Executive summary

This report analyses the current global situation of the drug question and highlights the limitations of the so-called “war on drugs”. It specifically reflects on the particularities of the anti-narcotics crusade in Latin America by showing its poor results in terms of coping with the drug phenomenon. The report then deals with concrete public policies against drugs in the region and discusses the sense of fatigue and frustration experienced among Latin American governments and societies in terms of the drug problem. Finally, it approaches the key characteristics of a new debate on drugs in the region, suggesting that this is having a significant impact on the overall drug issue worldwide.

The setting

According to the 2013 United Nations (UN) World Drug Report (UNODC, 2013), between 167 and 315 million people aged 15-64 have used an illicit drug. Among them, the “problem drug users” account for 39 million, i.e. 0.9% of the 15-64 age group or 0.54% of the current total world population. Even though worldwide the number of very challenging drug consumers is small, the “war on drugs”, with its emphasis on supply control, has not ebbed. At the same time, a new longitudinal analysis shows that “despite increasing investments in enforcement-based supply reduction efforts aimed at disrupting global drug supply, illegal drug prices have generally decreased while drug purity has generally increased since 1990” (Werb et al., 2013: 1). In addition, the UN Office on Drugs and Crime asserts that the estimated amount of money laundering annually oscillates between 2% and 5% of global gross domestic product, i.e. between $800 billion and $2 trillion. Notwithstanding, drug money laundering is difficult to tackle and suppress. For example, the U.S. Drug Enforcement Administration indicates that “Americans spend approximately US$ 65 billion per year on illegal drugs [with] only approximately US$ 1 billion seized per year, domestically, by all Federal agencies combined” (DEA, 2013). The U.S. example epitomises the limits of confiscation as an effective tool to curtail drug-related money laundering (Naylor, 1999). Growing coercion does not seem to be the best way to deal with the appetite for drugs. It may be recalled that, according to Harm Reduction International, 33 countries’ laws make serious drug-related crimes a capital offence, six of which have high-application rates for the use of the death penalty and seven have low-application practices (HRI, 2012). Tougher policies have not only failed to solve the drug problem, but have harmed the poor, the unemployed and minorities by aggravating existing inequality (Shaw et al., 2007). Basically, high rates of incarceration and harsh sentencing have not achieved the objective of a “drug-free” society anywhere in the world.

In essence, the “war on drugs” has never been a metaphor, especially for developing countries. In many cases it has fuelled existing conflict and exacerbated levels of violence.
boosted corruption and weakened democratic governance, intensified environmental problems, and undermined human rights, among others (Count the Costs, 2010).

The experience

In Latin America the crusade against drugs has been a failure and has generated frustration; in turn, failure and frustration have catalysed a new and ongoing debate on how to rethink drug strategies in the region. The underlying premises that were in force – and are currently being challenged – are the following: (1) as long as it has been understood that the phenomenon of drugs was due to the existence of supply, governments’ actions have been directed primarily at dismantling the centres of production, processing and shipment of illegal psychoactive substances; (2) because this phenomenon has been conceived fundamentally as a security threat rather than a health issue, counter-drug efforts have emphasised the active participation not only of the police, but also (mainly) the armed forces; and (3) since it was assumed that the fight against drugs required special attention, any alternatives to the “iron fist” (mana dura) approach were discarded.

This set of premises resulted in a series of specific public policies: (1) the eradication of illicit crops; (2) the dismantling of drug-trafficking organisations; (3) the criminalisation of the whole chain related to the drug business; (4) the extradition of nationals – especially to the U.S.; (5) the rejection of any initiative that favours drug regulation; and (6) the militarisation of the “war on drugs”. These are discussed further below.

The results of crop eradication can be characterised as ineffective, damaging and even paradoxical. They have been ineffective because neither the drug-traffickers’ power has been affected nor the socioeconomic conditions in the areas affected by this strategy have been improved (Mansfield, 2011; Moreno-Sánchez et al., 2002). The results have been damaging because they have created a vicious cycle. A particular combination of factors – the clearance of forests as a result of illicit crop cultivation, pressures due to the forced eradication of plantations, the use of aerial and manual spraying with chemicals, the breakdown of a subsistence peasant economy, the violent persecution of poor rural populations (peasants and indigenous people), the absence of alternative marketable crops, the sporadic and usually repressive presence of the state, the displacement of illicit crops to other areas and the restart of the cycle – has culminated in a perverse situation where the incentives to continue illicit cultivation are not eliminated.

The so-called “balloon effect” functions not only domestically (within diverse areas in a single country), but also regionally (among various countries). Thus, the drug business in Latin America has become more profitable, virulent and expansive. The paradoxical nature of these results stems from the fact that they have led, in some cases, to the higher mobilisation and political and social strengthening of internal groups, which are traditionally less resourceful and powerful, while in other cases these policies have facilitated the growth of armed groups. For example, the cocalero (coca-grower) movement in Bolivia actively organised itself during the 1980s based on its rejection of the forced eradication of illicit crops (Durand Ochoa, 2012). In the case of Colombia, Washington’s counter-drug policies – including the chemical eradication of illicit crops – prompted the strengthening of the long-term presence and influence in some geographical areas of the left-wing guerrillas of the Revolutionary Armed Forces of Colombia (Durand Ochoa, 2012; see also Peceny & Durnan, 2006).

