

TRANSCRIPT

"COUNT THE COSTS OF THE 'WAR ON DRUGS'"

A Conversation With: Patrick Gallahue, Danny Kushlick, Jorge Javier Romero, Maria McFarland Sanchez-Moreno

ANNOUNCER:

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DANNY KUSHLIK:

Good evening, everybody. I'm Danny Kushlick. I'm head of external affairs and founder of Transform Drug Policy Foundation—we're a drug policy reform NGO based-- in the U.K. and in Mexico City. So tonight we're gonna be talking-- about-- counting the costs of the war on drugs with my colleagues here-- Maria (INAUDIBLE PHRASE)-- yes! And-- from Human Rights Watch-- yeah, yeah. And-- Jorge Javier Romero from-- (UNINTEL).

So I-- I just want to tell you a little bit about Transform and then about the Count Costs campaign, of which-- all our respective organ-- organizations are-- supporters of. So firstly-- Transform. We were founded 20 years ago-- in order to-- propose and end to the war on drugs, the global-- prohibition. And this replacement was effective just in humane system of regulation control-- legalization of drugs, in short. On the basis that-- that-- that we believe the war on drugs is-- an expensive, comprehensive global catastrophe. Our job-- in short, is to put government not gangsters in control-- of the global drug trade.

I just wanna say a little bit about why w-- why we set up the counting costs-- initiative. The drug policy reform movement, globally, is actually very small. Some compared with other-- NGOs. And I always say when-- when I stamp my feet all I get is a sore foot. But when Amnesty stamps its foot, the world shakes. It's the-- the biggest NGO on Earth, aside, apparently, from the parent teacher association. I was

told that.

So the part of this-- the-- the-- the reason behind the-- the counting costs campaign was to offer a way in for non-drug policy organizations to enter-- a debate that was perceived-- and still is perceived, by some of the bigger NGOs, as a toxic area. Many NGOs are risk averse. And drugs-- particularly for-- for organizations that have memberships that-- come from conservative countries or have conservative constituencies-- who's funding may-- may be dependent on-- on-- on-- on government funding or statutory funding -- the idea of moving to the drugs debate can be really difficult.

So the idea of the Counting Costs campaign was, rather than-- you know, Transform had come to its position very early on that the war on drugs needed to be replaced with-- with control and regulation. But for many other organizations, that's too big a jump to make-- for all kinds of reasons.

So that the Counting Cost Campaign was set up identifying eight different policy areas. I'm not going to try and remember them. I might need to turn around and look at the-- the-- the-- the-- projection (INAUDIBLE). But-- health, economics, development, security, human rights, the environment, crime, and-- one other one.

But-- but basically, identified eight policy areas. The-- the job of-- of-- of Counting Costs was to-- the-- the-- the idea that we had was-- was-- (CLEARS THROAT) meeting somebody-- whose job that you didn't know. You ask them what they did. And whatever they did, you could say to them, "The war on drugs is compromising the work that you do. It's gonna interfere in-- in-- in the work that you're doing, and make it more difficult for your-- your customers and clients-- the constituencies on-- on-- on whose behalf you advocate."

Knowing the-- the-- the-- the-- that the research that we've done in order to put this project together, we view the-- that-- that the war on drugs was compromising so many different policy areas that it-- it actually, in a sense, it's not a drugs issue. It just happens that the prohibition was of drugs. But because it touched on so many areas of race, of poverty-- of-- development, security, so many different areas-- that we could convince people that-- that-- that firstly, the-- particularly in some areas-- .

I mean imagine being a development organization trying to do reconstruction in southern Afghanistan, where-- where the poppy is-- is a dominant part of that-- that society and that culture, that economic. It's almost impossible. And in places where the environment was being damaged-- is being damaged by-- by crops growing, the way the chemicals they use in illegal-- cocaine production-- in terms of-- of trying to do-- in city work with deprived, marginalized, poor communities, where people are just being repeatedly busted again and again and again and disproportionately grown-- the-- the rich.

So you can see the-- the-- the idea of this is to enable people to come to this-- this-- this debate without needing to take a policy position. So that the idea was that you could count the costs and explore alternatives to the-- the-- the prohibition, without needing to-- to-- position-- their organization as supportive of, for instance,

decriminalization or legalization and regulation.

Now it's premised-- (COUGH) a big part of the-- the-- campaign was-- was-- was kicked into gear by virtue-- and it wasn't real virtue. The U.N. Office on Drugs and Crimes admission in 2008 that the drug control system, as they called it, prohibition, as we call it-- was producing-- five major unintended consequences.

The creation of a vast-- criminal market, the-- displacement of resources from health to enforcement, the balloon effect whereby he's squeezing one area of-- of production or transit, all you do is you meet someone else. Substance displacement by-- which means that if you have-- a successful-- enforcement that-- reduced the availability of one drug, but all that happens is another one takes its place, and often, one that's more harmful than the one that you were offering in the first place, and lastly, the stigmatization of users.

And on the basis of that, we could turn 'round and say, "Look, this-- this isn't just our research that is saying this. This is the U.N. Office on Drugs and Crime, the-- the U.N. agency that is in charge of-- of the drug conventions-- that ostensibly are there to protect-- the health and well-- welfare of mankind that it's described in the 1961 convention. We can show them very easily from their own evidence, their own admission for 2008 in The World Drug Report, that it was actually the prohibition that was causing a lot of these problems in the first place.

So-- the other-- the other reason why-- why we started to work in this way was the-- the-- the knowledge that-- the U.N. was planning-- a review, a U.N. General Assembly special session in 2016, which was there to review the efficacy, the effectiveness of the-- the conventions that prevented-- (COUGH) production supply and use. And that this was a way of gathering evidence that nation states could then take to this-- this drug summit-- to-- to show that it wasn't working. But with an open agenda, saying, "Now let's put all the policy options on the table."

As most people here would be well aware, alternatives to prohibition are now being put in place, and have been for a long time. Portugal has decriminalized possession-- of drugs, very famously, for the last ten years, and has shown very, very good results in terms of improving people's health, taking criminal justice system out of it. And now the U.S. has-- legalized and regulated cannabis in four states and in the District of Columbia. It's now decriminalized and they're likely to move to-- a system of legalization and regulation.

We're now in a position where-- where evidence-- does have a place. It's been in evidence freeze on for a long time. But the Counting Costs Initiative-- enables organizations to come into this debate in a very hard-- science-- evidence based way, in such a way that they can explore the alternatives.

And-- and-- and this, we're hoping, will-- will feed into the-- the process over the next few years, where civil society, conjoined with-- with progressive governments in-- in-- in moving the debate forward. My colleagues here are gonna talk to-- in some more detail about the-- the-- the way that those costs actually-- build up, both the human rights and in the-- the-- the-- the horrors that have happened in Mexico. But that's

just to provide the-- the context, really, for Counting Costs Initiative. And anyone that wants to find out more, please come see me afterwards. Thank you.

MARIA MCFARLAND SANCHEZ-MORENO:

Thank you. I'm Maria McFarland Sanchez-Moreno. I'm the co-director of the U.S. Program Human Rights Watch. I started out as the Columbia researcher at our organization. For those of you who don't know Human Rights Watch-- we are an international human rights organization. We work in over 90 countries around the world-- documenting human rights abuses, exposing them, and pressing for change.

So I started working on Columbia a long time ago and got-- immersed in issues from the drug war then. But now, of course, in the U.S., I see many-- other problems resulting from the war on drugs-- that are, in many ways-- equally serious in the criminal justice system, for example. So-- you know, I'll just start by saying every country in the world, just about, plays some part in the global drug trade, whether as producer, as consumer, as a transit point. It affects everybody. And it's a trade that keeps on growing.

To combat the trade, most countries have, over recent decades, launched-- various types of wars on drugs, which usually involve harsh crackdowns on producers, but also on consumers. The U.S., Russia and other countries, with support of many U.N. Agencies, have poured hundreds of billions of dollars in combating drugs. They've pursued, surveilled, killed, extradited, prosecuted and imprisoned both kingpins and low level dealers alike. They've fumigated crops. They've stopped shipments. And they've paid producers to grow alternative crops.

To no avail. They've continually failed to put an end to what is a thriving and ever-more profitable business. Meanwhile, this approach to drug control has done devastating damage to a wide array of human rights across the globe. And I'll just mention three baskets of harms here. (NOISE)

First, in many child support, illicit drug profits-- are an enormous motivator and almost a limitless source of funding for criminal organizations and arm groups that commit atrocities, that corrupt authorities, and undermine democracy and the rule of law. Right now, drugs are established to be the single largest source of funding for trans-national organized crime. (NOISE)

This is true for Columbia, where I worked for so long, and where I saw, over and over, how-- huge efforts were put into going after one drug kingpin. And he was immediately replaced by another. Or where the drug market was squeezed enough that cocaine-- that coca moved next door back to Peru, where I grew up. And-- it's-- it's-- it was sort of an endless cycle. But it's true for Columbia. It's also true for much of Central America, where armed groups and-- and organized crime funded through the drug trade, are committing massacres, killings, other crimes, on a dramatic scale.

