine, including hydrochloride or smokeable versions.
- Criminal violence associated with production and transit is carried out primarily by organized transnational crime gangs, which can carry out acts of extreme violence and have diversified their activities to cover a wide range of offenses in addition to drug trafficking (smuggling of people, weapons, money, organs, intellectual piracy, smuggling, kidnapping and extortion).
- The uncertainty caused by the activity of these groups or "cartels" affects not only the citizens in their physical integrity and their heritage, but society as a whole, creating situations of corruption that undermine civil and state institutions and affecting democratic governance.
- The sale of drugs, which usually involves bands other than those engaged in the production and/or transit, does not generate the acute situations of violence that occur in the earlier stages. In this stage these violent situations are associated with disputes between minor gangs for control of local markets of micro trafficking in every country in the hemisphere.
- The insecurity associated with consumption refers to the altered behavior of people when they use psychoactive substances. Depending on the type of drug, the dosage, individual susceptibility and the expectation of the experience that the user has, consumption produces different effects (euphoria, anxiety, psychomotor agitation, hallucinations, delirium, somnolence, and sedation, among many others) that, while generally harmful, are manifested in various types of behavior that should be addressed on an individual basis.
- The reduction or elimination of violence and the insecurity associated with consumption is related to actions to prevent drug use and, with regard to drug users or addicts, their treatment as people affected by a chronic or recurrent illness and their rehabilitation.
- The reduction or elimination of violence and insecurity associated with the sale of drugs, such as is present in socially vulnerable neighborhoods and areas of

Latin America and the Caribbean, is related to the reduction of that condition of social vulnerability and demands comprehensive attention from the State and civil society in the fields of education, employment, equal opportunities and urban standards of living.

- The elimination of violence and insecurity associated with the activities of organized crime groups, mainly in the countries of cultivation, production and transit, is related to a necessary and urgent strengthening of all the institutions and the presence of the State.
- The lack of rule of law best explains the high rates of violence by criminal organizations and the fact that they dominate territories and influence public decisions. For this reason, this is where the emphasis should be to end or at least drastically reduce the insecurity that affects citizens.
- Impunity and corruption encourage violence as they allow criminals to act with confidence, without worrying about the penalties they may receive, although they appear nominally high. The certainty of punishment is a much more effective deterrent than the magnitude of the penalties.
- Drug consumption requires a public health approach in all our countries, with greater resources and more programs to succeed. This approach includes promoting healthy lifestyles, protecting users with measures to limit the availability of psychoactive substances, prevention, treatment, rehabilitation and social reintegration. The fundamental change in this area lies in the consideration of the user as a victim, a chronic addict and not a criminal or an accomplice in drug trafficking.
- The decriminalization of drug use should be considered on the same basis as any public health strategy. An addict is a chronically ill person who should not be punished for his addiction but adequately treated. While it is not possible to radically change the treatment of addicts overnight, at least transitional methods should be begun, such as drug courts, substantive reduction of sentences and rehabilitation. Measures that restrict freedom are antagonistic to this approach and should only be used if the addict's life is at risk or when their behavior poses a risk to society.
- Facing the drug problem requires a multi-pronged approach, with great flexibility, and understanding of different realities and, above all, the belief that, to be successful, we must maintain the unity of our countries while recognizing the diversity of particular situations.
- Greater flexibility could lead to accepting the possibility of changes in national legislation or to fostering changes in international law. In the field of national legislation existing signs and trends point toward the decriminalization or legalization of the production, sale and consumption of marijuana. There does

not appear to be significant support, in any country, for the decriminalization or legalization of the trafficking of other illegal drugs.

- At the level of the United Nations conventions, changes will arise from the possibility that the current system of control of narcotic and psychotropic substances could become more flexible and allow countries to collectively explore policy options on drugs, taking into consideration the needs, behaviors and particular traditions of each.

SCENARIOS FOR THE DRUG PROBLEM IN THE AMERICAS 2013 - 2025

- There is not just one future, but many futures that are built on the basis of the decisions of the present. Thus the Report The Drug Problem in the Americas presents four possible scenarios of what could become in the future the problem of drugs in the Americas. These scenarios show what this "problem" could become, if certain events happen and certain political decisions are taken today.
- The first scenario is called **Together**. In this scenario, the drug problem is understood as part of a larger problem of insecurity, with weak state institutions, incapable of controlling the consequences of drugs such as organized crime, violence and corruption. In this context, an answer is sought by strengthening the capacity of judicial and public security institutions through greater professionalism, better partnerships with citizens, new indicators of success and enhanced international cooperation. The objectives of these actions are to achieve greater citizen security; greater credibility of state institutions, which would support the possibility of increases in taxation to further strengthen security; and a renewed hemispheric alliance. The challenges facing this course of action would come from the reconstruction of state institutions over the opposition of entrenched interests; scattered and hesitant international cooperation; and the effect of criminal activities moving to places with weaker institutions.
- The second scenario is called **Pathways**. This scenario identifies the problem with the current legal and regulatory regime to control drug use through criminal sanctions (especially arrests and imprisonment), which it estimates are causing too much damage. Consequently it was decided to try and learn from alternative legal and regulatory regimes, starting with cannabis. The objectives of these actions are the development of better drug policy through rigorous experimentation; the reassignment of resources used to control drugs and users for the prevention and treatment of problematic use; the elimination of some markets and profits of crime through regulation. The challenges facing this course of action would come from the management of the risks of experimentation, especially with respect to the transition from criminal markets to regulated markets (including possible increases in problematic use); dealing with new criminal markets; and new intergovernmental tensions as a result of differences in regimes across jurisdictions.
- The third scenario is called **Resilience**. In this scenario, the drug problem is treated as a manifestation of underlying social and economic dysfunctions that generate violence and addiction. Consequently it was decided to implement programs to strengthen communities and improve public health and safety, created from below by local governments, businesses and non-governmental organizations. The objectives of these actions are more inclusive, less violent,

and healthier communities that take an active role in the fight against drugs and crime. The challenges facing this course of action would come from the insufficient resources and capabilities of many local governments and non-governmental organizations to address these problems; and setbacks before this response leads to a reduction in drug-related crime.

- The fourth scenario is called **Disruption**. In this scenario, the drug problem is understood by focusing on countries where drugs are produced (especially cocaine) and those where trafficking takes place, which would be paying unbearable and unfair social costs for this trafficking to consumer countries. As a result, some countries unilaterally abandon the fight against (or come to accept) the production and trafficking of drugs in their territory. With these actions, these countries seek to reduce violence; place a greater focus on domestic rather than international priorities; and the freeing up of resources currently spent on security and law enforcement. The challenges facing this course of action would come from the fact that a reduction in the application of the law would allow the expansion of drug markets and profits; the cooptation of the State by criminal organizations; and conflicts arising from violations of international treaties.