

PERMANENT COUNCIL OF THE  
ORGANIZATION OF AMERICAN STATES  
COMMITTEE ON INTER-AMERICAN SUMMITS MANAGEMENT  
AND CIVIL SOCIETY PARTICIPATION  
IN OAS ACTIVITIES

OEA/Ser.G  
CP/CISC-688/13  
10 May 2013  
Original: English/Spanish

RECOMMENDATIONS OF THE  
X HEMISPHERIC FORUM OF CIVIL SOCIETY AND SOCIAL ACTORS AND SPECIAL  
SESSION WITH CIVIL SOCIETY AND SOCIAL ACTORS OF THE COMMITTEE ON INTER-  
AMERICAN SUMMITS MANAGEMENT AND CIVIL SOCIETY PARTICIPATION IN OAS  
ACTIVITIES (CISC)

Washington, DC - May 9 - 10, 2013





Organization of  
American States



## **10<sup>TH</sup> HEMISPHERIC FORUM WITH CIVIL SOCIETY AND SOCIAL ACTORS “Toward a Comprehensive Anti-Drug Policy in the Americas”**

Washington, DC – May 9, 2013

The Tenth Hemispheric Forum with Civil Society and Social Actors on May 9, 2013 at OAS Headquarters, in the framework of the preparatory process of the Forty-third Regular Session of the OAS General Assembly “Toward a Comprehensive Anti-Drug Policy in the Americas” with the objective to offer civil society the opportunity to exchange ideas and develop recommendations on the main theme of the General Assembly, with emphasis on its challenges to health, public security and access to justice. The Forum featured the participation of 52 representatives of 44 civil society, workers, experts and academic organizations from 19 Member States and one Permanent Observer of the OAS.

This document presents the conclusions and recommendations of the participants, the program (Annex 1), the list of participants (Annex 2), and report of the Virtual Forum (Annex 3).

### **RECOMMENDATIONS BY CIVIL SOCIETY AND SOCIAL ACTORS**

#### **CHALLENGES TO PUBLIC HEALTH AND THE DEVELOPMENT OF A COMPREHENSIVE ANTI-DRUG POLICY IN THE AMERICAS**

- We consider “That the problematic consumption of drugs is a social-health problem, so that it is necessary to strengthen national health, education, support and social inclusion systems, particularly in the areas of prevention, treatment and harm reduction, while performing at the same time an evaluation of those systems aimed at pinpointing the actions needed to respond to the problematic consumption of drugs from a non-repressive approach in a human rights context. *(suggestions to point 4 of the Draft Declaration of Antigua Guatemala)*
- We believe that it is necessary to separate drug use from criminal and security fields. People that use drugs should not be penalized or criminalized for their consumption. Only a clear separation between drug users and the illegal market will allow the efforts of security agencies to focus on those who really should. This measure will result in preliminary decongestion of prisons and justice systems.
- We consider that civil society participation is of great importance since it can offer, depending on the case, experience and knowledge to develop and implement policies and programs to face the worldwide drug problem. In this regard, the Member States should encourage the participation of different social actors and build their capacities so they can contribute to strengthening national strategies.

- At the same time, we recommend formalizing social participation mechanisms in the design of prevention, attention, treatment, and risk and harm reduction policies and programs. It is necessary to involve civil society organizations, such as civil associations, foundations, mutual associations, grass-roots organizations, networks and organizations of drug users, academia and drug users, among others.
- We are convinced that a complete and diverse array of public health responses should be incorporated. Attention to different situations of problematic drug consumption requires diverse responses, especially in contexts where such consumption is combined with extreme poverty and cross vulnerabilities. Special attention should be placed on the tools of proximity, community intervention, as well as strategies to reduce risk and harm associated with the use of drugs, always taking into account the diverse contexts and local realities.
- Outpatient treatments and alternative mechanisms for inpatient treatments should be prioritized. At the same time, it is fundamental to ensure that attention services for drug users are based on scientific evidence and adjusted to ethical principles.
- Services should avoid discrimination and favor access to treatments that are proven effective. The State has the obligation to oversee the compliance, by the attention services for drug users, of the criteria of availability, accessibility, acceptability and quality of attention. States should also recognize the right of people that use drugs to enjoy the highest possible levels of health (article 12 of the International Covenant on Economic, Social and Cultural Rights).
- The right of all people to use drugs and choose the moment and type of attention services must be respected. They should not be obligated to initiate, suspend or accept a determined treatment. Informed consent must clearly communicate the alternatives and conditions of treatments. Attention should be based on the bioethical principle of the autonomy of individuals.
- In the case of children, special attention should be given so that public health and childhood policies guarantee their attention based on respect for the International Convention on the Rights of the Child. They should also look out for the well-being, protection and growth of adolescents as independent people.
- Unrestricted access to health services should be facilitated for persons deprived of liberty due to problematic drug consumption. Access should be to services similar to those available in their community.
- In no case can the procedural situation be used as an argument to impede the start or continuation of treatment.
- It is necessary to strengthen state control mechanisms for services aimed at drug users. It is responsibility of the State to guarantee the quality of treatments and respect for the dignity of the persons attended.

