

Drug Policy in Latin America: Portfolio Review Documents

Open Society Foundations - Latin America Program

prepared by David Holiday, Catesby Holmes, and Tasha Bermudez
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OVERVIEW

This review will look at the Latin America Program’s portfolio of drug policy grants and activities primarily over the past two years, based on the 2013 articulation of goals and objectives of support to the field in general and to a specific concept. However, in order to contextualize that discussion, we provide an overview of how we got to this point as well as an assessment of dominant trends and their implications for our work in the region.

The Latin America Program (LAP) began working sporadically on drug policy in the region a decade ago, with more strategic and significant funding starting with a series of grants in 2007 and 2008 to the Washington Office on Latin America (WOLA) and the Transnational Institute (TNI). Those projects, which supported a series of informal policy dialogues among Latin American civil society organizations, academics and government officials, served in part to build support for the 2008 review of the United Nations General Assembly Special Session (UNGASS) agreements on international drug-control policy. The dialogues continued for several years, during which time both like-minded governments and civil society organizations continued to coalesce around the issue of reform. These events also enabled some of our first in-depth encounters with key and emerging civil society leaders.

Throughout this 2007 to 2011 era of transition, the Latin America Program worked with the Global Drug Policy Program to support most of the civil society actors in the still incipient field of drug policy reform in Latin America – sometimes funding new organizations, at other times investing in new work carried out by more established entities. Brought together at different moments by OSF-funded regional conferences, or at the bi-annual Drug Policy Alliance conferences in the US, by 2012 it was clear that Latin America had one of the strongest drug policy reform movements in any region where OSF was working.

This support for civil society organizations in the drug policy field was done in tandem with support for higher level policy interventions. In 2009 the Latin American Commission on Drugs and Democracy, founded in late 2007 by former Latin American heads of state with OSF support, issued a groundbreaking report that declared the war on drugs “a failure.” Such a bold statement from respected political leaders effectively broke the taboo on publicly debating drug policy and definitively shifted rhetoric in the region toward more critical perspectives. Two years later, in 2011, the Global Commission on Drug Policy issued its first report, which—though it arguably had less of an impact in Latin America, given the previous report’s success—nevertheless consolidated an international cohort of former presidents and high-level policymakers who favored less punitive policies..

During this same period, LAP developed a programmatic objective related to understanding the growth and impact of organized crime in the hemisphere and to exploring the (frequently counter-productive) policies in place to mitigate organized crime’s threats to democratic processes. This new line of work, which largely involved supporting policy-relevant academic research but also investigative journalism, stemmed in large part from the role of organized crime in the region’s high level of violence and the penetration of state institutions by organized crime, reflected in Mexico’s fast-rising death toll from the drug war and Colombia’s experience with paramilitaries. The importance of this threat was also recognized by the Latin American Commission when it noted that many current anti-drug policies focused on the consumer only distracted governments from the more important fight against organized crime – without commenting precisely on the best way to achieve that goal. The Global Commission

went a step further, and began to sound the alarm that some anti-organized crime strategies could actually lead to increased violence (a clear reference to the failed strategy in Mexico).

By 2012, the drug policy debate in Latin America seemed to have reached a tipping point. For the first time, sitting presidents—including Otto Perez Molina of Guatemala, Juan Manuel Santos of Colombia, and Jose Mujica of Uruguay—began to question the decades-old “drug war” paradigm, calling for alternative approaches. Such widespread disenchantment with international drug-control policy was due to three main factors: first, the failure of the drug-control regime to reduce production and trafficking; second, skyrocketing crime and violence (particularly in so-called “transit” countries) that seem to originate at least partially in the counter-narcotics policies themselves; and, third, increased drug use and abuse (particularly in the Southern cone), where dirt-cheap, crack-like cocaine derivatives such as *paco* was increasingly affecting poor communities, with heroin use on the rise in Mexico and Colombia. Importantly, parallel to the evolution of this reality on the ground, the Latin American and Global Commission reports succeeded in legitimating discussion about alternatives to the status quo drug policy in the 21st century, and provided both language and political cover for presidents and other leaders to challenge the predominant, U.S.-supported paradigm on drug policy in the region.

In 2012-2013, debates on drug policy were spreading across the region, generally (but not always) moving public consensus toward reform. The below events are just a few key moments from that period (see the accompanying timeline for greater detail):

April 2012

- At OAS Summit of the Americas, in Cartagena, heads of state issue mandate for comprehensive review of drug policy in the Americas

June 2012

- Uruguayan president Jose Mujica announces his government will consider state regulation of cannabis to combat insecurity

October 2012

- Presidents of Mexico, Guatemala, and Colombia send letter to UN secretary general requesting an UNGASS on drugs, declare need for a “profound reflection...on all available options”

November 2012

- Colorado and Washington state pass referenda approving the legalization of recreational marijuana, becoming the first jurisdictions in the world to do so.

May 2013

- OAS Secretary General releases *Report on the Problem of Drugs in the Americas* (including a report on scenarios for the future and an analytical report)
- Bill allowing compulsory treatment for addicts passes Brazilian congress, moves on for debate in senate

December 2013

- Inter-American Drug Abuse Control Commission (CICAD) meets in Bogota, affirms need to shift focus of drug policy from security to public health/human rights
- Uruguay enacts law to regulate sale, production of cannabis

January 2014

- First legal sale of recreational marijuana in Colorado (and U.S.)
- Mexico City legislators propose marijuana decriminalization bill

Given the growing salience of drug policy in Latin America and the difficulties encountered in effectively addressing organized crime, in 2012 LAP decided to eliminate the organized crime line of work, folding the drug trafficking aspect into a new, broadly defined portfolio of “drug policy.” Over the course of 2012-2013, LAP began limiting the scope of this area to projects addressing drug trafficking and finalized support for many research-based projects with universities and think tanks that had proven unable to influence lawmakers. New research would continue to be seeded – on the still valid assumption that a solid body of analytical, empirical evidence on counter-narcotics strategies is a prerequisite for policymakers and civil society actors moving toward reform – but the areas of support would be focused on Mexico and Central America, and LAP began to more closely evaluate and prioritize the immediate and direct potential for policy relevance.

Trends (and implications for our work)

Divisions and disagreements among governments: Despite overall official discontent with the failure of hemispheric drug policy, it is important to note that there are significant divisions among leaders and very little unanimity about challenges and opportunities. Many governments are on board with the need for renewed debate, but little else unites Latin American governments on this issue. Reforms are being generated scattershot. On the one hand, there are countries like Guatemala and Colombia, which call for broad international policy changes without actually addressing their own domestic policies or proactively engaging at the regional level; on the other, there are such nations as Bolivia and Uruguay, which are actively implementing new policies yet frequently find themselves bereft of regional support for their initiatives. In another category are Argentina and Brazil, where the judicial or legislative branches have made (or plan to make) innovative changes but have received very little support from the executive and substantial parts of the legislature. Finally, localized areas of reform activity—for example in the municipalities of Bogota and Mexico City—have been thwarted by low approval levels for (or, indeed, impeachment of) the mayors behind these initiatives.

