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Leaders Past and Present Across the Americas Call on UN to End War on Drugs

by Gregory Scruggs

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From teenage boys pressed into gangs, to farmers caught in the crossfire of paramilitaries vs. guerrillas, to women coerced into working as mules, the victims of the global war on drugs touch nearly every corner of Latin America and the Caribbean. But with the recent spike in cartel violence in Mexico, as well as the prospects for peace in Colombia, leaders across the region have felt emboldened to challenge the status quo on drugs. To that end, Colombia, Guatemala, and Mexico spearheaded an effort within the UN to call a special assembly on drugs.

The session, known as UNGASS, took place April 19-21 and was the first UN-wide convening on drug policy since 1998. With countries like Jamaica and Uruguay (NotiSur Aug. 3, 2012) on the vanguard of global experiments with decriminalization and outright legalization of cannabis, and nations from Central America through the Andes ravaged by the impacts of the war on drugs, there was a broad-based consensus in the region to change the UN’s hardline stance on drugs.

While that goal ultimately went unmet, UNGASS nevertheless staked out a strong Latin American and Caribbean position for reform, echoed by members of civil society who came to New York for the occasion. The UN conventions on narcotic drugs may remain as they are, but countries across the Americas signaled their intention to buck global trends by pursuing national policies that emphasize harm reduction over prevention and tolerance over criminalization.

Conventional wisdom

The UN has a strong role in global drug policy, dating back to the Single Convention on Narcotic Drugs of 1961, which classified coca and cannabis alike as “controlled substances” whose production should be heavily regulated by national governments. Both plants have a long history of medicinal and spiritual use in the Americas, but the UN’s public health experts declared that they were of no therapeutic value.

This convention, alongside the later Convention on Psychotropic Substances of 1971 and the UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, form the backbone of global drug policy, ratified by nearly every UN member state. National laws on drugs, in turn, reflect these conventions. They classify a host of narcotics as “controlled substances” and criminalize their production and consumption outside of government regulation. The letter of these conventions is policed by the UN Office of Drugs and Crime (UNODC) in Vienna, which issues annual reports on countries’ efforts to prevent the flow of illicit drugs.

However, this year’s UNGASS showed cracks in that façade. As Milton Romani Gerner, secretary general of Uruguay’s National Drug Board, said in a press conference, “International treaties are not written in stone never to be altered. If states and society refused to change because it would involve reforming treaties, then there would never be any kind of progress.”

His comments were echoed by three former heads of states—Brazil’s Fernando Henrique Cardoso, Colombia’s Cesar Gaviria, and Mexico’s Ernesto Zedillo, who wrote in a March Los Angeles Times...
column, “For nearly a decade, we have urged governments and international bodies to promote a more humane, informed and effective approach to dealing with ‘illegal’ drugs.” They concluded: “The ‘war on drugs’ is an unmitigated disaster.”

**Bold pronouncements**

At the three-day special session, several Latin American and Caribbean leaders made bold pronouncements in an attempt to change the status quo. Speaking from the floor of the UN General Assembly, Jamaican Foreign Affairs Minister Kamina Johnson Smith said, “The classification of cannabis [under the treaties] is an anomaly.” She cited Jamaica’s recent move toward marijuana decriminalization and made a case for religious tolerance of the plant (NotiCen, Dec. 4, 2014). “Cannabis has been traditionally used as a folk medicine, as well as a religious sacrament, by adherences to our indigenous faith, Rastafari,” she said.

“The world drug problem is a phenomenon that does not recognize borders and damages societies throughout the world,” Mexican President Enrique Peña Nieto said. More bluntly, Colombian President Juan Manuel Santos said in an interview, “It’s insane to continue down the same path expecting a different result.”

What followed were concrete calls for reform to existing UN drug treaties and announcements of national moves in that direction. “Until now, the response implemented by the international community has been frankly insufficient,” Peña Nieto said. “Let us move from mere prohibition to effective prevention and efficient regulation. Millions of lives depend on it.” At UNGASS, he announced support for a medical marijuana initiative in Mexico (SourceMex, April 27, 2016).

Santos endorsed individual country initiatives. “Although they occur outside the international conventions, controlled experiments in regulating the drug markets should continue to develop, and be monitored by UN agencies, toward further discussion at the next summit following this next week, the 2019 UNGASS,” he said.

The Jamaican foreign affairs minister agreed. “Jamaica reiterates its call for a mechanism to review the global drug architecture,” she said, adding that the global community “must place health and human development at the center of the process.”

The progressive stance of select Latin American and Caribbean governments was coupled by intense energy on the part of civil society. Mothers called for sensible drug laws that they believe would have prevented the overdose deaths of their children. A Caravana por la Paz, la Vida, y la Justicia (Caravan for peace, life and justice) started in Tegucigalpa, Honduras, on March 28, and brought together 800 people from five countries. Of them, 35 eventually completed the overland journey through territories suffering from the impact of the war on drugs, arriving in New York in time for UNGASS.

**Museum of Drug Policy**

The Open Society Foundations hosted a three-day pop-up, the Museum of Drug Policy, that put a human face on the experience of those impacted by global drug policy. It featured several artists from Latin America and an arresting display of embroidered handkerchiefs with the names and stories of Mexicans whose lives have been lost to the cartel wars.
Despite the momentum generated ahead of UNGASS 2016, the session was a disappointment for those who expected the existing UN drug conventions to be rewritten. Like any UN process, the outcome of a summit is often a foregone conclusion because of the preparatory work that takes place. In this case, the outcome document was negotiated at the Vienna office of the UN Commission on Narcotic Drugs.

The atmosphere in Vienna, where the 53 countries on the commission hashed out the document, thwarted any real change. “What was supposed to be an open, honest and data-driven debate about drug policies has turned into a narrowly conceived closed-door affair,” the three former presidents lamented in their Los Angeles Times column.

No Caribbean country has permanent representation at the UN office in the Austrian capital, which meant Jamaica had to fly someone in from Switzerland. Johnson-Smith expressed her disappointment that “the document does not allow countries sufficient flexibility to design our domestic policies to fit national circumstances, including recognition of traditional uses of cannabis in our societies.”

But some analysts see a silver lining to this failure, and say they hope countries ignore the UN altogether. “Too many of the academics and diplomats who follow this issue are still hoping for an idealistic solution in which the treaties that govern drug policy are reformed and approved by everyone,” commented James Bosworth, director of analysis at Southern Pulse, a Latin American intelligence firm.

“Countries are going defect from the global system and start going their own independent ways on drug issues. The treaties will become worthless documents, if they aren’t already. And that may be a better solution than the status quo. Perhaps it’s time the reformers admit that the Western Hemisphere's drug policy debate is not going to be solved by consensus at the UN,” he said.

-- End --