- It is necessary to implement a coordinated registration, supervision and control system of public and private services for drug users, in accordance with the standards and norms on the subject. This State responsibility should extend to all initiatives, even those that are outside of an integrated services network.
- Public health interventions should be framed on a continuum that distinguishes the types of use, from recreational to addiction and, as such, address a complete array of services and interventions that go from prevention to harm reduction and treatment.
- There should be a distinction between harm associated with drug abuse and harm associated with drug policy. It is imperative to remember that if all drug consumption is potentially risky, criminalization rules and punitive approaches to control harms associated with policies can even overstep those caused directly by the improper use of substances in some environments.
- We suggest reevaluating the position of the Member States in terms of psychiatric drugs and the regulation of other legal drugs, such as alcohol, tobacco and inhalable drugs with special emphasis on protecting children, adolescents and youth. In this sense, it is necessary to prioritize public action, recognizing that the need for intervention is currently concentrated on reducing harm associated with the abuse of these substances.

### **CHALLENGES TO PUBLIC SECURITY AND THE DEVELOPMENT OF A COMPREHENSIVE ANTI-DRUG POLICY IN THE AMERICAS**

Concerned because the application of policy enacted to date to address the problem of drugs in the Hemisphere has exacerbated violence, weakened the rule of law, and violated human rights and democratic institutions, we make the following recommendations:

- That States produce public policies that confront the drug problem in any stage of the production and sales chain, and which foster citizen security and are respectful of human rights;
- Strengthen the exchange of information between States that share common borders in order to detect illegal trafficking and decrease vulnerability;
- Reestablish the presence of the state in border and socioeconomically deprived zones with a focus on inclusion and development as opposed to national security. Strengthen the role of and collaboration with local governments and civil society;
- Establish a participatory periodic review process with civil society of those policies designed to address the problems inherent to and derived from the production, trafficking, sales and consumption of drugs, as well as money laundering.
- Establish a periodic mechanism for multilateral and multi-sectoral follow-up and evaluation at the hemispheric level, similar to the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC).

- Recognize that the problems inherent to and derived from the production, trafficking and sale of drugs are the domain of citizen security and not national defense;
- Provide the police forces of the hemisphere with the adequate technical, financial, training and human resources to confront the problems inherent to and derived from the production, trafficking, sales and consumption of drugs, as well as money laundering;
- Adopt and/or strengthen effective control measures to prevent the diversion, manufacture, and trafficking of illicit firearms and munitions to criminal groups and the general population;
- Strengthen the capacities of the States for the tracking, investigation, registration, and criminal prosecution of illegal trafficking in firearms and munitions;
- Urge states to adopt a mutually responsible policy to regulate the trade of firearms and munitions to other countries of the region; and
- Review and update the 2010 Hemispheric Drug Strategy through a participatory process.

### **CHALLENGES TO DEMOCRACY AND ACCESS TO JUSTICE AND THE DEVELOPMENT OF A COMPREHENSIVE ANTI-DRUG POLICY IN THE AMERICAS**

- It is necessary, in order to realize a reduction in the violence generated by current drug policies, for governments to ensure the just proportionality of penalties that distinguish between drug trafficking and other types of offenses; minor-, medium- and high-level drug offenses; the rank and position that a person holds in drug trafficking networks; violent and non-violent crimes; and types of drugs.
- Urge the establishment of and increase in alternatives to imprisonment for those accused of minor, non-violent drug offenses, and that humanitarian concerns are taken into account in order to be able to confront the devastating impact that disproportionality has on vulnerable populations, including single mothers, youth, and the poorest of the poor. This goes along with the need to end conditions of overcrowding, overpopulation, and inhumane conditions. This must be linked to alternatives to incarceration for adults and alternative penalties for youth, excluding in both cases the use of Drug Courts.
- Reiterate that the States comply thoroughly with their obligation to guarantee access to justice for all people according to the standards established by the organs of the Inter-American Human Rights System.
- The above specifically implies that, at any moment, consumption should be separated from the criminal field. Having said this, under no circumstance can a consumer, for this act alone, end up in prison or be a victim of processes such as preventive detention. To the contrary, it

is necessary to ensure that consumers of drugs are never denied access to health, democratic participation, education, housing, or other basic guarantees.