The inability thus far to articulate a “Latin American” agenda in the run-up to the 2016 UNGASS has led LAP to doubt that much change will result from regional fora, although it will nevertheless be important to continue engaging in those spaces. At the same time, the fact that individual governments strike out on their own in reform experiments is also worthy of continued support.

Difficulties in shifting the paradigm: There are significant challenges faced by governments and civil society actors in drug policy reform. On the one hand, the movement seeks to promote and extend human rights guarantees to the situation of marginalized drug users, while other reforms seek to fundamentally change the rules of the game. While there is some margin for maneuver within the framework of the international drug conventions (for example, harm reduction), some of the current reforms underway pose a challenge to the treaties. In particular, the scheduling of cannabis alongside heroin in the most restrictive category of prohibited drugs under the 1961 Single Convention on Narcotic Drugs provides an important challenge to US states (Washington, Colorado) and countries (Uruguay) that are in the process of legalizing the production and sale of marijuana. However, because the US now finds itself in the same category as Uruguay on this issue, the silence of American diplomats on marijuana policy in particular is noteworthy.

The practical implication of this reality for our work is that OSF will have to work with reformers when and where they are found, and while pushing for broader support, we should take care to

promote positive cases where reforms are implemented. At the same time, this also will mean that OSF is, for the moment, the primary and nearly sole donor willing to push forward on this issue. While we will continue to seek allies and other co-funding situations, in some cases the kinds of groups we will support will be over-reliant on OSF funding.

Public opinion lags behind policy debate: Today public opinion opposes drug legalization by a margin of two to one everywhere in Latin America. In some ways that fact is less important, though, than the general public's lack of acceptance and understanding of the public-health approach toward drugs. Indeed, the public generally supports the existing hardline, public-security approach, even toward non-problematic (or recreational) drug users. Under this regime, users are marginalized and stigmatized by the public; criminalization of drugs limits users' employment prospects and, among other negative effects, pushes them into unhygienic and often dangerous environments. The little treatment that is offered to users follows an abstinence-based model, sometimes in the form of compulsory or locked ward "treatments" that have led to serious human rights abuses in countries including Peru, Guatemala, Mexico and Brazil. Yet public accounts of these abuses, or other manifestations of the hardline, public-security approach, have thus far done little to shift opinion. In short, there is widespread discrimination against drug users, but they are yet to be publicly considered as a "vulnerable" group.

Similar to the previous point, this reality means that OSF will need to take great care to document well the various interventions supported, on the assumption that some successful reforms could be replicated elsewhere. It also means that policies may be less stable and more subject to the whims of political leaders, should they come under attack. Public opinion research (focus groups, surveys, etc.) become a prerequisite for developing successful political challenges at the local or national levels.

Weak state institutions and nongovernmental organizations: At the level of government and civil society organizations responsible for or interested in drug policy, there are tremendous weaknesses (although perhaps not in comparison to other regions). Drug policy reform implies not just reforming laws but also improving security and justice institutions, which in Latin America have traditionally been plagued by corruption, inefficiency, and incompetence – if not outright brutality. (This speaks to the drug policy area's important complementary relationship to LAP's work on citizen security.) The region's health infrastructure would also be largely insufficient were it to undertake offering serious drug treatment; currently, it is largely geared toward abstinence-based approaches that can only help a small percentage of problematic drug users, to the exclusion of harm reduction approaches. Few civil society organizations work on drug policy reform – sometimes only one or two in a given country – and most of these only formed in recent years. Many organizations are only one or two people deep in terms of leadership and expertise on drug-policy issues, an institutional weakness that stands in contrast to their otherwise prominent public interventions in national and international policy debates.

In some cases, OSF should consider funding pilot interventions that would help kickstart government buy-in (as in needle exchange in Colombia), or support strategies where capacity is built along the way (as is the case of marijuana regulation in Uruguay). For civil society, this means that we need to focus not just on who is active at any given moment, but also on building capacity for the future.

Weak knowledge base: Complementing Latin America's weak state institutions and civil society organizations is the region's dearth of an evidence base that could inform different public policy

alternatives. There are no agreed-upon metrics for measuring the effectiveness of drug-control policies, poor and incomparable data collection on drugs and security issues, and few evaluations of what works and what doesn't. Without a solid base of evidence, the debate on drug policy alternatives will continue to be mired in rhetorical and ideological positioning among different actors at the cost of developing feasible paths forward.

In many cases, this absence of good evidence works in favor of the reform movement. Civil society organizations' ability to intercede in policy discussions is related to their ability to access good information, if not produce it themselves. A component of any strategy has to include some dedicated funds for research.

Increased spaces for dialogue: As noted above, there is currently a space for regional dialogue on drug policy, which will likely remain open for several years in one form or another. The Secretary General's drug report has opened up space within previously *status quo* spaces such as CICAD (Inter-American Drug Abuse Control Commission), drug policy will be taken up in 2014 at meetings of the Community of Latin American and Caribbean states (CELAC) and the extraordinary General Assembly meeting to be held in Guatemala in September, and the various meetings in preparation of the 2016 UNGASS. Colombia (in 2014) and Guatemala (2015) chair the CICAD meetings, and both countries have appointed advisory commissions to review drug policies. Meanwhile, there is renewed interest from Mexico to engage regionally and internationally. Brazil is the missing major actor in the regional debate, although an internal debate continues over concrete policy and legislation options (both progressive and regressive).

Although there are sectors of Latin American civil society organizing to influence drug policy debates who defend the status quo (e.g., therapeutic communities), the network supported by OSF has been able to engage effectively in these spaces, both at the invitation of governments and international bodies like the OAS, as well as at their own initiative.

Experiments and deviations from international norms: In 2011, Bolivia set a significant precedent by withdrawing from the 1961 Single Convention on Narcotic Drugs and then re-acceding with reservations about the coca leaf, thus inserting into the international drug-policy agenda questions about coca's classification as a dangerous drug. Simultaneously, it has been experimenting with alternative models for reducing coca cultivation (social control versus eradication), which have shown some success to date. In 2013 Uruguay became the first country in the world to legalize and regulate the production, sale and distribution of marijuana, building on the precedent-setting changes in the US states of Washington and Colorado, although it has the challenge of building a regulatory infrastructure from scratch (unlike its US counterparts). For its part, Colombia's health ministry (and Bogota's, in particular) are beginning to experiment with targeted needle-exchange programs for heroin users, which could provide a model for a harm reduction approach.

These experiences will be important to support and document (part of the concept related to this portfolio), including through knowledge exchange between US states and Uruguay on marijuana regulation.

More engagement from the human rights community: As the drug policy dialogue in Latin America has advanced, OSF human rights partners in the region, including CELS, Dejusticia and Conectas have started to engage on some aspects of drug policy, particularly the relationship between punitive drug laws and

over-incarceration, with the Latin America Program's support and encouragement. LAP funded a major study on human rights and drug policy with the Human Rights Commission of the Federal District (Mexico City), and the Inter-American Commission on Human Rights will likely hold a hearing on drug policy and human rights in late March.

