



UNGASS 2016 and the Need to Reform Policies Against Drugs – a FES project

*by Catalina Niño**

Throughout history, people have been using mind-altering substances, and will keep on doing so. Drug trafficking will thus continue to exist, as there will always be demand. Although this fact should be taken into consideration in the design of drug policies, it has not been the case so far – what explains, at least partly, the failure of the war on drugs. Prohibition did not work. It has however been the strategy, which shaped international regime and national policies addressing the matter, with dramatic negative impacts on governance and democratic institutions in many countries. Latin America has possibly been the region most affected by both drug trafficking and the very policies implemented to address it. It has, therefore, the experience and moral authority to lead the global debate about the need for national and international public policy alternatives, alternatives that would produce better results and lessen the negative impacts of the strategies implemented so far.

The dynamics of both drug trafficking and the policies implemented to address it have generated negative externalities such as: the increase of violence and criminality associated with the phenomenon, the deepening of historically present corruption in public institutions, public health issues, and the criminalisation of problematic and non problematic drug consumers. The costs generated in the region led some countries – Colombia, Guatemala and Uruguay- to call in 2012 for the opening of a broad debate within the framework of the international system over how the phenomenon should be dealt with. Given drug trafficking is a phenomenon depending on demand, any strategy centred on repressing the supply side, considering that if there is no drugs for sale there will be no consumption, is destined to failure.

The formulation of policies against drugs must be based on scientific evidence and take into consideration the differences between the substances consumed and their effects on both consumers and their social environment. It is equally fundamental that these policies respect Human Rights and have a public health approach. This not only in terms of consumption but also in relation with the farmers/growers and small resellers who do not benefit from the huge profits the business generates, but rather, often see their rights violated – not only by criminal organisations, but in many cases, by state institutions as well.

Many civil society organisations, and even some governments, have at some point had the hope that the UNGASS 2016 (the United Nation General Assembly Special Session on the World Drug Problem) would be a space allowing frank discussion, and lead to a



rethinking of the current international regime. It is today clear: this will not be the case. While in Latin America there is a growing consensus on the failure of the war on drugs, in other regions the trend goes pretty much in the opposite direction - as countries such as Russia and China radically oppose any softening of the political dialogue on the issue. On a platform where decisions are taken by consensus such as the UN, traditional positions - favoured by the inertia that characterises multilateral institutions - are very likely to take precedence over the winds of change.

Nevertheless, one cannot minimise the significance of the UNGASS 2016. The event will be a milestone in the discussions about the international regime against drugs for different reasons. For one thing, the preparatory process of this Special Session included organisations from the civil society and academic sectors which for years have been defending the necessity of drug policies more respectful of Human Rights and based on scientific evidences. For another thing, for the first time ever some governments are supporting the idea that reform is needed - given that the traditional punitive strategy did not bring the expected results. What is more, the event takes place in a context in which the policies of many countries have already undergone concrete changes, such as state regulation of the cannabis market in Uruguay, legalisation of recreational use in various States of the United States, amnesties for people imprisoned on minor, non-violent drugs offences in Ecuador, laws aiming at facilitating medicinal uses of marijuana in Chile and Colombia, decriminalisation of consumption of all psychoactive substances in Portugal, among others.

In this context, the UNGASS 2016 is a first step in a long process in which civil society, the academic sector and States will have to work together to reshape their national – and, further on, international - policies related to drugs. In 2015 and 2016, the Friedrich Ebert Foundation (FES) has been fostering dialogue about alternative positions in terms of drug policies on both the Latin American and German agendas. Decisions do not only include a national perspective of public health but also one of international cooperation with Latin American countries.

Through regional forums with political representatives and progressive young people, the problems associated with the current policies have been highlighted, and viable alternatives have been proposed. Analysis and proposals constitute working material, and, along with the actors who promote progressive transformations in drug policies in the different Latin American countries and Germany, are political lobbying forces. (www.fes-seguridadregional.org). There will certainly be many obstacles along the way: maintaining the momentum is consequently detrimental to achieving significant and sustainable changes.



EU-LAC Foundation
Fundación EU-LAC

***Catalina Niño** is the Director of the Cooperation Programme on Regional Security of the German foundation Friedrich Ebert Stiftung in Colombia

This paper was prepared for the EU-LAC Foundation's Newsletter of March 2016 on the theme "The World Drug Problem". This article gives the views of the author, and not the position of the EU-LAC Foundation. This is a translation of the responsibility of the EU-LAC Foundation; to read the original version in Spanish please follow the link:

https://eulacfoundation.org/en/system/files/UNGASS_FESNino_ES.pdf