- All changes in drug policies, current as well as future, under no circumstance should cause or represent setbacks in democracy and respect for human rights. Likewise and for example, these changes or reforms should respect the conventions and declarations of human rights. This falls under the framework in which there exists complete openness to explore less militarized alternatives.
- Adjust and broaden private political financing regulations in order to impede and punish the entry of illegal monies to campaigns and public administration.
- Address a transparent and monitored solution with respect to the chain of custody of drugs, i.e. money and goods confiscated from drug trafficking, and that these funds should be invested in prevention and rehabilitation programs.
- Regulate the market for cannabis and decriminalize its growth for consumption, seeing that the prosecution of users and the cannabis market has proven ineffective, costly, and counterproductive. The Member States should learn from the best practices and apply methods of production regulation in order to remove the monopolies that criminal organizations currently have in these markets, and their serious effects of violence, corruption and on the health of the users.
- Reiterate the importance of the civil society participation in these processes, since they can offer, depending on the case, experience and knowledge for the development and implementation of policies and programs related to drugs. In that regard, the Member States should encourage a wide and open debate so that all sectors of society are informed of the various aspects of the phenomenon and in this way contribute to the strengthening of national strategies.
- The proliferation of organized crime linked to drug trafficking is a reflection of social exclusion, which leads to the loss of futures and collective projects and makes it necessary for States to develop public policies that advance these issues, which are coupled with violence and delinquency and attack vulnerable groups, especially the young. That is why the central role of comprehensive education and a culture of work is fundamental to generate decent work and rights.
- Include in paragraph 8 of the Draft Declaration of Antigua, Guatemala “Toward a Comprehensive Anti-Drug Policy in the Americas”: Recognize the traditional uses of ancestral plants such as the coca leaf. Certain countries in Latin America include the chewing, and other uses of the coca leaf, as an ancestral practice of their populations. The recognition of these uses, and the impetus it provides to the diverse markets for the coca leaf should be respected, protected and encouraged. The potential therapeutic uses should be investigated.







## 10<sup>TH</sup> HEMISPHERIC FORUM WITH CIVIL SOCIETY AND SOCIAL ACTORS

### “Toward a Comprehensive Anti-Drug Policy in the Americas”

Washington, DC – May 9-10, 2013

#### PROGRAM

#### INTRODUCTION AND OBJECTIVES

Civil society plays an important role in the annual OAS General Assemblies by providing input into the decision-making process and partnering with Member States for the implementation of the hemispheric agenda.

During the 43<sup>rd</sup> OAS General Assembly that will take place in Antigua, Guatemala on June 4-6, 2013, the Ministers of Foreign Affairs of the Americas will discuss priority issues for the region and approve resolutions related to the pillars of the OAS, including multidimensional security, with a special emphasis on the fight against drugs; the promotion and protection of human rights; strengthening democracy and citizen participation; fostering integral development; and inter-American legal cooperation.

In preparation for the 43<sup>rd</sup> Regular Session of the OAS General Assembly, on May 9, 2013 the Department of International Affairs of the Secretary for External Relations, with the support of the Governments of Canada, Chile and the United States, will hold the 10<sup>th</sup> Hemispheric Forum with Civil Society and Social Actors in order to offer its participants an opportunity to exchange ideas and develop proposals and recommendations about the main theme of the upcoming General Assembly, “Toward a Comprehensive Anti-Drug Policy in the Americas.”

The recommendations resulting from this 10<sup>th</sup> Hemispheric Forum will be presented the following day, May 10, by representatives of civil society organizations (CSOs) in a Special Session of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC). These recommendations will contribute to the Member States’ deliberations of the Draft Declaration and the resolutions related to the inter-American agenda, to be adopted in the 43<sup>rd</sup> OAS General Assembly.

#### EXPECTED RESULTS

The expected results include:

1. A recommendations document to be presented to OAS Member States via the CISC based on the dialogue and outcomes of virtual and face-to-face consultations on the General Assembly main theme.
2. A negotiation process of the draft Declaration of the 43<sup>rd</sup> General Assembly that takes into account the perspectives of civil society and other social actors;
3. The exchange of experiences and best practices on projects and programs carried out by civil society and social actors related to the main topics of the General Assembly.