The Latin America Program expects to build on work in this area, and is exploring ways to further link criminal justice and drug policy work with the Human Rights Initiative.

Field Support: National and Regional Drug Policy Reform Infrastructure

LAP's support to the field of drug policy reform is enacted in tandem with the Global Drug Policy Program and, more recently, with the International Harm Reduction Program of the Public Health Program. In the field of drug policy, the Latin America Program supports organizations, individuals, networks, and universities that advance the principles OSF programs working on drug policy agreed to in 2012: a) respect for human rights and evidence; b) open debate and experimentation; c) ending criminalization of drug use and possession of drugs for individual use; d) appropriate health services for people who use drugs and ending detention in the name of treatment; and e) drug law enforcement that contributes to reduction of violence and respects individual human rights.

Prior to late 2012, LAP's ambitions in terms of drug policy consisted of three objectives – support for greater research that incorporated human rights/public health approaches, support for evidenced-based policy analysis, and policy advocacy/engagement by civil society. Almost all of what we now call “support to the field” would fall within these parameters. This was still a growth and transitional period, with new organizations being seeded and consolidated, and other more established organizations developing new work on drug policy. For the most part, we did not play a role in stimulating the emergence of these actors and organizations, but rather were demand-driven – responding to requests for support, and evaluating the worthiness of each request.

In the past year, our focus has become more refined (i.e., ending much of the organized crime work), LAP has added more staff (allowing for more direct engagement and monitoring), and the number of opportunities for policy engagement have dramatically increased. Whereas in the past, the burden of grantmaking carried out essentially by a single program officer left little time for substantive engagement, now my ability to engage regularly with key grantees, consultants, international agencies and actors, etc., has evolved to the point where we can strategize together over agendas and events, more as a partner than solely as a funder. In addition, I have been able to travel and engage with IHRD colleagues more deeply as we jointly discuss projects, developing similar criteria and assessments of the potential of specific initiatives collaboratively along the way.

The drug policy reform field consists of formal networks (e.g., International Drug Policy Consortium) as well as informal coalitions of civil society, academic, policy and governmental actors which publicly challenge status-quo drug policies and openly advocate for alternative approaches. The field ranges from advocacy organizations that promote specific policy changes to research-oriented organizations or individuals developing greater evidence and analysis on drug policy in order to deepen our collective understanding of the drug-policy challenges confronting Latin America; the latter may also propose potential policy solutions. OSF support for the drug-policy reform field in Latin America can be conceived of in many different ways, and each comes with particular challenges in terms of sustainability and effectiveness:

1) *Organizations that come from a public health or harm reduction perspective* (e.g., Intercambios in Argentina, ESPOLEA in Mexico, PIE in Bolivia, or ATS in Colombia). These groups have different origins, but in general they benefit from being more directly in contact with drug users, which gives them some legitimacy as advocates on drug policy. Some of these will have small contracts with state agencies for research studies or service delivery, but these are not likely to be sufficient or consistent enough to provide for much financial, and thus organizational, stability, even in the short-term. This may vary as the domestic political situation changes, but often chasing funds is both time-consuming and potentially distorting of an organization's core mission.

2) *Organizations motivated primarily by the need for reforms to the legal regime* (CUPIHD in Mexico, ProDerechos in Uruguay, CIDDH in Peru). These organizations often begin as grassroots, voluntary associations, taking on research and advocacy roles over time. They are often motivated initially by specific issues, and have difficulty finding funding for their work beyond that of OSF. We have to look carefully at each of these groups, and assess with them the added value of their work at any particular moment. At the same time, as some of the few advocates in their respective countries, ending support outright would have an impact on the quality of interventions by reform advocates.

3) *Research-oriented organizations, such as universities* (CIDE in Mexico, UNIANDES in Colombia, CEDD regional network) *or media outlets* (InsightCrime, El Faro, La Silla Vacía). These entities are initially less advocacy-oriented, given the focus on research and investigative journalism, respectively. However, as the subject matters become hot topics of public debate, more and more key individuals are called upon to engage as critical actors on drug policy issues. These organizations can sometimes count on other funding for academic work or contracts, or counterpart support from universities, but in general their dependency on external support for drug policy work is masked by their larger institutional budgets.

4) *Organizations that approach drug policy from a human rights frame* (e.g., DeJusticia in Colombia, CESeC in Brazil). These organizations are somewhat more traditional NGOs that have taken on drug policy in recent years. They are well-established, and bring both intellectual credibility and a strong voice to public debates.

5) *Organizations focused more broadly on regional engagement in policy changes* (WOLA in the US, TNI in Europe, Global Commission, based in Brazil). WOLA and TNI are longstanding multi-issue organizations that have a prior reputation for their work on Latin America more generally, whereas the Global Commission is more recent, with a small secretariat. Each of them has very good media contacts, and potential for donor support beyond OSF.

At a more generic level, we have identified three broad challenges facing the drug policy field, of which we are cognizant and attentive to as we support the field:

The need to increase the number of champions for drug policy reform, including new individuals, organizations and sectors working actively on drug policy. Given the current salience of the drug policy issue, there is an increased demand for spokespeople—by the press, international organizations, and at international conferences. These speaking duties have stretched local organizational capacity (already quite shallow) and strained organizations' ability to balance a number of priorities including research, policy advocacy and public outreach. MUCD in Mexico is the only private sector-based organization that we currently support in Latin America, for example, and part of its plan (together with Transform) is to reach out to the business community in other countries. OSF supports youth-based organizations in

Mexico, Colombia and Uruguay, but there are not many other youth groups working on drug policy elsewhere in the region.

Increased capacity among civil society organizations (e.g., deeper knowledge and renewed leadership). Given how small, fragile and relatively young most organizations in the region are, we are looking for ways to nurture and develop new talent and leaders. The pilot Latin American Advocacy Fellowship Program on Drug Policy Reform initiated in 2013 by GDPP with LAP support is an effort to contribute to the development of new, mid-level talent. A dozen new activists spent two weeks with either RELEASE, TNI or the Harm Reduction Coalition last year, with initial indications that this experience has enriched their advocacy capacity, and thus will continue into 2014.

The need to diversify the funding base. OSF is virtually the region's only funder in the drug policy reform field, and organizations are vulnerable when OSF is the only donor (and vice-versa). Some groups may be able to find funding for related citizen-security, legal or health issues, but this is not likely to dramatically change their reliance on OSF funding in the short-term. We have surveyed organizations to get a better sense of the availability of funding from other sources, but most are limited by the fact that no other major foundation or governments are yet funding work in drug policy. Historically, OSF has been virtually the only donor willing to confront the current drug-war paradigm, which we see as counterproductive and discriminatory. In recent years, as drug-policy reform has entered mainstream policy debates, other donors – including the World Bank, Inter-American Development Bank, the CAF Development Bank, and PAHO – have engaged in one way or another around drug-policy issues, albeit most often because they relate to security concerns.