It's also true for Afghanistan, which produces around 90% of the world's opium. The illegal opium market is dramatically distorted in the country's power structure,

bankrolling arm groups such as the Taliban, but also local warlords, who are responsible for numerous atrocities. And, by the way, this has been a significant factor in making it difficult to establish the rule of law and democratic institutions in Afghanistan.

In all these countries, the profits from drugs are fueling rampant corruption. They're making efforts to prosecute those responsible for atrocities extremely difficult. A second basket of problems has to do with enforcement. Basically, national and international efforts to go after-- drug-- the drug trade-- have often involved abusive or discriminatory enforcement.

In Thailand's 2003 war on drugs-- around 2,800 extra-judicial executions were committed in just three months, for example. In Mexico, security forces deployed in the country's war on drugs have repeatedly been implicated in torture and extra-judicial killings-- as we've documented them. In parts of Canada, Bangladesh, the Ukraine, police have violently mistreated people who use drugs, which of course just drives them underground, making it more difficult to get them help, to get them care when they need it.

In Singapore, Malaysia and Iran, drug offenders face the death penalty, even for very low level offenses. And in the U.S., well, the U.S. now has the world's largest reported prison population, the largest prison population per capita in the world. That's 2.2 million people in adult prisons and jails across the country. And that's, in significant part, due to harsh sentencing for very low level drug offenses, which disproportionately affect African-Americans, who use drugs at the same rate-- rate as whites, but are three times as likely to be arrested, and ten times as likely to be sentenced prison terms.

A third set of issues comes with just the fact of criminalizing personal drug use. The fact is that personal drug use is a private decision. When you criminalize decisions that people-- people make about what to ingest, what to do with themselves, so long as they're not harming others-- that tramples on individual rights on their economy on their right to privacy.

Of course it's legitimate for governments to want to address societal harms that may result from drug abuse. For example-- if-- if you have-- people driving under the influence of drugs, that is a dangerous activity. But you don't have to criminalize the use of drugs to get at those dangerous activities. You can criminalize driving under the influence. You can make that an aggravating factor. You don't have to throw people in prison simply because they use drugs.

The fact is that criminalizing-- drug use-- is too easy as a one-size-fits-all solution for dealing with a lot of societal problems that are not (COUGH, UNINTEL) in personal drug use. But in poverty, in lack of access to opportunities, in domestic abuse and a-- myriad of issues that should be addressed instead. And imprisoning people who use drugs does little to further-- public health.

The fact is that when you put people in prison for using drugs, you don't give them access to treatment. People who-- who are in prison are much more likely to--

become recidivists. And criminalization compounds existing harms by driving people who use drugs underground. Again, making it less likely that they're going to seek-- assistance and help and care when they need it, making it less likely that they will access sterile syringes, which are necessary to prevent H.I.V. transmission. This is actually a real danger to public health-- criminalizing drug use.

So-- the good news in all this is that, in many settings, we're seeing some of those (UNINTEL) reform. The leaders of Columbia, Mexico and Guatemala have called for a U.N. discussion of global drug policy reform. And that's now scheduled for 2016. It has the unfortunate name of the 2016 UNGASS (CHUCKLE) on drugs. But-- it's the U.N. Drug Summit.

But-- beyond that, Uruguay and some U.S. states, as you know, have-- legalized the use of drugs. And we're joined by Alaska and Oregon, just last week. DC has decriminalized personal use and possession of marijuana. Movement in the U.S. has all been about marijuana. And just last month, and maybe most of you don't know this-- Ambassador Bill Brownfield, who's the U.S. assistant-- assistant secretary of state for International Narcotics and Law Enforcement, who, in the past, has been quite-- a defender of aggressive drug policies, called for a flexible interpretation of international narcotics conventions that would allow for tolerating-- alternative approaches that other countries might wanna take on drug use.

My-- my impression is that-- this is part of a-- broader policy within the administration. Because you saw similar language a year ago in-- in a memo that came out of The Department of Justice-- when they said they wouldn't interfere with Washington and Colorado legalizing drugs. They said, "In fact, maybe these alternative systems of regulation might help us fight organized crime by depriving criminals of those illicit markets and sources of funding." So there's-- language buried in these statements that's very interesting, and may signal-- an opening to a bigger shift.

So going forward-- it's obviously critical that countries individually-- go down the path of-- of reform. At Human Rights Watch, we've taken a clear position on what's needed-- in ish-- just-- the-- the first step is we believe that personal drug use and possession of drugs, taken on its own, not driving under the influence, but simply using drugs and possessing them for personal use, should not be criminalized. That is not something that you should face prison time for, you should not be deprived of your liberty because you choose to ingest certain substances. If you engage in harmful activity, that's a different matter. And that can be criminalized.

So that's legalization, use and possession. When it comes to the drug trade, we are-- a little bit more cautious in the sense that we think that are many possible ways to deal with the drug trade. However, it's very clear that crim-- current approaches, which have this heavy emph-- emphasis on criminalization, are not working and are causing much more harm than good. They're doing devastating damage across the world.

Some alternative needs to come up. It's interesting that many countries and-- and

states are starting to explore alternatives and were supportive of the debates that are starting to happen around these issues. And of course it's important that the international legal frameworks be reviewed, be interpreted, be revised as necessary to allow for those alternative approaches. So-- I'll stop there. Thanks very much.

JORGE JAVIER ROMERO:

Okay. Good evening. I'm-- I'm Jorge Javier Romero. I'm a professor for The Center for Research and Teaching in Economics in Mexico. And I'm also member of The Collective For an Integral Drug Policy. It's an NGO, Mexican NGO, that is working for-- drug policy change in Mexico.

And this evening, I'm going to speak about the cost-- of the war against drugs for security and development in Mexico. The news has now gone around the world. On September 26th, in Iguala, a town in the Mexican state of Guerrero, 43 students from the Teacher Training College at Ayotzinapa disappeared, and another three were-- found dead shortly afterwards, one of them skinned alive. Now we know that-- all of them, all of the 43 students, were killed and they're will-- they were burned. And after that, the-- their remains were thrown into a river.

The event has deeply offended Mexican society. In various cities around the country, university students, teachers, citizens of all kinds, have demonstrated their-- their anger on the streets. The opinion is that the crime was an act of state terrorist, attributable to the authorities since the evidence points to the Municipal Police of Iguala as participants in the abduction of the students, and to the mayor of the town of-- and his wife, who-- whose links with that criminal organization controlling the production and trafficking of opium based in the region have been made public.

This atrocious case is only the latest, though especially horrifying, of many that have occurred during the last decade, since the moment of when the Mexican government stepped up its war against drug cartels during the presidency of Felipe Calderon. Different sons of the country have been witness to massacres. Whether resulting from confrontation between traffickers and agents of the state, police and armed forces, or between rival groups of criminals for the control of routes and markets.

Some days before of the events of-- Ayotzinapa, seven soldiers were arranged for the extrajudicial execution in June '22 of alleged-- traffic-- in June of 22 alleged traffickers at-- at La Claya (PH), a village not far from Iguala, in the neighboring state of Mexico. The war on drugs has taken a massive toll on-- on human life. According to the National Institute of Statistics and Geography, the number of violent deaths in the country during the period 2006-2012 stood at 95,000, of which some 60,000 were established to be associated with the war against drugs.

According to a-- BBC report, that's attributable to the work-- to this work, amounted to 50,000. At the end of November of 20-- 2012, two days before the new president took office, the American press published a list from that attorney general's office, in which a total of 25,000 people were reported missing during the year-- du-- during

the years two-- 2006 to 2012.

Almost at the same moment as he launched the crackdown, President Calderon reach (SIC) out to the U.S. for support. The result was the Merida Initiative agreed on March of the-- 2007, which represent the first formal drug cooperation agreement between the two countries since the-- the National Drug Control Strategy of 1998.

Merida massively increased U.S. funding to Mexico from \$40 million per year in the mid-2000s to \$1.5 billion in Merida's first three-- first three phase-- three-year phase, most targeted at providing the Mexican security forces with equipment and training to counter drug trafficking organizations. The first stage, which conclude in-- 2010, was criticized for not addressing issues of-- of capacity building and institution of reform.