## METHODOLOGY AND FORMAT

The Hemispheric Forum will have duration of one day and will be held in Washington, DC. The Forum will be dedicated to addressing the topics related to the General Assembly theme, “Toward a Comprehensive Anti-Drug Policy in the Americas,” and their links to the pillars of the OAS and the inter-American system, in particular public health, security, democracy, and access to justice.

The morning will consist of a plenary session that will be composed of three panels representing the OAS organs, the General Secretariat, Member States, partner institutions, and CSO and social actor networks to discuss the work of the OAS political bodies and the efforts carried out in support of the theme of the General Assembly and other priority topics in the region. Each panelist will make a brief presentation based on the theme of the session. Following the presentations, there will be time for comments by the participants.

In the afternoon sessions, the participants will have the opportunity to dialogue, exchange experiences and formulate their recommendations in a working group that will focus on the aforementioned themes of the General Assembly. The working group will be moderated by a civil society representative and will have a rapporteur responsible for taking notes of the discussions, as well as compiling the various comments and recommendations in order to produce a final outcome document. The work of this group will be supported and facilitated by the Department of International Affairs.

At the end of the day, there will be a plenary session to share the results of the working group, finalize the recommendations from the Forum, and select a representative(s) to present the document to the Member States.

These recommendations will be consolidated into a document to be presented the following day, May 10, by selected CSO and social actor representatives to the OAS Member States via a session of the CISC.

## LANGUAGES

The plenary and working group sessions of the 10<sup>th</sup> Hemispheric Forum with Civil Society and Social Actors will be in English and Spanish.

## AGENDA

**May 9, 2013**

Location: Padilha Vidal Room  
OAS General Secretariat Building  
1889 F Street, NW, Washington, D.C. 20006

**8:45 am Registration (Terrace Level)**

**9:00 am Inaugural Session**

- Ambassador Arturo Ulises Vallarino Bartuano, Permanent Representative of Panama to the OAS, Chair of the OAS Permanent Council, Chair of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC)
- Alfonso Quiñónez, Secretary for External Relations, OAS

**9:10 am Introduction of the Forum Methodology and Objectives**

- Jorge Sanin, Director of the Department of International Affairs/Secretariat for External Relations, OAS

**9:20 am Presentation of the Theme of the 43<sup>rd</sup> OAS General Assembly**

- Ambassador Jose Rodrigo Viemann de Leon, Permanent Representative of Guatemala to the OAS

**9:45 am First Plenary Session: Challenges to Public Health and the Development of a Comprehensive Anti-Drug Policy in the Americas**

- Paul Simons, Executive Secretary of the Inter-American Drug Abuse Control Commission (CICAD), OAS
- Luis Alfonzo, Regional Advisor on Substance Abuse, Pan American Health Organization (PAHO)
- Lisa Sanchez, Manager, Latin American Program for Drug Policy Reform, México Unido contra la Delincuencia/Transform Drug Policy Foundation

**Dialogue with Participants**

**10:45 am Coffee break**

**11:00 am Second Plenary Session: Challenges to Public Security and the Development of a Comprehensive Anti-Drug Policy in the Americas**

- Alvaro Briones, Department of Public Security, OAS
- Ricardo Vargas, Director, Accion Andina

### **Dialogue with Participants**

- 12:00 pm**      **Third Plenary Session: Challenges to Democracy and Access to Justice and the Development of a Comprehensive Anti-Drug Policy in the Americas**
- Jean Michel Arrighi, Secretary for Legal Affairs, OAS
  - Roberto Courtney, Executive Director, Grupo Civico Etica y Transparencia

### **Dialogue with Participants**

**1:00 pm**                      **Lunch**

- 2:00 pm**      **Introduction to the Working Group to Prepare the Recommendations Document**
- Martin Huenneke, Chief of Section, Relations with Permanent Observers and Civil Society, Department of International Affairs/Secretariat for External Relations, OAS

- 2:10 pm**      **Presentation of the Results of the Virtual Forum “Toward a Comprehensive Anti-Drug Policy in the Americas”**
- Jose Luis Vazquez, Inter-American Drug Abuse Control Commission (CICAD)