Learning from grantmaking

In my experience, the most obvious successes in grantmaking come when there is a combination of political opportunity and where the right individuals and organizations are in place to take advantage of that opening. In building the field of drug policy in Latin America in recent years, we have consistently looked for both elements to be present when deciding whether to fund a grant. But until two years ago, there were few real political opportunities – it was more about facilitating a different kind of discourse about drug policy, and finding the best actors/organizations to engage in such an effort. Some of these bets paid off, many are yet to be determined, and others did not achieve as much impact as desired.

URUGUAY: This is a country where LAP had little previous experience; we had made a small grant to ProDerechos to hold a national forum on drug policy in 2011. Once President Jose Mujica made a proposal to regulate marijuana in mid-2012, ProDerechos sought us out again for funding for a more serious campaign. At the same time, Uruguayan government officials – who had long been friendly advocates in drug policy circles – sought out many of OSF's international grantees (DPA, WOLA, TNI, Transform) to engage in public seminars about alternative approaches. In that context, WOLA and DPA noted that what both the government and civil society needed most was advice around a communications strategy.

Shortly following the successful referenda in Washington and Colorado, WOLA and DPA reached out to key participants in those campaigns and arranged to bring them to Uruguay to share experiences. This transnational exchange had several important results: (1) perhaps most importantly, it became immediately obvious to ProDerechos that they needed to ramp up and professionalize their communications strategy, to be able to reach new constituents with reliable arguments; (2) with OSF support as leverage, more funding came in from another key donor, the American billionaire Peter

Lewis, which allowed for more media buys and international consultants; and (3) DPA decided to deploy its Latin America coordinator to Uruguay for six months to help coordinate international efforts to support the campaign.

Also important was the Latin America Program's decision to contract a half-time consultant, who also writes the Daily Brief. Geoff Ramsay happened to be living in Uruguay at the time, and his on-the-ground access allowed LAP to follow the ins-and-outs of the campaign more systematically and communicate that news to international supporters, who in turn played a key role in messaging the Uruguayan experience to a broader audience.

In 2013, I was able to visit Uruguay regularly, and be in consistent contact with all of the major actors in civil society and government, which allowed for closer support to the process. One example of that collaboration was my idea to take advantage of the DPA Reform Conference in November in Colorado to bring together legislators and government officials from Mexico and Uruguay with counterparts in Washington and Colorado. Shortly after that visit, several of the Mexican legislators who had attended this trip introduced a marijuana decriminalization bill in the Mexico City Assembly as well as at the national level.

It would be erroneous to attribute to LAP's effort the successful legislative outcome of Uruguay's marijuana initiative. However, it is the case that the *Responsible Regulation* campaign – which included a sophisticated media campaign that involved established political and cultural figures – expanded the scope of actors involved beyond the youthful ProDerechos constituency, elevated the discourse and debate in the press and legislature, and more generally **contributed to the legitimation of the idea that marijuana regulation was a valid and serious alternative** – all in a context in which public opinion still did not support the government's reform. This grant was not without controversy, as OSF's and Soros' involvement was viewed through conspiratorial lenses by elements of the left and right alike, leading to public queries about whether Soros was motivated by his (now nonexistent) shares in Monsanto and a desire to capitalize on marijuana production.

OAS/COLOMBIA/GUATEMALA: A second example of how we have recently been able to maximize the opportunity in new political contexts has to do with the engagement by OSF and its grantees with the Organization of American States, and in particular with the role of Guatemala and Colombia, whose presidents and cabinet have demonstrated an interest in a more vigorous debate on drug policy. A number of factors contributed to a closer relationship with OAS activities and civil society participation in 2013 alone, including the following:

- Several OSF grantees (for example, TNI and WOLA) were involved in the OAS analytical and scenario reports, and played a key role in ensuring reasonably good conclusions.
- The OAS General Assembly in June 2013 in Antigua, Guatemala, at which Guatemalan foreign minister Fernando Carrera, formerly head of the Guatemala Soros Foundation, was successfully able to focus on drug policy issues, also included strong civil society statements on drug policy reform (after we ensured the presence of several key activists).
- Colombia's hosting of the CICAD meeting in Bogota in December 2013 included a successful OSF-funded civil society side event with over 100 participants, including many from government, and unprecedented civil society participation in the formal session.

One actor has been particularly central to the success of these efforts: OSF's support for the Wilson Center's Global Fellow Juan Carlos Garzón, who developed into a useful (and long-sought) interlocutor between OSF grantees and officials from the Colombian and Guatemalan governments, as well as the OAS, particularly in organizing OAS-related events. This is not to diminish the good relationships and contacts that other OSF grantees, or OSF staff, have with these governments and officials, but the ability to have someone working full-time on engaging in these spaces, working with the confidence of both governments and civil society, has qualitatively advanced the level of civil society interactions with the OAS.

Alongside these efforts, OSF-supported organizations began to play a key role in national-level debates in Colombia and Guatemala. In Colombia, President Juan Manuel Santos appointed an advisory commission on drugs that included several longtime OSF grantees as civil society participants; Daniel Mejía, a grantee from Universidad de los Andes, was named president. Guatemala also formed a similar commission in 2014, which is led by the foreign minister Fernando Carrera (and former Soros Foundation of Guatemala director) and includes several other OSF-related individuals (including Garzón). In addition to the financing provided for the CICAD side event; LAP has made grants to the Woodrow Wilson Center and the Fundación Ideas para la Paz that support research that will feed into both the Guatemalan and Colombian commissions.

The above set of activities in Colombia and Guatemala has been geared toward taking advantage of unprecedented opportunities for changing the debate, but it is legitimate to question the value of these grants. What will the lasting impact be? Are they worth the OSF time and resources invested? The answers, of course, are unknown, but it is possible to envision what might happen if OSF were *not* to support these various opportunities: I believe that the momentum for broader, more open discussion of drug policy reform in international fora like the OAS (as symbolic as they might be) would be lost. Importantly, although the Colombian and Guatemalan governments have yet to implement drug policy reforms at any level, it is significant that they are beginning to devote more financial and diplomatic resources to their respective commissions and to supporting their OAS commitments.

MEXICO: Less by design than by circumstance, OSF's support to four key grantees in Mexico has contributed to a more robust debate, as well as to specific policy interventions, in ways that were not originally foreseen when they prepared grant proposals to OSF. Rather, OSF's decision to bet on and invest in a set of key actors, initially at a time when policy change was not considered possible, has begun to pay off. As events on the ground evolved, and as space has opened up in the post-Calderon period, these actors were ready and poised to play larger roles.

Two recently formed, small organizations, CUIHD and Espolea, have played an outsized role in drug policy debates. Both organizations have a couple of individuals who act as spokespersons and are frequently quoted in the press. In the case of CUIHD, it has been primarily focused on cannabis reform, with the result that CUIHD's president, Jorge Hernandez Tinajero, finds himself on the forefront of reform, working with key national and local legislators. Tinajero will be joining the official Mexican delegation to the Commission on Narcotic Drugs session in Vienna, an indication both of government openness for civil society voices and of regard for CUIHD's knowledge and abilities. When the Human Rights Commission of the Federal District (Mexico City) sought to partner with a civil society organization on a human rights report, they turned to CUIHD as well.