In a response, (UNINTEL) Merida, the second stage, included resources to enhance capacity in the areas of rule of law and the stretchment-- stringent-- strengthening communities. The results, however, have been downright poor. Guerrero, in which Iguala is situated, is one of the poorest and unequal states in the entire country. The economic infrastructure is sparse. And it is only-- and its only poll of development is the touristic port of Acapulco.

Traditionally, power has been exercised at the local level by Cassicas (PH), who exploit the formal structure of government for their own benefit. Institutional weakness and the lack of proper roads is a-- ideal scenario for traffickers who have grown rich thanks to the artificial scarcity values generated by drug prohibition.

According to official data from the Mexican government, as well as from the U.S. authorities, Guerrero is now the principle region of opium poppy production in Mexico. The control of this production is in the hands of relat-- relatively small groups at war amongst themselves, products of the fermentation of a larger cartel. There is, however, evidence that left wing guerrilla groups like the (FOREIGN LANGUAGE PHRASE NOT TRANSCRIBED) that arose in response to the marginalization and poverty of the region, are also involved in the production and transport of opium based as a way to finance their weaponry and other causes.

Using the resources obtained from the clandestine market, groups of traffickers have taken advantage-- advantage of the institutional ability of the municipal governments. Their corp-- corruption and their traditional forms of donations of the rural cassicas, in order to control local police and politicians, and to use them to their own purposes. The poverty and marginalization of the peasants, who have no access to credit, have to pay high prices for seeds, fertilizers and transport of-- for the products, and lack the technology necessary for crops with high market value, represent an opportunity for traffickers who use them for the-- from-- for the production of opium poppy or cannabis in exchange for payment-- for payments that, out of law, are higher than what they will receive from their traditional crops. If it weren't for prohibition, however, those illegal crops would no longer be profitable.

What has happened in Iguala is horrifying and shows the extremes that criminal groups can go in order to maintain their clandestine markets. But what took place in

La Claya (PH) in June is, in some-- in one sense, at least, even more appalling. Since it showed, beyond all measures of doubt, that the absence-- that the absence of legal and moral limits is not exclusive to criminals, as Maria says.

States security forces have committed atrocities of the same magnitude under the pretext of the war against drugs. In that insignificant village located at the limit of-- of the three states of Michuacan, Guerrero and Mexico, members of the Army executed 22 individuals who, according to eyewitnesses' reports, had already surrendered. The terrible thing is that this is not an isolated event.

Various studies-- various studies have shown that extra-judicial executions have been a recurrent practice of both army and navy in both (UNINTEL) respects neither human rights nor the existing legal order. A couple of years ago Catalina Perez Coreia (PH), Carlos (FOREIGN LANGUAGE PHRASE NOT TRANSCRIBED) and Gutierrez Rivas (PH) published a research about the use of lethal force by federal state and-- agents in operations against organized crime. These professors warned of a considerable disproportion of casualties in the clashes. (NOISE)

In clashes where federal police officers were the only participating agency, 1.4 criminal suspects die-- died-- for every federal police officer killed. The rate is significantly higher if we look at clashes involving only the Army, 13-- 13.8, or Navy, 34.5. The authors of that report also warn that there is an unjustifiable gap between the number of combatants injured and killed during the clashes.

While the police and military face more injuries than deaths, it's more likely the suspects will end up dead instead of injured. That's the case fatality-- fatality rate, which is a strong indication of abuse. Let's look at the numbers. When federal police confronted criminals alone, 2.6 suspects died per every person wanted. When the army was involved, that's increased to nine. And when the navy participate, the rose to 17 per every one wanted.

The data shows an alarming pattern. The Mexican military forces kill criminals at an alarming rate. They do not take them to courts. (BEEP) It's pertinent to note-- it is pertinent to note that, in Mexico, all executions are extra-judicial, because there is not a death penalty.

Meanwhile, neither the availability of--outlawed drugs nor the demand for them, not the damage to the health of consumers or of illegal substances have disappeared. Nor has there even been a reduction on either side of the U.S. border.

The central aim of the war against drugs, which was a step up in Mexico, which the rival in the presidency of Felipe Calderon in 2006 has been to avoid the transit of illicit drugs to the United States. The results have, however, been poor. For, according to the information from-- D.E.A., while trafficking-- of cocaine from Mexico has been reduced, nowadays, the greater part of the heroin impounded in the U.S. is of Mexican origin.

At the same time, in Mexico, the cartels have not disappeared but have rather multiplied as a result of fragmentation, while their levels of violence have increased.

The case of La Claya (PH), Ayotzinapa are only the most visible point of an iceberg with a deep, spreading base that is quickly deterior-- deteriorating the already debilitated institutions of local government in widely extended regions of Mexico.

The violence (UNINTEL) is driving away the investments that might otherwise bring development to marginalized sons (?). The cartels, rendered apparently in-- invisible by the resources of the clandestine drug markets, have now diversified their activities, and have become organizations that operate protection rackets in mafia style, kidnap and impose-- in-- and impose their rules on legal producers and trades-- and traders.

Prohibition and the war on drugs that-- have involved not only the police but the Army and the Navy, have weakened municipal and state governments, and have led to the militarization of the country, with frequent violations of human rights in the same of-- in the name of a security that has become ever more deteriorated.

For Mexico, it is a question-- it's a question of survival to stop this war that has failed in its supposed objectives, while leaving in-- in its weak in its wake an epidemic of violent death and severe institutional destruction. If Mexico is to recover peace and normality, the resources now devoted to combat in the trafficking of drugs must be rein-- (UNINTEL) into straightening local forces in-- and prosecution of predatory crime.

Likewise, a new policy on drugs focuses on health and with an emphasis on proration (PH), harm reduction improvement, must replace the focus on police and military pr-- prosecution. The war against drugs has already caused tremendous harm. Now is the moment to call to a halt. Thank you.

PATRICK GALLAHUE:

Thanks so much, everybody. My name is Patrick Gallahue, I'm a-- communications of-- officer with The Open Society Foundation's Global Drug Policy Program. I'm in-- in set-- in the stead of Kasia Malinowska, our program director couldn't make it here tonight. She's-- very sorry-- she had to run off. But I'll do my best to represent her.

I-- while we're talking about costs, I just, you know, wanna run through just a few of the numbers. You know, drug related violence was covered. But we've also got health epidemics. You know, in eastern Europe and central Asia, the number of people living with H.I.V. has tripled since 2000. And drug use-- injected drug use has been the leading route of transmission.

As the harm reduction program here can tell you, these are entirely preventable. But "tough on drug" laws prevent life-saving services from going into action. It keeps people away from accessing the services they need. And it continues to criminalize people, essentially driving them into more problematic behaviors.

Beyond the U.S.-- which Maria mentioned, the prison crisis is growing and spreading throughout the world. In-- in large parts of the world, mainly Brazil and Thailand and Iran, drug offenders account for between 25 and 50% of the prison populations.

And that is not unique. We see the same thing happening all over Latin America now.

It's a tremendous waste of law enforcement resources. In 2011, someone in the United States was arrested every 42 seconds for a marijuana possession offense. New York City alone spent \$75 million in 2010 to enforce these laws, to-- to-- to arrest and jail minor drug offenders. Mar-- marijuana-- for marijuana possession, excuse me. So it's a hat tip to-- to vocal New York and-- and DPA others who-- who got through what they got through yesterday.

But these are human rights issues. They're big human rights issues. It's-- it's about privacy. It's about liberty and security of person. It's about right to life, in some cases. And which is why it's so incredible to have an unprecedented number of human rights leaders essentially standing up, wading into what Danny said has traditionally been a politically toxic issue in saying, "Enough is enough."

And I think the call is pretty rational one, to look at the U.N. system-- and say-- you know, "What we've done so far hasn't worked?" We need to count these costs. We need to look at possible-- you know, additionally look at benefits of the system. What might we keep in place? As well as looking at alternatives. And we have a pretty good idea now of-- of-- of-- of possible alternatives.

So for example, you would look at a country like Switzerland, which, in the 1980s, had one of the highest rates of H.I.V. in western Europe. And in-- 1985, I think it was an estimated 68% of new H.I.V. infections were linked to injecting drug use. And the government knew it wasn't sustainable. And-- and the people knew it wasn't sustainable, just like U.S. voters are doing now.

They introduced a series of-- of reforms, including-- health services and a fairly comprehensive drug policy that was very, very health focus, included-- a ton of harm reduction services like supervised injecting-- heroin prescription, and-- and-- and, you know, low meth-- low-- well, low threshold methadone maintenance programs. And by 2009, the rate of injecting-- of H.I.V.-- new H.I.V. infections in Switzerland went from 68% to 5% over that time.

