



UNGASS on Drugs: Challenges and Opportunities

*by Aram Barra**

There is no turning back. After thousands of deaths, a worldwide increase of drug consumption, exorbitant expenses and Human Rights violations, the wave of reforms of public policies on drugs in Latin America sheds a light of hope on a region where the costs have already been way too many and high.

In this context, the United Nation General Assembly Special Session (UNGASS) on Drugs is the perfect high level opportunity to push for the introduction of a new international paradigm under which the drug phenomenon could be understood and answered to from a fresher approach.

Well beyond the event per se, the “UNGASS process” has become an admirable catalyst for debate and dissemination of information to various decision makers who had limited or no knowledge about the very complex and multifactorial nature of the drug phenomenon. For more than two years, countries such as Colombia, Ecuador, Guatemala, Mexico and Uruguay have been carrying out considerable work in the field of drug policies. The path has been far from easy.

Those of us who have accompanied the process from civil society started by promoting a change in the perception both of the very definition of the drug public “problem”, and the interventions aimed at tackling it. In other words, it was necessary to break the taboo so as to free drug policy from its moral weight and from the prejudices associated with drug use.

Various multilateral institutions such as the Organisation of the American States, or UN agencies like the Population Fund, the Development Programme and UNAIDS, took part in this process. On the one hand, the OAS carried out an extensive study of the phenomenon in the region and conducted a simulation exercise for future scenarios with various regulatory models. On the other hand, the UN carried out a number of events and publications about the implications of prohibition on different themes ranging from HIV, youth and development.

Various efforts were being conducted in parallel around the globe in order to develop comprehensive policies which would provide continued care from a perspective of public health, and minimise the damages associated with prohibitionism. Some countries – among which the Netherlands and Portugal- use depenalisation as a strategy to eliminate the criminalisation of drug users. Others, such as the United States or Switzerland,



approved the legalisation of medical use of certain controlled drugs such as marijuana and heroin.

Few countries such as the Netherlands, Spain and Portugal decided to go further and understood the necessity to establish legal, regulated markets, , starting with cannabis, as a strategy of market separation and establishing control. Even though Uruguay is so far the only country to have advanced towards complete legalisation of the market, numerous countries around the world have been carrying out interesting debates and legal initiatives in this regard.

The “UNGASS process” reached its final stage in september 2015, when the new Agenda for Global Development and the Sustainable Development Goals were approved. From then on, the positions of the different countries became very clear in UN official debates.

The European Union played for instance a crucial role in its search for alliances with Latin America in order to foster drugs depenalisation and evaluate the costs of prohibition in terms of Human Rights.

As for Latin America, under the leadership of Mexico, Colombia, Guatemala, Ecuador and Uruguay, it seeked to tailor the debate to current reality. This means accepting the fact that the market exists and is undergoing considerable growth, in spite of the current efforts carried out under the prohibitionist model. The debate should be based on this reality rather on the “drug-free world” utopia, as was the case only two decades ago.

As the process is coming to an end by the beginning of this year, the efforts of the global movement for a reform of drug policies will be focused on the so called “zero draft”. The global civil society has been fighting in particular for the following four demands:

Firstly, agree through the UN on a common effort and a coordinated action plan in order to fill the gap in availability of, and access to substances for medical use.

Secondly, create a technical working group aiming at analysing the key objectives of the international system for the fiscalisation of drugs, with a view to agree on a new, comprehensive approach in 2019.

Thirdly, create a consultative group of experts who would analyse the tensions currently existing in the structure of the UN drugs control system.

And fourth, establish a solid mechanism for governments and professionals to share optimal practices and experiences.



If Latin America wishes to stop absorbing the associated costs of drug supply and demand incurred by drug prohibition, it must then move on towards policies based on reality and not on dogmatic or moralistic positions. In order to do so, legal regulation is a small move in the right direction.

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