Espolea is a small, mostly youth-oriented organization focused on harm reduction education and advocacy. Its two key staffers, however, have been tapped by the private sector-based organization, Mexico Unido contra la Delincuencia (MUCD) to work with them as they moved into drug policy work in recent years. MUCD is important in the Mexican context, given its elite business connections, which has provided the group with a strong media platform and good political access. MUCD is the only grantee in Latin America which also receives funding from the State Department's International Narcotics and Law Enforcement bureau (for a multimillion dollar culture of lawfulness program). A partnership with another OSF grantee, UK-based Transform, has also been crucial to their ability to bring concrete proposals and ideas to the table.

Finally, Alejandro Madrazo of CIDE has also played key roles, at times as critical gadfly, other times as behind-the-scenes advisor. We first funded CIDE to evaluate the Calderon administration drug policy while building a new program on drug policy within the university (that will eventually lead to a Master's Degree program). However, in doing so, we're providing a platform for someone like Madrazo to play a key role as a public intellectual on drug policy issues in Mexico—he not only appears frequently in print, television and radio, but also helped supervise the drafting of Mexico City's recent initiative on cannabis reform. As a lawyer, he insured that it would not run into constitutional roadblocks (as has been the case with previous efforts).

BRAZIL: In 2011-2012, LAP and GDPP decided to support a very ambitious (and relatively costly) campaign in Brazil led by an established organization, Viva Rio, that sought to garner a million signatures, reach out to new constituencies and push for a Portugal-style decriminalization of all drugs. There was some initial success in the media campaign, but the level of coalition-building was less successful, and the entire campaign seemed to stall after a few months with no movement in the legislature. More importantly, in the middle of this the evangelical block in the national assembly pushed forward a very retrograde bill in favor of compulsory treatment, catching drug policy advocates off guard. While that bill was successfully halted, there was a sense of a lost opportunity with the campaign.

LAP had been somewhat reluctant to support this project initially, given our previous knowledge of Viva Rio, in part informed by an institutional evaluation we had carried out in 2009. However, we were swayed by the ambition of the project and by the important country of impact, Brazil. In addition, many of the other key civil society actors we knew were collaborating (initially) in the effort. In the last year, a number of new actors have emerged, and so LAP and IHRD commissioned a report to survey the drug policy landscape, while GDPP commissioned a review of the campaign, which GDPP, LAP and IHRD will be discussing soon.

In retrospect, I think LAP should have done more due diligence (including the kind of surveying of the field we carried out only last year) and developed a plan for consistent engagement and external monitoring before approving the Viva Rio project. We had been talking for some time about the need to have more on-the-ground support in assessing OSF's work in Brazil, something that is now in the works.

CHILE: As part of LAP's desire to seed new drug policy work, in 2011 we funded two studies based in Chile, a country where we had some contacts but no grantees on drug policy. The support for research also emerged from LAP's recognition that it needed to better understand drug policy challenges in particular countries and across the region. These activities were both carried out by foundations,

Fundación Progresía and Fundación Siglo XXI, which, to one degree or another, were connected to political parties or individuals.

In the end, the Chilean studies were disappointing. Seminars were held and some local publicity achieved, but the results were not groundbreaking. Most importantly, the studies did not inspire the lead researchers to take on drug policy as an issue of focus for either foundation, meaning that LAP gained no new allies in the field. In one case, the individual (Eduardo Vergara) who first proposed the Fundación Progresía project left very early on; at that point, we should have immediately reassessed the value of continuing the project. (We raised the issue, but were perhaps too easily convinced that the work would still be valuable.) In both cases, we were limited by our own lack of time and resources we could devote to monitoring. LAP also concluded from this example that when it comes to research—especially that which comes from unknown entities—it is important to ensure some level of academic oversight or peer review occurs at all stages.

UNITED STATES: Over the years, LAP has worked with many of the DC-based think tanks and NGOs, but only one, the Washington Office on Latin America (WOLA), has been really active on drug policy, both in DC and in the region. In the past couple of years, another long-time US grantee, the Inter-American Dialogue (IAD), proposed a project to devote specific time and energy to drug policy research and debate. Although somewhat generic in design (it essentially consisted of several papers and meetings in DC and the region), we decided to fund IAD because (a) it has an ability to reach elite audiences in DC and the region, (b) it does consistently professional and high quality work and (c) perhaps most importantly, LAP thought it important that WOLA not be the only actor engaging on drug policy in Washington.

Given developments over the past year, however, debate among governments and in regional bodies overshadowed the products of this project (meetings, reports, op-eds). IAD's small-group discussions among experts, many of which I attended, rarely contributed meaningfully to the ongoing international conversation; indeed, those events often seemed to retread old ground, putting the same faces in the room, with the same outcome. More importantly, because drug policy was only one of many issues IAD works on, the project's leaders were not particularly plugged into real-time, on-the-ground developments. When IAD did engage more deeply, they did so with few advocacy goals in mind. At this point in the drug policy debates, it is likely that most think tanks in Washington will take on drug policy, with or without OSF funding. LAP's original intent—to bring more actors into the discussion—has happened less by design than by circumstance. In the future we intend to fund only projects that propose a very specific and strategic goal (which will most likely require a prior level of engagement and analysis—another characteristic lacking in IAD's drug policy work.)

Progress on the Concept

CONCEPT: Policy Experimentation and Evidence-based Research for Drug Policy Reform

Outcome: *Analysis and evidence based on rigorous monitoring and documentation of Mexican and Uruguayan experiments informs policy makers considering drug policy innovations in other Latin American countries.*

OSF will stimulate and support civil society actors to a) advocate for and support the development of experimental approaches at the local or municipal level, in particular in Mexico City; b) advocate for and influence the regulation of national-level reforms in Uruguay (marijuana); c) carry out or link to research, documentation and evaluation that effectively analyze and evaluate implementation of these innovations. Beyond grant making, OSF will bring together research partners in Latin America with international researchers, such as those designing data monitoring and evaluation of Washington and Colorado's marijuana legalization; facilitate exchanges between relevant implementers and researchers; and contract consultancies to document effective campaigns and evaluate the viability of program innovations. LAP will collaborate with US programs on North-South exchanges, and work with GDPP where appropriate. Progress markers include references to research and documentation in the framing of drug policy debates, the quality of research, and the credibility of evaluation results.