You know, we've seen the same in-- in Portugal, as Danny said. We've seen incredible rates of-- of-- of-- people accessing treatment, accessing services-- falls in-- in problematic drug use. And falls in drug-- in-- in street crime related to drug use.

And there's a reason why all this is going to the U.N.. Because there is-- a common thread among thread among all these countries. When a country introduced-- when a-- the way we got here was in-- in the 19-- over the-- the 1900s, we had-- a fairly unregulated system. And slowly, governments started introducing regulations. And these were intended to control the drug market, to keep-- vulnerable countries from being flooded with drugs from one place or another. And some of these were common sense, some of them were a bit ambitious.

By 1961, what they introduced was a-- an extraordinarily ambitious and extraordinarily prohibitionist drug control system. The-- a number of governments chose to-- to-- to interpret those treaties as being even more strict than they-- they

might have. And along the way, they were cheered on by other governments.

And so as mass incarceration was taking off-- it's a tragedy that there was a certain drug control infrastructure within the U.N. that was cheering them on. As the death penalty is introduced in Iran, you know, you'll see fairly from visits from the U.N. Office on Drugs and Crime-- applauding the-- the-- these-- you know, the U-- the Iranian system, despite rampant executions for drug related offenses. Now, at the same time, you'll see the human rights infrastructure criticizing them. So we do see a genuine split within the U.N. system.

The General Assembly Special Session on Drugs is an incredible opportunity to-- to-- to make the system a little bit more coherent, a little bit more logical. And the problem is I think what we see is-- is-- is already a si-- a split between some of the politics. We've got well-meaning countries that genuinely wanna preserve an international system. And I-- and-- and in some respects, I think there's a-- there's some-- there's-- some real altruistic motives there.

We have people who-- who look at the rest of the international system development and human rights and security agreements. And they just don't wanna tinker with it, they're so afraid the-- of weakening the system. You've got others that have draconian politics in place that wanna hold onto that as much as they can and-- and continue to impose-- and continue to embolden law enforcement agencies to be able to enforce, you know, strict laws over their people and, in some case-- process, arrest and harass-- otherwise unpopular people in their-- in their populations. And it-- it's a disaster.

Taking it the U.N. system is a really-- is a good faith effort to preserve the international-- to do something at the international level. But I think there is a-- cautionary note for governments that both wanna preserve the international system and hardliners that wanna preserve a rigid-- strict interpretation of the international drug control system.

And that's that if they don't do something, governments will have no choice but to break away. As I think we're seeing in the United States. We're seeing voters leading the charge there. In other places, we're seeing governments just say, "You know what? This is not working. We're out." And I think, in many respects, they would be right to do so. You know, we're giving them an opportunity in 2016.

So there may be a question now of what you can do-- as activists. And there are a number of efforts now that are being galvanized around-- making the most out of the 2016-- drugs debate at the U.N.. We've got a New York NGO committee that's been formed that's going to be the main interface between civil society and the U.N. System.

And I would encourage anyone-- who works with a group to-- encourage their-- their NGOs to join. There is a-- mobilization campaign called Support, Don't Punish. They-- and they-- organize individual actions-- on the Anti-Drugs Day. I'm sure they'll be doing-- a lot of various activities in the lead-up to the U.N. General Assembly Special Session. And I think that would be a great place to keep-- keep

receiving notifications about what might be taking place in your-- your own communities.

And lastly, if you're an organization, please join Count the Costs. It's an incredible initiative. Not only is it human rights groups that are-- are standing up and saying that this is-- a major-- you know, har-- horrid impact on their-- on-- on-- on the issues that they've worked on, but there's also a prison governors association from the unknown. The prison-- the prison wardens union in the unknown, that's essentially stood up and said, "You know what? We've got far too many people in prison who don't belong here." So please be involved. And-- yeah, look forward to-- any questions.

MALE VOICE:

Thank you. (UNINTEL PHRASE) a couple comments. The-- (UNINTEL PHRASE) from Human Rights Watch. I think it's dangerous the way you talk about the war on drugs, and then you talk about decriminalization. And you don't make the-- distinction that decriminalization is only of marijuana, not of a complete set of-- drugs in many cases. So you're just-- it-- it's not like we decriminalize heroin in-- in-- a lot of the cases that we're talking about. I mean the-- are you telling me that Colorado decriminalized heroin?

MARIA MCFARLAND SANCHEZ-MORENO:

So we would draw the distinction between decriminalizing personal use and possession, which we believe has to happen for all drugs. The harms that have stemmed from criminalizing drug use and possession are dramatic. We believe there are alternative tools--

(OVERTALK)

MALE VOICE:

--you're in home in your privacy, et cetera.

MARIA MCFARLAND SANCHEZ-MORENO:

Right.

MALE VOICE:

But I mean the possession on outside, you-- you're talking that they-- you-- you referred criminalize--

MARIA MCFARLAND SANCHEZ-MORENO:

We're talking about possession for personal use. However, when it comes to the drug trade, so production and distribution, we haven't called outright for decriminalizing that. But we do think that this heavy emphasis on using the criminal law is often counterproductive. And we need to look at other ways of dealing with it that focus more on more effective ways at improving health, at addressing the various harms. And we do recognize sometimes result from drug abuse. So--

MALE VOICE:

Okay.

MALE VOICE:

If I can--

(OVERTALK)

PATRICK GALLAHUE:

Just wanted to add one thought to the, actually, if I can. I mean there-- you know, the idea of decriminalizing heroin-- is, believe it or not, not as extreme as you may think. There are 20 some-odd countries that have de-- and I-- again, I don't-- I'm not speaking now for the Count the Costs-- Coalition. Because I think the Count the Costs Coalition is about presenting the evidence, debating the costs, debating the benefits, and debating the alternatives.

But what I can say from-- from the drug policy perspective is that there are 20 some-odd countries in the world that have decriminalized personal possession of heroin. And what that means is, if the police come across them with-- in some cases that is, I mean two grams, three grams, in some cases-- in the case of-- Ukraine, for example, it's so small that it's unenforceable because, if you have any residue on a pipe, you're still within the criminal possession threshold.

Most countries in Europe, for example, have decriminalized-- or I shouldn't say most. I should say many countries in Western Europe have decriminalized personal possession-- of heroin. Now, that doesn't mean it's not a-- some sort of offense. So in the case of Portugal-- what they did was they gave you a reference to a dissuasion commission. Literally a commission of social workers, of doctors, of different people who essentially say to you, "You know, person who uses drugs, what do you need? What can we give you? You need services? You need treatment? You need, you know-- here's where the places you can go. Here's where you can get it." And-- and it's voluntary. You know, you can't, you know, tell people to do it. They can't force people to do it. And what they found was problematic use went down.

In other places, you know, it might be a ticket. In other places, it might be a fine. In other places, the police don't really follow it anyway and they just continue locking people up. But it's just to say that if-- if you're talking about-- I mean you're right, we should be careful about what we're talking about because what was done in Colorado and Washington and Alaska, Oregon and the District of Columbia is very unique to what those other governments did, which is having a very, very robust set of services that were designed and targeted to people who were in possession.

DANNY KUSHLIK:

Can I-- can I just throw it out-- I mean now that-- that-- that-- potential cost of overwhelming you with-- with too many ideas. But just to throw another couple of-- of-- of things into the mix. Half of the world's opium is grown for the legal opiates market. So the same poppies that blow in the breeze in Helmand on southern Afghanistan-- are grown-- we-- we-- in-- in-- in the U.K., We grow-- I-- can never remember whether this three-- three and a half or six and a half thousand hectares of opium-- is grown in the U.K. for the legal opiates market. A hectare is a-- rugby pitch. But it's-- it-- it's grown in-- in-- in-- in Hungary, in Poland, in Tasmania, in India-- for-- for the legal opiates market.

Now, none of that poppy attracts the attention of the Taliban or other paramilitary-- parapolitical groups. It's-- it's-- cut down-- by combine harvesters and turned into poppy straw, and then-- and then-- turned into-- various pharmaceutical products. None of which is-- is-- is-- part of an illegal supply chain, none of which-- accrues significant-- wealth to organized criminals and unregulated dealers. And is-- is sold-- or prescribed or dispensed in blister packs or in-- ampules-- of known-- purity-- with a-- with quality control. And it means that people don't die when they use it.

And I think that we've gotta be really clear that there are two issues here. There are issues that relate to use, which are to do with keeping people alive, keeping people safe and keeping people well. And it's people's right to health. One of the things that became clear as a-- as a result of a-- piece of work that the United Nations did was their special (UNINTEL) on the right to health. And-- Grover (PH) produced a report which he basically said that prohibition is completely the wrong thing to be doing here. If you want good health, you need to control supply, you need to keep people healthy and well. And he meant all drugs. And-- and that's the issue on-- on-- on-- on the right to health side.