Parallel to these policies, the dismantling of drug-trafficking organisations was seen as an important pillar of Latin American public policies. The persecution of “drug lords” was generally a marginal practice in the 1970s, erratic during the 1980s and a central policy since the 1990s. The crackdown on prominent drug leaders was implemented in an especially decisive manner in some countries, such as in the case of Colombia in the 1990s and Mexico in the first decade of the 21st century. This has involved a set of tactics that range from imprisonment and death to internal trials and extradition on a foreign government’s request. The multiple effects of this policy in terms of violence and corruption are telling. Attempts to break up the drug-trafficking business have exacerbated already existing phenomena: drugs usually do not create sociopolitical conflict and institutional erosion; rather, they expand and perpetuate them. The results of attempts to dismantle drug-trafficking have been mediocre. The most recent, more dramatic example has been that of Mexico: the death toll from drug-related violence was between 70,000 and 120,000 during the six-year mandate of President Felipe Calderon (2006-12) (Karlin, 2012).

In addition, extradition has been an important pillar of the counter-drug policy. This practice was expected to both relieve the load of and reinforce judicial systems that had been partially weakened by the surge in drug-trafficking; lead to the higher effectiveness of efforts to dismantle the drug trade through judicial collaboration; and discourage more people from entering the illegal drug business. Moreover, the effective use of this mechanism was supposed to imply a positive effect of reducing availability, elevating the price and reducing the purity of illicit narcotics in areas with the highest demand. The application of the extradition mechanism has had ambiguous results, however.

The countries that actively implement it – e.g. Colombia, Mexico and the Dominican Republic – have significantly improved their relationships with the U.S. However, the effect on the drug phenomenon has been less significant: drug traffickers have not been demotivated (there is always someone to take the place of the extradited, the imprisoned or the eliminated); justice performance has not improved (except in a symbolic way), and the impact on
In terms of budget allocation (supply and demand), policy orientation (coercive vs non-punitive) and the stress on “warrior” activity abroad [the predominance of the armed forces over other bureaucratic actors], President Barack Obama’s drug policy has not been very different from that of his predecessors. Not surprisingly, and to a large extent due to its conspicuous failure, even military analysts recognise that after four decades of an ongoing failed strategy, Washington’s approach is more a sign of insanity (Walther, 2012) than reasonableness.

A new approach

In this context, the most important recent phenomenon has been the role of Latin America in and its impact on the continent-wide and global debates on illicit drugs. Certain key characteristics of this process should be underlined. Firstly, the new Latin American attitude to the issue of drugs is not the expression of a region that has abdicated its commitments to the resolution of this issue, but the pronouncement of one that has suffered the tragic consequences of a failed strategy to deal with illegal substances.

Secondly, the position of important Latin American leaders on the drug question is realistic, because most presidents in a majority of the continent’s countries are witnessing a significant shift in their societies: the old balloon effect – mainly based on the changing nature of cultivation, production and processing patterns across nations and geographies – is being superseded by a kind of Zeppelin effect by which transnational organisations – basically intertwining local narco-warlords, national drug barons and global money-laundering tycoons – are reaching a point of generating a pax mafiosa in certain urban and rural areas.

Thirdly, there is a growing de facto loose epistemic community of critical voices on drug prohibition where government-level and non-state-level actors are gaining visibility in the Americas and worldwide, while simultaneously broadening and deepening the quality of the public discourse on the merits of alternative, non-conventional proposals for new approaches to the problem of drugs.

Fourthly, the anti-prohibitionist initiatives emerging from the region are similar in their nature, but different in their motivation. For example, some highly pro-U.S. governments, such as those of Mexico, Colombia and Guatemala, are inclined to promote regulatory regimes for drugs in order to more effectively fight other forms of organised crime and existing challenges from armed groups with an ideological agenda. Other countries, like Uruguay, are more concerned with domestic human rights, health issues and youth violence when advancing the legalisation of marijuana. Thus, a realpolitik perspective and a liberal approach coexist among those who are looking for regulatory options to deal with the drug phenomenon.
And fifthly, notwithstanding a more open outward-oriented debate on drugs in the region, most countries are still addicted to severe punishment in much of their domestic legislation: this ambiguity may produce some costs in the near future in Latin America if there is a significant gap between deeds and words, both internally and internationally.

In any event, there is a new reality in the region: after thousands of deaths and huge amounts of wasted money, Latin America is reaching towards a real consensus on the narcotics issue with the central ideas being that the “war on drugs” is unwinnable and that there is no way to fight a “better” or “good” crusade against drugs. Reform and not immovability on policies dealing with illicit substances are and will to continue to be the rule in the region. In the coming months and years we will see a Latin America that is keen to improve and enlarge the coalition of “like-minded” states, international organisations, and social forces that are willing to seriously rethink and change a regional and global fiasco: the “war on drugs”. Some key actors, like Norway, could play a constructive role in facilitating the ongoing debate on illicit substances and improving the quality of world discussion on drugs.

References


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