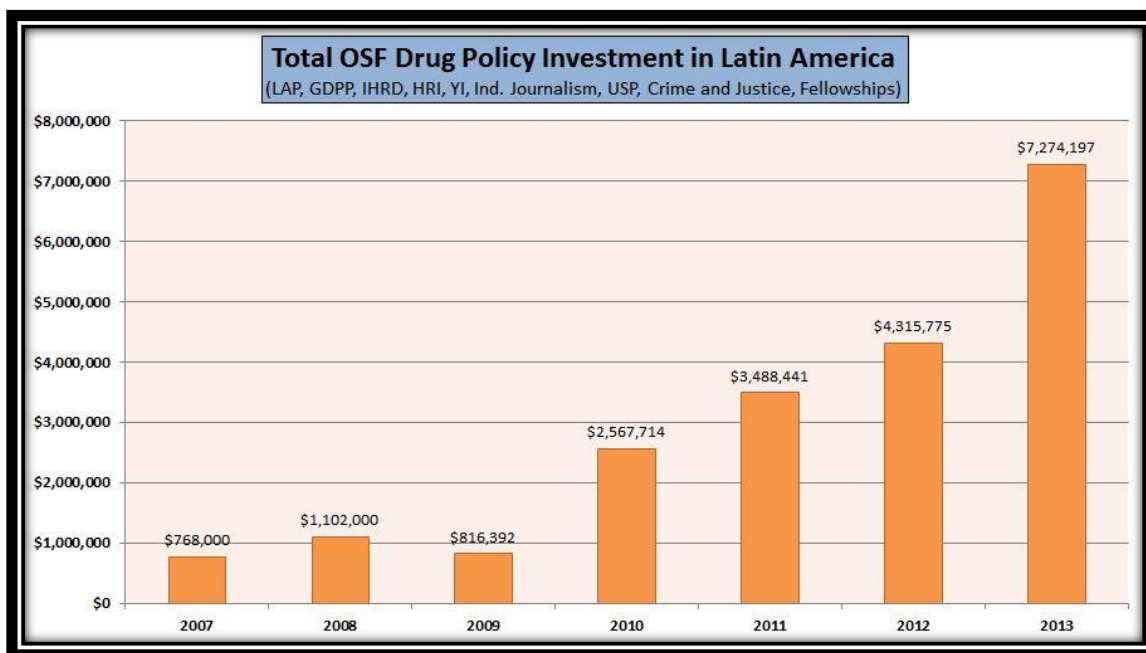
Although proposed as part of LAP's 2014-2017 strategy, LAP was able to begin funding and work on this concept in the second half of 2013, including the following:

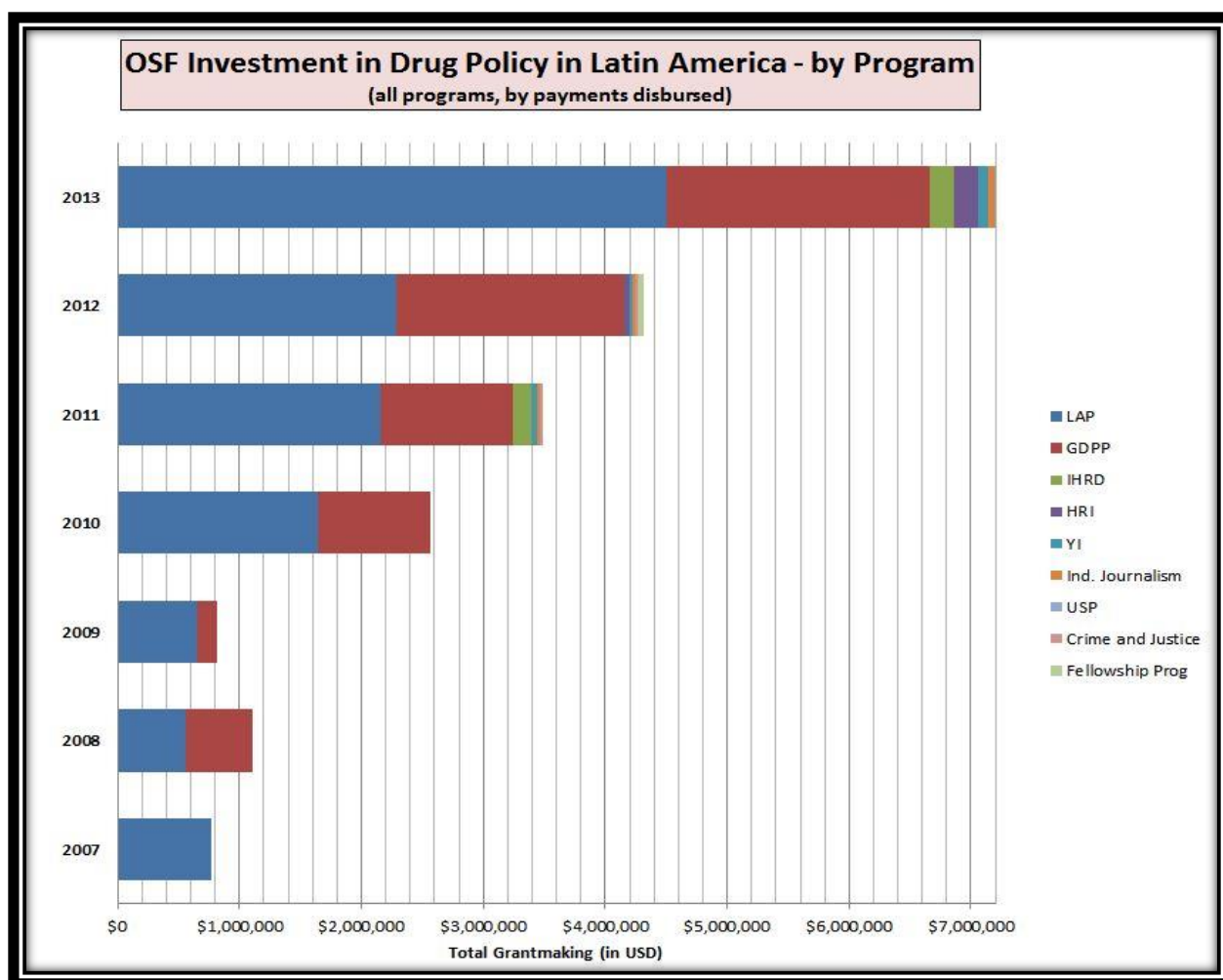
- LAP initiated and supported the visit of Mexican and Uruguayan legislators and government officials to participate in a two-day workshop and knowledge exchange prior to the DPA Reform Conference in Denver in November 2013. This workshop was organized by DPA and WOLA, and helped establish important relationships between key stakeholders from the US and Latin America. I am continuing to discuss the possibility of other exchanges, with WOLA and the Uruguayan government.
- LAP provided two grants for research and evaluation in November 2013. The largest grant went to Friedrich Ebert Foundation, which includes support for a March/April 2014 household survey on drug use, as well as a grant to FIU/Universidad Católica to carry out a quasi-experimental study on heavy marijuana users. Together these two studies, plus a survey of school-age children already planned by the Uruguayan government, will form a solid baseline of drug use against which future consumption patterns will be compared.