The issue on-- and the-- the-- the-- production supply side is what it is to big government. Governments need to govern. So it's not a governance issue, it's a government issue. Governments are supposed to govern. And one of the things that they need to govern is very large commodity trades. It's about keeping capitalism-- contained in a way that means that-- that the profit margins don't rise to the levels of 16,000%, potentially, as they do in the illegal market, where there isn't an alchemy-- price (UNINTEL) mechanism that-- that-- that prohibition offers, where extraordinary-- amounts of money can be made that accrue to people who can then

subvert entire states and entire regions of the world-- particularly where-- where-- where states and governments are fragile and weak and-- or-- or-- or potentially even nonexistent.

So there are two issues here. And it seems to me that-- that-- that anything that-- that absolves governments of the responsibility of looking after their citizens, and absolves governments of the responsibility of looking after-- capital and-- and-- and corporate organizations, these-- these organizations are huge, some of them. And-- and-- the-- the amount of money that exists in the-- the-- the-- the turnover of the illegal-- drugs trade is estimated at \$320 billion a year every year.

And that is money that is out there-- profits that are untaxed-- and money that accrues to people who-- who really don't have the interests of the mo-- of most of us-- at their heart. And I'm not saying that most pharmacies (UNINTEL)-- companies do that, either. But at least they pay their bloody taxes. And they are-- they are bound by laws that mean that the-- the products they produce have a kind mark on it, a quality control provision, where they can't just chuck out little baggies of stuff that can have concentrations anything from no percent to 100%, but you wouldn't know. And if you were new-- using very low dosages on-- on-- on-- on-- on-- over numbers-- over a certain number of days, and then you get a-- high dose on-- on your next day by virtue of-- of-- of your dealer-- tapping into a dis-- different source, people die. They just drop. And you don't get a choice-- about how-- how you live your life, the quality of life, your levels of wellbeing. And you potentially pass on-- diseases to other people, as well.

So this is really not a good way to look after anything. So-- whichever way you look at it, it seems to me that-- that-- that-- it seems to our organization that it's only when you take control that the-- governments are able to take control that you actually look after-- citizen wellbeing.

FEMALE VOICE:

Hi. I have a question (INAUDIBLE PHRASE). I have a question for you. I'm sorry (UNINTEL PHRASE) Human Rights Watch.

MARIA MCFARLAND SANCHEZ-MORENO:

Maria.

FEMALE VOICE:

Maria, hi. Well, my question was-- your position on decriminalize. Like you said that people should be able to consume cocaine if they want to, and for personal use (INAUDIBLE) everybody has the right to do so. But you don't really address the part on production. I mean if-- for you it's legal to say that I can have my gram of cocaine

or whatever. It-- that's not coming from legal production and legal trade, then you're just getting people consuming more, and the money is still going to strengthen the cartels. So-- I will want to hear your comment on that.

MARIA MCFARLAND SANCHEZ-MORENO:

One, I don't think it necessarily means that people are consuming more. Decriminalization of personal use and possession in other places has not necessarily led to an increase in consumption. Because it might mean that people-- have better access to programs that will-- you know, lead them to not use drugs in various ways. But setting that aside, I agree that it's very difficult to decriminalize personal use and possession without tackling the production and distribution issue. And that's why we've said that states need to look to an alternative than-- to the crime system. What we have-- what we're relatively agnostic on is what that alternative looks like. And there are lots of models out there. This is a very new area. It's not like tons of countries around the world have tried a variety of experiments, with legalizing all the way or decriminalizing parts. And, you know, there are lots of theoretical models. You know, whether it should be a state monopoly, or whether you should allow, you know, free markets when it comes to it, or whether-- you know, how you tax them, whether you have price controls. There are lots of options for regulating this and for, you know, allowing more or less access-- to-- to drugs. And so we're not going to dictate that, because we don't want to start saying, "Well, this is the way to go," and then it turns out it creates more harms. But we do think that we need to move away from the current heavy emphasis on criminal law enforcement. So I hope that answers the question.

DANNY KUSHLIK:

Can I just throw one-- one very brief point on that one. Whilst-- from-- our point of view has transformed. We-- we-- we have gone the whole hog in terms of recognizing the need to-- to-- for governments to take over production and supply. What we're looking at here is the benefits that accrue on a human rights basis, from withdrawing the-- the criminalization, the prohibition, the punitive element for users.

Now, as-- as long as there are -- the-- the evidence is that significant increases don't happen when you take that-- element away. Whilst it does leave supply still in the hands of people who you wouldn't want to-- to-- to be giving your money to. The-- the-- the-- nothing's changed on that side, anyway. What you've done is withdrawn the-- the-- the human rights abuses that occur as-- as a result of a punitive response to purely-- use.

So that the benefits-- you're still winning. Because the-- the -- the-- the costs that accrue to everybody as a result of a punitive approach to use disappear. So whilst the

other bit's still there, that's there anyway. That was there whilst you were doing the punitive bit on possession and-- and use at the same time. So by-- by virtue of taking that away, you've withdrawn some of the pressures that-- that then accrue there. I'm happy to talk later if (CHUCKLE) you wanna raise it again.

JOSHUA GREYHOUND:

(UNINTEL PHRASE) I'm Joshua Greyhound (PH) from the Ethnobotanical Stewardship Council. I'm curious. My question's about the International Narcotics Control Board, INCB, which is quasi-judicial body under the U.N. charged with enforcement of international drug controls. And so they point out like the US is not in conformity with the treaties. But in the 2010 and 2012 reports, they talked about plants like ayahuasca, khat, kratom, iboga, salvia divinorum and others that are not in any way controlled under international treaties. My question is: is that a legitimate remit for the INCB? And whether that is or is not, how can we stop the INCB or other parts of the U.N. system from extending prohibition into new areas?

(OFF-MIC CONVERSATION)

PATRICK GALLAHUE:

Basically, this is the way. INCB isn't-- isn't a legitimate remit. INCB can go to the Commission on Narcotic Drugs. They can take a vote on whether to schedule something, put it under the purview of the treaty. You know, and apply various controls to-- I mean I think I'm simplifying the process, I think, a bit. But I think-- I think it is possible for it to branch out and take over new things.

What I do think-- the-- the question that is should it? Is it a trust-- is it a trustworthy steward? The history of the INCB is-- is problematic. The-- you know, what you've got are-- you know, if you just sort of, you know, go report by report. So for example-- Human Rights Watch did a series of reports on drug detention. You know, the idea of drug treatment, it's great. But a lot of governments will say, "You know what? If you're using drugs or if we think you're using drugs, or if you're hanging out in area where people use drugs or you look like you're using drugs, we're gonna sweep you up, we're gonna throw you in a center. You're not gonna get a trial. You're not gonna get a lawyer. You're gonna have no recourse to the courts to ever get outta there."

It was the-- the-- the things that Human Rights Watch found were so damning that 12 U.N. agencies got together and said, "We've gotta close these things down. There is no excuse for them. These places have to be shut down." Vietnam was one of their sort of poster cases. Well, that same year, INCB came out with a report that said, "Great job, Vietnam. You should scale your sensors up." (LAUGHTER) Out of line with the entire U.N. System.

You know, countries introduced-- you know, incredibly strict drug laws, incredibly strict. You know, something that any other U.N. agency would never ever endorse,

probably not even the U.N. Office on Drugs-- in fact, I'm sure the U.N. Office on Drugs and Crime would say, "I think you're going a little far here." INCB comes out and says, "You know, good on 'ya. Give-- give it a shot. We-- you know, give it the old college try. You know, we're-- we're rootin' for 'ya." Consistently the INCB has been out of step with-- with its own secretariat, with its own sort of, you know, organization, it's-- it-- the-- its own umbrella.

For years, we were trying to get the INCB to talk about issues like the death penalty and say, you know, "Would you-- would you-- you know, would you condemn the death penalty?" And Alan Clear (PH) from Harm Reduction Coalition asked point blank-- "Look, we're-- we're dealing with, you know, mass executions. We're dealing with, you know, extra-judicial, you know, killings on a massive scale. Is there any atrocity that you would speak out on if it's committed in the name of drug control?" And the then-president said, "No, absolutely 100% not."

DANNY KUSHLIK:

So-- just to-- to throw in one other thing. I mean in terms of what we can do to keep them out of that, in a sense, (COUGH, UNINTEL). So that-- the-- the-- the-- just to pick up on what-- what Patrick was saying, the-- the-- the-- the-- the UNODC is out of step with the rest of the U.N. family by a very, very long way. It's a maverick, rogue body, really, that doesn't conform to the-- principles on which the U.N. is founded-- and is supposed to operate: development, security and human rights. It doesn't conform. It just doesn't.

