

**17th Model of the Permanent Council
for OAS Interns – 17th MOAS/PC
November 12-13, 2013**

FINAL RESOLUTIONS



**MOAS PROGRAM COORDINATION
OFFICE OF THE ASSISTANT SECRETARY GENERAL**

**PARAMETERS AND INSTITUTIONAL STRENGTHENING REGARDING THE
DECriminalIZATION OF THE POSSESSION OF SMALL AMOUNTS OF
DRUGS¹ IN THE AMERICAS**

THE MOAS/PC GENERAL ASSEMBLY,

BEARING IN MIND the sovereignty of OAS Member States and the policies adopted so far to regulate the drug problem in the region;

RECALLING that the Declaration of Antigua Guatemala “For a Comprehensive Policy Against the World Drug Problem in the Americas” states that “the experience and new approaches that different governments and societies have developed in relation to the world drug problem may provide global lessons for the evolution of current policies on drugs”;

ACKNOWLEDGING the differences of judicial, institutional and legislative frameworks among Member States;

TAKING INTO ACCOUNT that our hemisphere has different realities and priorities regarding the approaches to decriminalizing small amounts of drugs;

CONSIDERING that the increase in drug cultivation, production, trafficking and use harms the hemisphere’s social, health, political and economic systems;

STRESSING the importance of promoting a multidimensional approach regarding the issue of drugs in the Americas;

REAFFIRMING the Hemispheric guidelines on drug prevention and drug control mechanisms and the principles established by the UN Convention Against Corruption (2003);

RECOGNIZING past efforts made by Member States to mitigate the adverse impact of the drug problem on our societies,

RESOLVES:

1. To recommend all countries to conduct a survey that analyses the impact on their judicial systems, of the possession of small amounts of drugs, in order to collect specific data on the real situation and, therefore, create proper policies to deal with the problem;
2. To request CICAD the establishment of hemispheric standards regarding the maximum quantity of individual possession of drugs as a guideline to those Member States that are considering decriminalizing the possession of small amounts of drugs;

¹ The Republic of Bolivia enters its express reservation to the reference of “drugs” within this Resolution, considering the traditional and legal status of the coca leaves within Bolivian Jurisdiction.

3. To encourage Member States to consider alternative approaches to deal with the drug problem in the Hemisphere such as, but not limited to, the decriminalization of the possession of small amounts of cannabis for personal use.
4. To issue a recommendation for Member States regarding the implementation of alternative penalties to deprivation of liberty in cases related to possession of small amounts of drugs.
5. To support the design and implementation of national anti-drug plans in countries where they have yet to be established, and the strengthening of those already in place, by exchanging know-how and good practices through a multilateral and regional approach.
6. To promote the implementation of a border control mechanism and international institutional cooperation, in the form of exchange of public information, through a Unified Data System and collective actions in the topic of control of drug trafficking across borders, with the purpose of:
 - a. Strengthening the democratic institutions of each country, the rule of law and the development of policies against corruption.
 - b. Reinforcing the importance of implementing new strategies to prevent and combat the production and distribution of drugs through the creation of a multidisciplinary working group.
 - c. Incentivizing the exchange of Good Practices as a way to extend the implementation of new innovative policies.
7. To encourage the creation of mechanisms for the protection of economically exploited communities and vulnerable groups to drug related issues, as well as promoting alternatives for income generation.
8. To establish a common and adaptable framework for the prevention and treatment of potential and current drug-dependent persons, by implementing educational programs on drug use on three levels: educational system, communities, and penitential institutions.
9. To foster work force training programs together with those which incentivize the integral health (physical and mental) of drug-dependent persons at the penitentiary level, in order to facilitate an appropriate reintegration into society. Moreover, to recommend that member states create policies that promote the employment of rehabilitated drug-dependent persons within the public and private sectors.
10. To encourage the OAS and its Member States to seek additional funding, when needed, through bilateral and multilateral cooperation, as well as third party alliances and specialized agencies under the rule of law, in order to address the proposals included in this resolution.

(Approved with 28 votes)

**PROCESS OF REFLECTION ON THE CANNABIS REFORM AS A HUMAN RIGHTS
INITIATIVE IN THE AMERICAS**

THE MOAS/PC GENERAL ASSEMBLY,

IN COMPLIANCE with the commitment of the Organization of American States to achieve the highest standard of living, and invoking the cooperative spirit that characterizes the Inter-American community;

CONCERNED that cannabis has economic, health and social implications in the Americas;

REITERATING the need to cooperate through a comprehensive approach, based on scientific evidence and experience;

MINDFUL of the need to provide mechanisms that address health and social issues of cannabis use through professional and accessible treatment to dependent users;

TAKING into account that each Member State has its own approach regarding the cultural context of the cannabis use, and reaffirming the sovereignty of each state;

BEARING in mind the already-existing international human rights treaties to which Member States are part, and recognizing the necessity to incorporate the Human Rights perspective in the treatment of the cannabis phenomenon in the Americas;

CONSIDERING the seriousness of the problem of drug consumption and drug trafficking in the Americas and the world at large,

RESOLVES:

1. To recommend to the Member States:
 - a. To encourage the effectiveness of due process during the prosecution of consumers of small quantities of cannabis, in order to prevent disproportional punishment.
 - b. To promote the application of alternative and punitive measures, such as the implementation of alternative centers for their proper reinsertion into society.
 - c. To channel resources allocated to the prison systems and the criminalization of drug consumption to further fund treatment and rehabilitation programs for cannabis dependent users.
 - d. To request the Secretariat for Legal Affairs to follow up on the accomplishment and effectiveness of the present recommendations.
2. To suggest that the Member States encourage society to not stigmatize former and present cannabis users, making joint efforts to reintegrate recovered users into the job market, taking into account a non-discriminatory approach.

3. To properly identify through the criminal justice system the cannabis dependent users that can benefit from treatment and rehabilitation for social reinsertion.
4. To create, based on necessity, centers of permanent training for the administrators of justice in the various countries of the Americas, and to analyze the possibility to install a specialized training program with the support of the appropriate OAS instances.
5. To implement prevention programs aimed at avoiding the abuse and misuse of cannabis by launching local, national and regional social media campaigns, in cooperation with the private sector and national and regional NGOs.
6. To establish November 13th as the Inter-American Day for Cannabis Education, in order to provide society with the latest scientific research findings through campaigns, conferences and other interactive activities that can raise awareness and knowledge within societies throughout the hemisphere.
7. To include the topic of cannabis education in basic school curricula, in order to build more responsible and accountable societies in this matter.

(Approved with 28 votes)