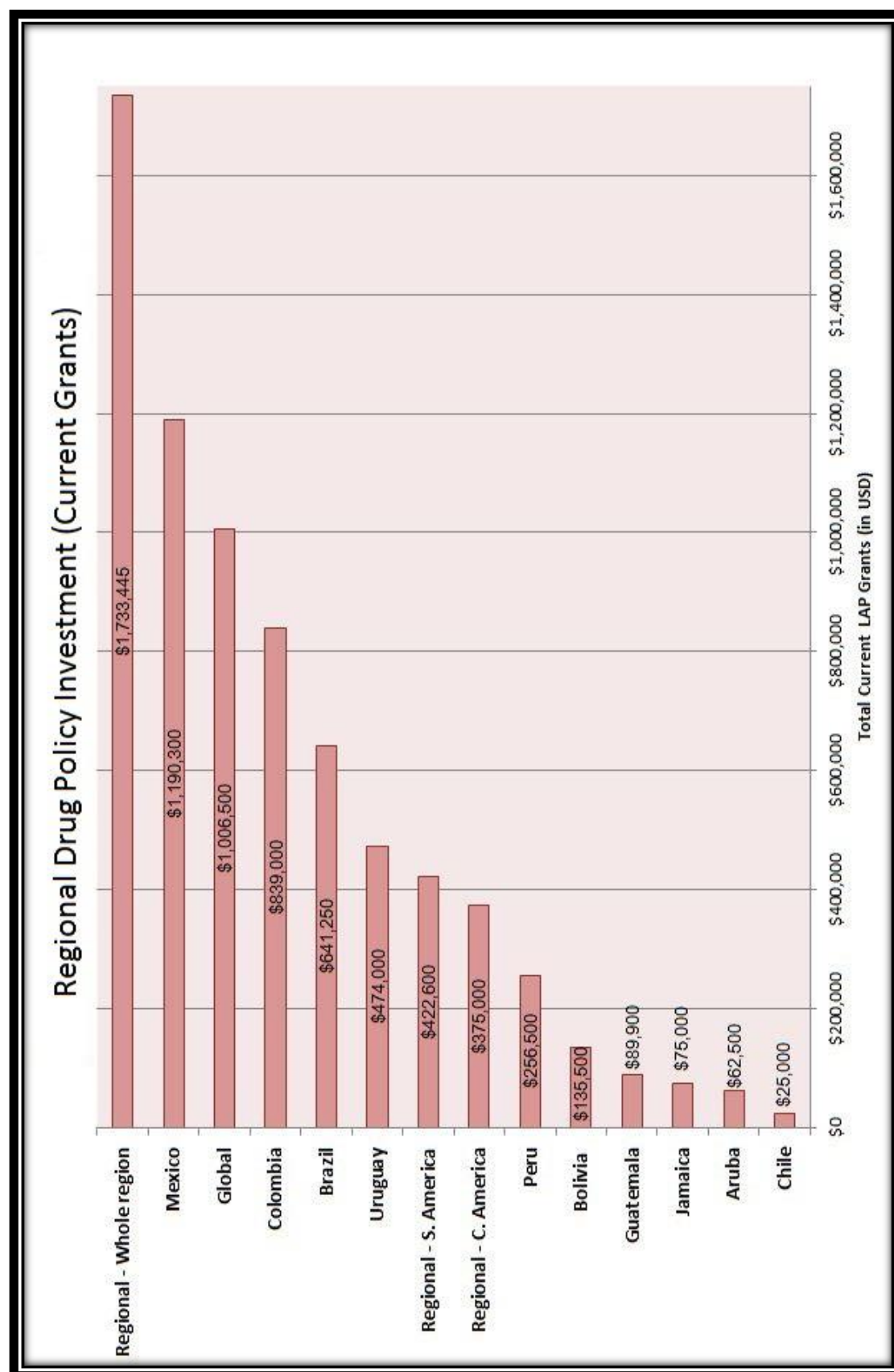
- The Friedrich Ebert Foundation grant also includes funds to support an international advisory board, which will include international experts and academics from the US, Latin America, Europe and Australia. I have been very involved in both recruiting and selecting the members of this committee, which will respond to a national-level *comité científico*. In particular, I have had multiple discussions with Peter Reuter (University of Maryland), Beau Kilmer (Rand) and Daniel Ortega (CAF public policy evaluation unit) – as well as with the Uruguayan drug czar, Julio Calzada, as to the make-up and mandate. (An academic from the University of Washington has also been invited to this committee.) In addition, Calzada has elicited strong interest in supporting this committee from the governments of Brazil, Chile and Mexico. The first meeting of these international advisors is scheduled for late March, but before then they will be asked to comment on the household survey questionnaire, the FIU/Católica study protocols, and a set of indicators the government has compiled to measure impact.
- Another function of the international advisory board will be to ensure that we know what evaluations need to occur in order to fully assess the impact of the new regulatory regime, as well as to provide advice and recommendations as to how those should be carried out. Based on these ongoing and regular consultations, and in coordination with other donors interested in carrying out other evaluation exercises, we will be in a position to fund other complementary evaluations and studies in 2014.
- LAP and IHRD also funded the development of a protocol for a clinical trial in Uruguay on the possible uses of cannabis to alleviate withdrawal symptoms and other health-related issues related to the use of and addiction to coca-paste, PBC, and crack. We also expect to document the results of the needle and syringe program pilot funded through ATS in Colombia.