And-- and-- and it's shown-- so when Helen Clark (PH) from UNDP-- said that we needed to take a health-based approach—Ban Ki-moon has done that, and-- and grown with a special raconteur on health. Increasingly, the-- the-- the body is-- is-- is-- is being shown to be maverick, to be rogue. And as time goes on, it will, by virtue of-- of-- of-- an increasing-- focus on adherence to those principles, will find itself marginalized.

But you can-- you can guarantee that it'll fight like hell to retain its position, and will carry on committee, human rights abuses, undermining security and undermining development whilst it exists. But it's-- it's-- it's-- thank God-- not gonna be around for a hell of a lot longer.

JEFF O'CONNOR:

I'm curious-- hi. My name's Jeff O'Connor. I'm a journalist. I'm curious to know kind of flashing forward two years from now at the U.N. General Assembly-- that's going to be a-- what, a ten day period or-- of negotiation and discussion. Will there be-- concrete-- resolutions coming out of that? And I'm curious to know from a panel such as you are, so you're, you know, coming from the NGO community, what is it realistically that you hope to obtain there?

I mean you said it's-- it's kind of functioning in a theoretical universal. But what is the hope, that you decriminalize marijuana or-- around the world, or are you looking for a blanket, you know, platform of transformation? Can you give us some idea of what the-- the hopes and expectations are?

DANNY KUSHLIK:

I-- there-- there is a spectrum of views. I'm-- I'm on the cynical end. I-- I see-- the-- the way that it's-- it's set up is that less progressive moves, it seems to me, can be made within that environment than can be done outside of it. The importance of it, though, is-- is-- is that it offers as an-- but it's still an opportunity on the basis-- and this is where I'd agree with Patrick.

It remains an opportunity, on the basis, that-- that-- of the work that can be done in and around that. The world's attention is drawn to campaigns like this, to the work that Human Rights Watch does, that (UNINTEL PHRASE) that Transform, the DPA, that OSF, that all these organizations are gathering now, working strategically, working together, towards progressive approaches that-- that will highlight, even if it goes spectacularly badly.

What we know is that it can't be retrograde. Can't get any worse. So we know it's a low bar to set, I know. But-- but-- but-- the world that we're goin' around that-- and-- and-- and goes on anyway-- has been really good. Now just-- just to say that one reason why the-- this special session is happening in 2016, because we would normally have had to wait until 2019 for the ten year review to take place. And usually that's-- just a rubber stamp that says, "It's all gone brilliantly, like it was the previous ten years and the previous ten years and the previous ten years."

The reason it's happening in 2016 is because of work that was done through the Organization of American State, primarily to do with the work that was going on in Latin America-- by some-- some lead countries that, that have forced the-- the-- the-- the-- the review to happen three years earlier than it would have-- otherwise.

So even-- just that is a result. And it's important to recognize that. Because the-- the actual process of what goes on over that-- however many days it takes place is, I think, gonna be pretty damn (INAUDIBLE). There's the-- 'cause-- they-- it's-- it's that point that the-- the-- the-- the-- the orthodoxy-- those who-- who wanna protect the orthodoxy, will be working their damndest to maintain it.

The-- the U.S. keeps talking about the integrity of the conventions. President Obama, in September of this year, (UNINTEL)-- a memo saying that the-- the-- this is Mr. Obama, the former fairly heavy-- what was he, part of the Choom Gang (PH)? Yeah. (CHUCKLE) Heavy dope smoker. And when he had enough money, he said, you know, that they-- they'd-- they'd get a bit of blow in. This is a-- this is from his aut-- autobiography. This is-- this isn't kinda gossip. It beggars belief. But-- but-- but he's-- he's saying that the-- the conventions mustn't be touched, basically. And there's a-- there's a-- there's a-- as somebody described it in the unknown, a retreat

and a new li-- line being drawn in the sand. So there will be a defense of the treaties. There will be a defense of the orthodoxy.

But the world that goes in on-- in and around it and has already taken place in order to bring it forward three years, it's already on massive result. And the-- the-- the comments from-- from William Brownfield-- where he's twisting to find a new place for the-- for the U.S. State Department, where-- where the-- the-- the-- the-- the conventions have clearly lost their integrity because the previous champions, the U.S., of the international prohibition, have now legalized in five states.

It's-- it's-- it's-- so it's all-- it's all up for grabs. Things have already shifted. So regardless of what actually-- the danger is that we focus too much on those ten days or however many days it is.

FEMALE VOICE:

Yeah.

DANNY KUSHLIK:

We're already winning. This is-- it's already good news. So don't-- don't-- don't judge it by those ten days, please.

FEMALE VOICE:

I would just like to make a comment. You've spoken to the fact that the governments are responsible for their people, their health. Sorry. I-- so it-- the comment is that-- governments are responsible. They are for the system we deplore at the moment. (CLEARS THROAT) And for any actions you want taken. I would-- suggest you not only focus on the UNGASS, which is upcoming, but just comment, in part, that the Crime-- Congress happens every five years with the U.N. Sponsors. Comes out next spring.

Now, it's the same governments that will be there in Qatar for the Crime Congress. And they enforce the treaties. I think they are to be watched and to take part. Their-- (CLEARS THROAT) it has a tradition, a very substantial one, NGO participation. So it's a way-- and a number of-- elements of progress, and particularly in the terms of treating prisoners and criminal justice, have evolved over the years, spot-- sparked by the NGO involvement. So I just bring that up. It's-- it's something to consider at the moment.

DANNY KUSHLIK:

If-- if I can-- very briefly just-- it-- it resonates. The-- the-- the importance of the Counting Costs campaign is that it recognizes the eight policy areas which we've

identified. There are probably another 20 or so that are compromised by the war on drugs.

And the importance of this is-- is-- is precisely to bring up exactly what you said, to raise these issues in the other policy areas. I was chatting to somebody yesterday about the issue of arms control, small arms controls, the new treaty being-- being-- written at the moment-- and signed and ratified. To take those-- to-- to-- to be discussing arms control in the absence of a discussion of the war on drugs, is madness.

For Mexico-- and Mexico is leading on the arms control stuff but isn't leading quite as strongly as it could on-- on-- on the issue of-- of-- of drug policy reform in Columbia and-- and-- and various other places. So it's suffering enormous violence, a lot of-- committed using guns. The-- the-- the-- the point is to bring these things together, it can be done in-- in-- on-- issues related to the environment, in human rights, in health, that-- that-- to the extent that we do, it-- it-- it removes the-- the-- the issue of drugs out of the silo that it currently sits within in UNODC and brings it in-- to all the other poc-- policy areas.

And that needs to be done at the domestic level, as well. So it sits far too-- almost exclusively within the USDOJ. In the U.K., within the home office and with interior ministries in other-- in other countries, the problem is, to the extent that it sits there-- you can't do anything with it. The home office in the U.K. runs prohibition. That's what it does.

And to the extent that it isn't, it doesn't-- interact, for instance, with the Department of Health, means that health is not involved in drug policy. It just isn't, in the U.K.. And that's the same in a lot of pla-- places. And-- and one of the significant moves that happens in countries that begin to take on-- progressive drug policy is that they shift the lead brief departmentally, or out of the home office, the DOJ-- the interior ministry, and put it in the Department of Health that things begin to change. It's not magic. It's done as part of the political process. But once that's done, it takes it out of the silo. And you're absolutely right that it needs to be all connected up.

CASEY HOLMES:

Hi. Casey Holmes (PH) from the Latin America Program here. That was-- a good segue, actually, 'cause I-- I had a comment for-- Jorge Javier.

(OFF-MIC CONVERSATION)

CASEY HOLMES:

So-- a report just came out today out of Brazil that I think is really interesting to highlight. It-- it's about violence levels in Brazil, but sort of sort of the most salient fact to our purposes here is that last year in 2013, at least six people a day were killed by police in Brazil. These are primarily young men of young in Favelas. And over the

past five years, Brazilian law enforcement agent have killed at least 11,197 people. And that's just what was reported. So you can imagine that it's-- an under-representation of the extra-judicial killings of people.

And the reason this is salient is, of course, this is similar to Mexico come out of the drug repression apparatus. And a lot of these killing are made in the name of-- they say these were drug dealers-- that this guy was dealing drugs, he's a-- he's a drug kingpin, but in a-- very rarely is this actually proven. So I think it just-- it speaks to how the repressive regime is-- is really (CLEARS THROAT) out of control and has created a frightening police state in many places. And I just sort of was interested in your comment on it, Jorge Javier, considering the relationship with Mexico's police issues.