**2:15 pm**      **Working Groups to Prepare the Recommendations Document**

- 5:00 pm**      **Presentation of the conclusions and recommendations of the Working Group**  
Selection of three spokespersons for the Special Session of the CISC
- Challenges to Public Health and the Development of a Comprehensive Anti-Drug Policy in the Americas
  - Challenges to Public Security and the Development of a Comprehensive Anti-Drug Policy in the Americas
  - Challenges to Democracy and Access to Justice and the Development of a Comprehensive Anti-Drug Policy in the Americas

**5:30 pm**      **Sessions conclude for the evening and submittal of recommendations to the OAS General Secretariat**



**DÉCIMO FORO HEMISFÉRICO CON LA SOCIEDAD CIVIL Y ACTORES SOCIALES  
“POR UNA POLÍTICA INTEGRAL DE LUCHA CONTRA LAS DROGAS EN LAS  
AMÉRICAS”**

**Washington, D.C. – 9 de mayo de 2013**

**TENTH HEMISPHERIC FORUM WITH CIVIL SOCIETY AND SOCIAL ACTORS  
“TOWARD A COMPREHENSIVE ANTI-DRUG POLICY IN THE AMERICAS”**

**Washington, D.C. – May 9, 2013**

**LISTA PRELIMINAR DE PARTICIPANTES/PRELIMINARY LIST OF PARTICIPANTS**

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Asociación Europea Americana

Georgina Mercedes Chiacchio

Consejo Sindical de Asesoramiento Técnico (COSATE)

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Pablo Cymerman

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Javiera Iglesias

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Organization of  
American States

SUMMITS VIRTUAL COMMUNITY  
Washington, D.C.



OEA/Ser.E  
CVC/FV-10/13

6 May 2013  
Original: Spanish

## TOWARD A COMPREHENSIVE ANTI-DRUG POLICY IN THE AMERICAS

(Report of the Virtual Forum held from April 18 to May 3, 2013)

### 1. INTRODUCTION

This summary contains the main observations and recommendations arising from the virtual consultation “Toward a Comprehensive Anti-Drug Policy in the Americas,” held in preparation for the forty-third regular session of the General Assembly of the Organization of American States (OAS), by the Department of International Affairs, in coordination with the Summits Secretariat, from April 18 to May 3, 2013. The forum was provided technical support and moderated by the OAS Inter-American Drug Abuse Control Commission (CICAD).

Participants exchanged ideas, discussed their experiences, and offered recommendations to the OAS member states on the theme of the forty-third regular session of the General Assembly, “Toward a Comprehensive Anti-Drug Policy in the Americas.” The results of the Virtual Forum will be compiled and presented at the Tenth Hemispheric Forum, on May 9, 2013, and distributed to the member states as inputs for negotiation of the Draft Declaration of Antigua.

The Forum involved the valuable online contributions of 46 individuals from 19 countries, of which 18 are OAS member states. Participants issued 215 comments, in both Spanish and English. The sharing of information and views and the discussion of experiences shed light on the main challenges still facing the Americas in dealing with the drug problem, and yielded some proposed measures to further that aim.

### 2. THE PARTICIPANTS' CHIEF OBSERVATIONS AND CONCERNS

- Drugs are a complex phenomenon that differs from country to country. Each country is harmed in multiple ways involving health, well-being, the economy, security, and development. These repercussions can more deeply affect vulnerable population groups, such as homeless persons, the severely marginalized, or those deprived of liberty, among many others.

- The countries' response to the drug problem has been fragmented, disjointed, and underfunded.
- Today the countries of the Hemisphere face a drug problem linked to violence and crime, which affects them to varying degrees.
- National structural weaknesses and problems with existing legal frameworks are seen as some of the factors that determine the severity of the drug problem.

### 3. **MAIN RECOMMENDATIONS AND PROPOSALS**

- Identify and learn about the population groups who would benefit from drug prevention, control, and treatment policies, so as to adapt interventions to differing social and cultural realities, with an inclusive focus.
- Encourage placement of the complex drug problem on government agendas, so that it will receive the necessary priority.
- Foster and promote international cooperation in sharing successful approaches in technology transfer and in building joint capacity.
- Develop or, if applicable, strengthen comprehensive systems to both prevent and treat addictions within the countries' drug policy infrastructure.
- Encourage attention to the complex problem of drugs through coordinated interventions involving actors from multiple sectors, including civil society.
- Foster the necessary mechanisms to permit countries to allocate sufficient resources to addressing the challenges of dealing with the complex problem of drugs.
- Implement evaluation and monitoring of the various interventions designed to prevent and address the drug problem in the countries.
- Promote multidisciplinary research on addictions to generate data on which to base government policies.