JORGE JAVIER ROMERO:

Well, that's right. In, Mexico, we have a huge problem of weakness of the state. And if you have a-- criminal organizations that have a lot of money because the prohibition-- because the prohibition increased the price of-- commodities that could be-- cheap if were not-- prohibited. And-- and those income gets on the criminal organizations-- you have the-- a terrible-- justice and security problem.

We are not against the provision just because the-- the harm of drugs is overrated. We are not talking about the-- the-- that drugs are good. We are talking about the terrible damage that the prohibition is doing to the-- states like Mexico or Columbia or Brazil. And we are-- we are against the prohibition because the prohibition is at-- a failed-- public policy. It's not working to-- to-- protect the health of the population. It's not working to reduce the harm that-- drugs-- cause.

It-- and instead, it's-- make-- it's-- provoking a lot of death, a lot of suffering, and-- much more suffering and death than-- all the com-- drug consumption-- around the world. That's why we are-- talking about-- against the prohibition.

DANNY KUSHLIK:

Can I throw in one-- sorry I'm going to abuse-- abuse my position, un-- un-- unless some-- Patrick turns my mic off and-- ties my hands and my head behind my back. It's really interesting, I think, that the-- the dual-- positions that the state finds itself in as a result of prohibition. Because on-- on the one hand, in places like Mexico and Columbia and-- and-- Afghanistan and-- and-- narco states that have just completely collapsed in-- in Africa like-- Guinea-Bissau -- where the-- the-- the-- the-- the narcos run everything-- and Mali-- Mali was-- was-- was actually quite a strong state-- for the-- the-- the-- the drug trade-- really messed things up there.

Is that the-- that the-- the-- the-- the power that-- as-- as-- as-- Jorge was just saying-- the-- the-- the-- the power of the-- that's the-- prohibition gives to non-state actors, both in terms of real wealth and real firepower-- can overwhelm states. It's

interesting that-- and I think that this is part of why the-- the-- the prohibition will end, is that this is a state-sponsored-- public policy-- that was initially developed in order to-- to-- part of which was to do the social control-- that-- that was actually-- a way of strengthening the state. This was an opportunity, and in places, it still is, in Brazil and other places, where the state--

Sometimes not in-- not in a particularly organized way. But-- but-- but can abuse its power, real power, militarily-- through the criminal justice system, through extradish-- dishal (PH) killings, can-- can really go for-- in Thailand, where-- where, under the auspices of the drug war, 1,500 people-- were killed extradu-- judicially by state forces. A lot of them were trade unionists and rights activists. And-- but they-- the-- the-- the government said they were all-- all-- all-- drug dealers.

That, on the one hand, it's actually used to strengthen the state. On the other hand, by virtue of the-- the-- the-- the alchemy of prohibition, whereby, in turn-- plants into products worth-- in some cases, more than their weight in gold, are the point of-- of use, where it provides that level of wealth, firepower to-- to non-state actors, it then compromises the state. So it's really interesting to see that dynamic changing.

And I think that one of the reasons why prohibition will end is not because of the brilliant campaign work that people like Human Rights Watch (UNINTEL PHRASE) do, but it's actually to do with the-- the-- the-- the unintended consequences of the (VOICE) enforcement of the prohibition, which ultimately will compromise even quite developed states, quite strong states. And-- and that's why it will end. Because it's-- it just-- it-- it reverses the power. The state actually becomes fundamentally compromised by virtue of having given enormous amounts (VOICE) of wealth to non-state actors.

MALE VOICE:

Good evening, everyone. I just wanna say that-- I'm actually from Boom Health. And I'm in the front lines. I'm actually-- on the mobile unit, and I'm actually working with the advocacy team. And first of all, I wanna say that, with this drug policy, we have to-- have the people that are already incarcerated for small amounts of drugs that have been long term, that will never see the light of day, and if we wanna give hope to someone that really has an issue with-- there's a distinction between drug use and drug addiction. And with people that are addict-- have addiction needs to be in treatment.

Now, I came from Bronstate Services (PH) and Citywide Harm Reduction, which merged back in 2013, in August. Now, we have to be nonjudgmental. I'm sure the panel isn't promoting drug use. But this wheel that we're going on is going nowhere. It's a-- it's a complete failure. People do not connect the dots when they feel their government doesn't support them, when they have issues with drug addiction.

And so I-- I really need for people to understand that this is-- a judgment call. And we really need to-- not be judgmental. Whatever actually works, we need to give out

solutions, and instead of pointing fingers. The harm reduction model, to me, was something that was absurd. But it's actually working. The numbers show that. So let's-- let's go with evidence-based treatment. (OVERTALK) Thank you very much.

FEMALE VOICE:

I have a question for, I think, all of the panelists. And-- I've been reading through some of the materials, looking over the site so far. And I actually like to see what your recommendations are for the kinds of data indicators that we need to gather to have a full understanding of the costs of-- of the war on drugs, and all of these seven cost areas and beyond.

So I-- I-- I was just hoping to-- to hear a little bit more from each of you about what your thoughts are on what are the sets of-- indicators we should be looking at, ideally we could be looking at, so that we can get that comprehensive kind of understanding of the full net cost of the war on drugs. 'Cause I don't think we can make strong policy recommendations unless we have that full understanding of all of the ways in which the war on drugs is benefiting some and really creating a lot of economic harm for others. (COUGH)

MARIA MCFARLAND SANCHEZ-MORENO:

I think there's a lot of data out there already. I mean we routinely-- (CHUCKLE) at least in the U.S., we're constantly filing FOI requests and trying to collect data on-- on the war on drugs inside this country. It's harder to wrap your head around-- issues like organized-- trans-national organized crime and, you know, how those flows of money work. And I don't know that governments have those numbers, either. So-- but that, I-- I would say, is one of the sort of darker areas where it would be-- it would be nice to have-- more solid numbers. I think on the health side, there-- there is a lot more data, as well (UNINTEL) less of that. But-- (OFF-MIC CONVERSATION)

DANNY KUSHLIK:

I think-- I think that-- that-- that even-- a discussion about key forms indicators and-- and how we assess effectiveness has taken us-- so even asking the question has taken us about 4,000% of the way forward, even without actually identifying (COUGH) clearly what they are. Because this is such a politicized area of public policy making that it's-- it's what a-- a NP (PH) in the U.K. describes as an evidence-free zone. There's no evidence.

Interestingly, this is kind of an-- it's sort of an aside, and-- and-- and isn't, at the same time. One of the things that-- that-- I've always-- felt a little bit paranoid as a-- as a drug policy activist. I thought that our area of public policy was less-- evidence-based

than everywhere else. And-- and on one level, that's true. Until-- I came across a report that David Cameron, our current prime minister, commissioned when he came into office in 2010.

Knowing that he needed to make 25-30% cuts across all government departments, he commissioned some of his corporate buddies to come in and-- and locate waste-- in terms of government expenditure. Which I think is a very smart thing. He hasn't made many smart moves. But this was a smart thing to do. Let's locate waste, and we'll start cutting there.

The interesting thing was-- they came back to him and said, "I'm sorry we can't tell you where waste is taking place. The reason we can't tell you is that, at no level of government, from central government through to local government, is policy developed, implemented and reviewed in such a way that we can assess inputs against social outcomes." In no area of government, no area of government policy could they do this.

And I stopped being paranoid. It made me a little bit more depressed than I was before. Because it meant that we're all screwed. And that-- that all money that we pay in taxes is-- is being potentially squandered. It might actually be being spent-- really well. But the-- the government wouldn't know.

But I think that-- that any area where we bring in issue-- evidence and key performance indicators. But I think that part of this, again, is really useful. Because what this also does, as-- as well as identifying cost areas, also identifies benefit areas. So what you do (COUGH) is you reverse them, and you say, "Okay, in each of these eight areas, plus 20 others, we need to put in place key performance indicators that we assess regularly, review regularly, collect evidence for, and we show people who are paying their taxes that we're delivering what they want."

But there are some quite simple ones that don't-- I mean in terms of costs, you can just look at the number of states that are compromised through prohibition, through non-state actors who accrue enormous amounts of wealth and firepower and then just knock the state out. And that happens with-- with-- with-- illicit substances, and it doesn't happen with legal ones. And of tobacco and-- alcohol, whilst the way that the corporate operate in some of those areas are not always overly helpful to states-- in which they are grown, trafficked and used, they don't have the level of destructive capability that these do. So that you can see that the-- the-- the move from-- from prohibition to regulation is a clear one.

In terms of the sophisticated nuanced stuff, all we need to go is get our heads down for a few hours and come up with some KPIs that we begin then to work to review. And they-- they are changed as and when they need to be on the basis of-- of-- of a-- of a permanent review process. But that's so way beyond what we have now that even a discussion about it has taken us out of the over-politicized, evidence-free area that (INAUDIBLE PHRASE).

FEMALE VOICE:

Hey. Good night, everyone. I heard-- a lot of time the word "taxes." I think we are far from that now (UNINTEL) encouragement. But what would you think about, for example-- provisional without persecution of the government-- in-- in place-- in the-- countries-- in the different countries-- or someplace like Mexico-- with the persecuting the people in sales and-- (UNINTEL PHRASE) and the drugs maybe the violence will be-- less than now.

(OVERTALK)

FEMALE VOICE:

I'm worried about the violence more than the taxes.

MARIA MCFARLAND SANCHEZ-MORENO:

So you were-- you're saying keep it-- keep them illegal, but just choose not to prosecute or--

FEMALE VOICE:

Yeah.

MARIA MCFARLAND SANCHEZ-MORENO:

--or enforce the laws.

FEMALE VOICE:

Yeah.

(OVERTALK)

FEMALE VOICE:

That was the-- the-- the thing in Mexico before Calderon.

DANNY KUSHLIK:

The pax narcotico, you mean?.

FEMALE VOICE:

I'm sorry?

DANNY KUSHLIK:

The pax narcotico. You mean-- just a deal with these--
(OVERTALK)

FEMALE VOICE:

Yeah, deal.

JORGE JAVIER ROMERO:

Well, is there a way to-- deal-- with the problem. Is-- we have to-- even if we don't change any-- international treatment and we're-- have the same-- system of-- international system of drug control, we can make a lot of suf-- soft enforcement change. Because we can treat the-- drug trafficking as a market-- criminal offense, not as a-- (UNINTEL PHRASE) criminal offense. It's not the same to trade with drugs as ab-- abductions and-- murder and-- and-- robbery.

The-- the-- the traffic-- the drug trafficking is a market-- criminal-- it's a market offense. It's not-- a penal offense. No, it's-- it's different. And-- we are-- the drug use is overrated as a health problem. We have to deal with-- with it-- with it as a-- health problem, with-- health measures, with-- prevention, with harm reduction, with-- treatment, scientific based treatment, not just abstention treatment.

And that's-- going to be better than-- prosecution of-- of-- of trafficking as if is-- if trafficking-- is-- as trafficking-- in the same way as with-- prosecute-- cri-- murder or robbery. It's not the same. We are overrating the-- drug problem. We have to manage the drug-- the drug problem-- as a health issue, nos-- not as a criminal issue.

MARIA MCFARLAND SANCHEZ-MORENO:

I mean-- I think there are two issues there. One, what you are-- (COUGH) proposing, in a way, is similar to what is happening in New York City right now where they have (VOICE) said they're not going to arrest people, they'll treat it as a violation, for marijuana. It doesn't deal with the problem that somebody asked me about earlier, which is, "Well, how do you really break-- this enormous source of income for organized crime?" Which would still be there, you know, unless you create some alternative system of supply. Right?

Some alternative market that is legal. You know, the-- regulated-- heavily regulated,

if you want, very difficult to get. But-- that somehow breaks the hold that these criminal organizations have on a source of immense wealth and power that allows them to just destroy entire countries. And so I think that's-- something that we need to think about, that countries need to think about.

(OVERTALK)

MARIA MCFARLAND SANCHEZ-MORENO:

And it's not enough to just say, "Well, we're just not gonna enforce our laws. (CHUCKLE) We'll look the other way." You know? I think that's-- it's a bigger problem to tackle.

MALE VOICE:

One last question from-- ?

MALE VOICE:

I-- I just will want to share my concerns, in part with regard to the addictive nature of heroin-- when it comes to less addictive drugs, such as marijuana. The whole explanation made perfect sense. But when it comes to heroin, I mean the story's gonna be changed a little bit. I can say that-- from the-- point of view of human rights. Sometimes people violate their own human rights. Especially-- and heroin addict violates his-- very own human right of human right to live. And that's where a state should step in and protect themselves from violating his human rights. And-- I have never seen--

MARIA MCFARLAND SANCHEZ-MORENO:

So...

MALE VOICE:

--a heroin addict who-- who just doesn't want to quit.

MARIA MCFARLAND SANCHEZ-MORENO:

So I--

MALE VOICE:

He wants to quit, but he cannot do that, because he's an addict. So I mean-- decriminalizing the—distribution or personal use or-- usage of heroin just encourage-- encourages people to-- to-- to use it. On the other hand, we are talking about cost. And let's-- talk about the cost of heroin to a society. The more you use heroin-- I mean-- the more you lose your control over yourself, over your children or your family, and-- basically, family is the main pillar of a society.

(OFF-MIC CONVERSATION)

MARIA MCFARLAND SANCHEZ-MORENO:

So-- human rights standards, just-- just a little context on-- on human rights law. (CHUCKLE) It basically says that governments have to respect people's rights. People have the right to make choices about what they do with their bodies. And sometimes those are harmful choices. And some-- sometimes those are choices that the majority of society doesn't approve of, that the majority of society considers immoral or bad.

But international human rights law would not allow society to just break in there and tell you what to do with your body. We don't tell people, anymore, that homosexual sex, for example, is-- illegal. That's crazy. But-- we still seem to think that it's okay to tell people that they cannot use drugs because it's wrong somehow, or it's bad for their health, and that if they do it, we will throw them in prison.

To deprive people of their liberty for choices that they made like that is deeply problematic under international human rights standards. There's also a very practical argument against criminalization on this. And that is that it doesn't further public health. That you hurt the people who are using drugs when you put them in prison. That it's the opposite of giving them treatment. People who go to prison do not get treatment. They do not stop their addictions. They're much more likely to continue and to enter the cycle of going into prison over and over and over again.

So what we're talking about is finding an alternative way to deal with the public health harms that can result from drug use, including from addiction. So it's not-- I don't see this as inconsistent with trying to help people who are-- suffering from harmful use of drugs. On the contrary, you want to do that-- you wanna do that directly, not drive them underground, not stuff them in prisons where everybody can forget about them and not look at the issue.

DANNY KUSHLIK:

Can I-- can I throw in one-- one-- quick idea-- from-- some work done by a Canadian sociologist called Bruce (COUGH) Alexander, in the early '70s? He conducted an experiment widely known as Rat Park. At the time he did his work, the generally

understood-- dynamic of addiction was understood through the behavior of rats that were kept in shoebox-sized cages, who would self administer-- opioated-- water, sometimes to the point of death.

Bruce's hypothesis-- was that what the rats were doing was being they're intelligence, sociable animals, that what they were doing was exhibiting stress response. So in order to prove his-- to test his hypothesis, he set up Rat Park. He took the rats out of the cages and put them in-- a cage the size of four of these tables put together, where they could have families-- where they could play-- and socialize.

He still gave them-- so they had a choice in the-- in the shoebox sized cage to-- to-- to drink-- water or opiated water. And a lot of the rats would-- would-- would-- would really get themselves in a mess, and-- and exhibit what looked like addiction. And then he'd take them out and put them in Rat Park.

And guess what happened? They stopped self administering the opiated water. And he'd put sweetener in it and try and encourage them to get-- and then what he'd do in order to prove that this wasn't just an accident, he'd take them out of Rat Park and put them back in the cage. And guess what happened? They all started self administering the opiates again. And then he'd take them out to the cage and put them back in Rat Park.

Now-- Bruce has gone on to do some other work that-- actually explores human beings and how-- how human beings operate. Because we can't just extrapolate from the experience of rats, because we're not rats. But I think it's a really interesting-- experiment to-- to-- to look at it just as is and-- and very directly with the experience of humans, particularly when we keep putting them in real cages. They're called prisons.

But-- but also when you put people in-- in-- in-- in societal cages, where we deprive people of opportunities, where we-- we-- we don't give people the education that they want, where they don't have jobs that-- are fulfilling, where they can't raise families in even the conditions that these rats were in-- in Rat Park. And people will self administer-- all kinds of substances and commit all kinds of very self-harming-- behaviors when they're put in very stressful conditions.

But if you put people in-- in-- in-- in conditions where they can achieve their aspirations and fulfill themselves, they will not. And I think that the danger is that we begin to see this as an issue to do with drugs, and an issue to do with harm reduction, and an issue to do with-- with the regulatory framework, and whether doctors are doing the right things. There is a wider issue here that-- that-- that-- that we-- we can become blinkered to to, particularly as drug policies activists, where we see this as a drugs issue and a drug policy reform issue. It's not.

The issue of-- of people who become dependent on substances as-- is a societal issue, and is to do with the aspirations that we provide, particularly for the poorest and the most marginalized in our societies who are more likely to get into a mess with one substance or another. (APPLAUSE)

* * *END OF TRANSCRIPT* * *