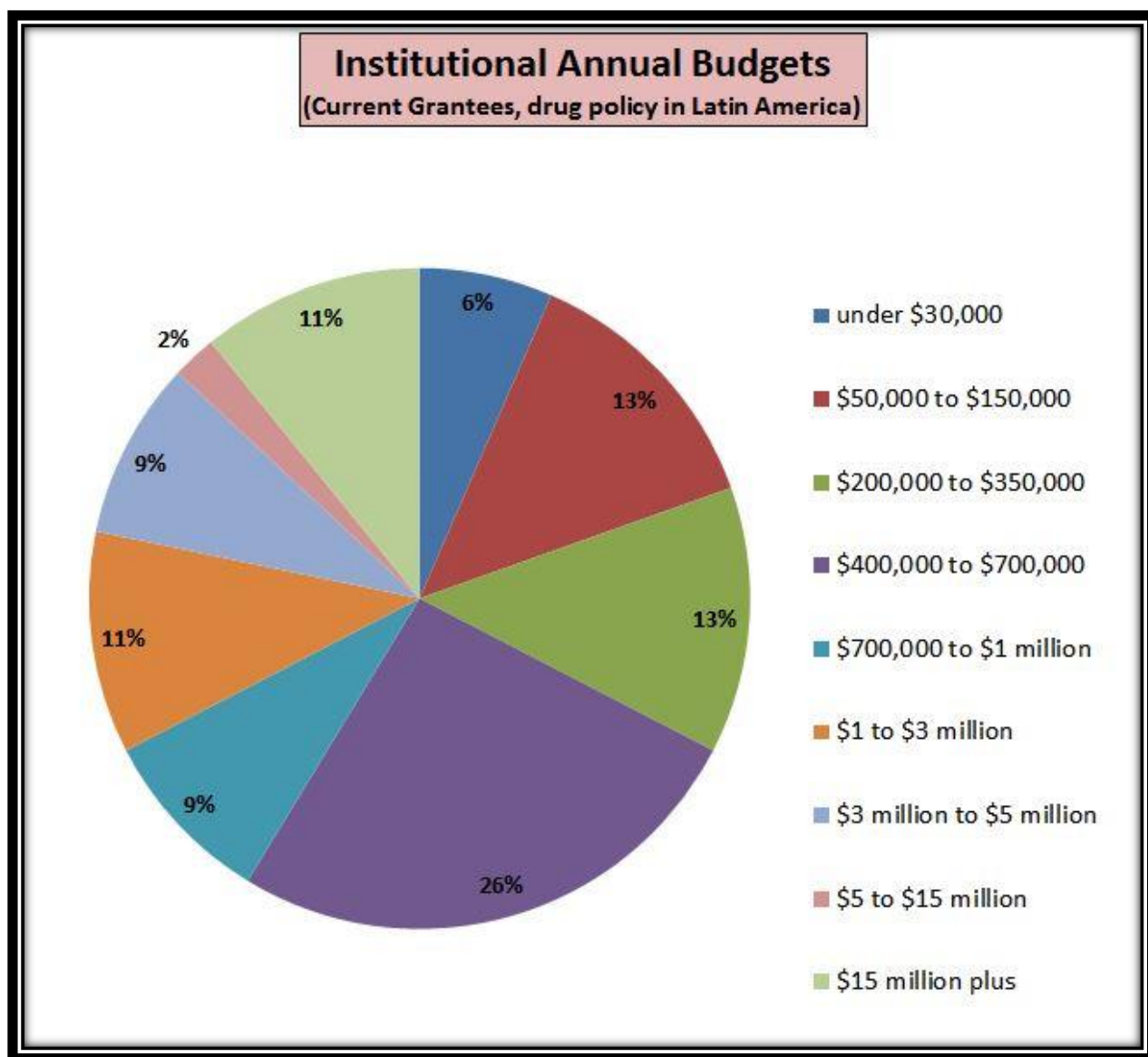
Additional questions

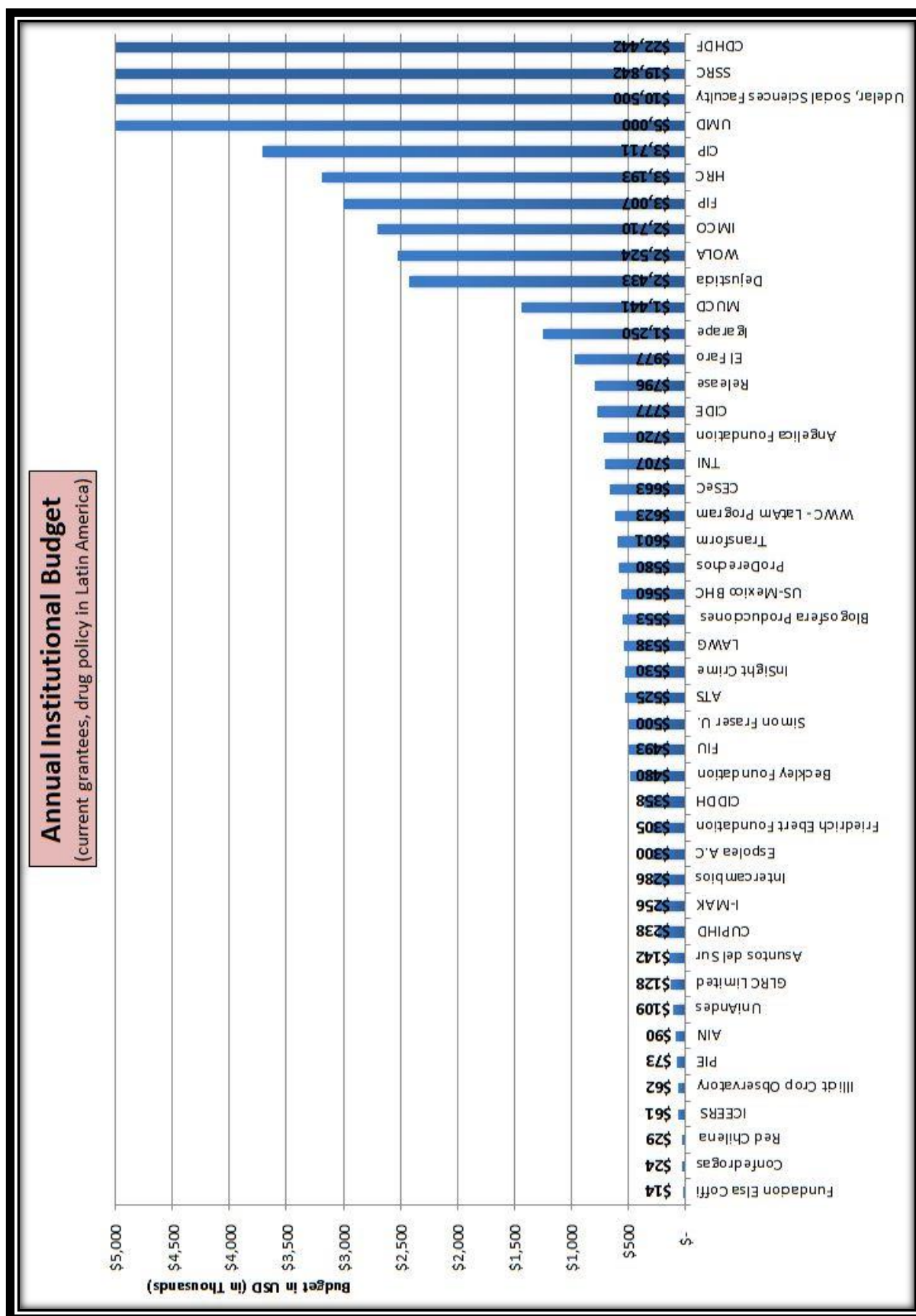
1. The positive outcomes in grantmaking noted above beg the question as to the degree to which this work is appropriately dependent on individuals. Is this how change happens – in which case we need to acknowledge this and be ready to adjust quickly depending on what happens with individual? Or does change happen more reliably through organizations as platforms, and if so, should we be focusing more on organizational capacity?
2. What actors, if any, are working on developing institutional capacity for implementing positive alternatives? Might the IADB, CAF, etc., who are understandably leery of supporting policy change, be encouraged to support in this vein? If institutional capacity is low, are we risking setting drug policy reform efforts up for failure by prioritizing policy change without preparing institutions for implementing alternatives successfully? What have we learned about government institutional capacity and how fundamental or optional it is for the kind of change we seek?
3. How effective has OSF been in attempting to shift public opinion? Where have we become involved in supporting these efforts and why?
4. What has OSF done to identify and encourage other funders in this field? What are the pros and cons of sinking time and resources into trying to persuade other funders to become involved?











The Portfolio at a Glance: Drug Policy in Latin America

LAP currently funds approximately 60 drug policy-related projects in Latin America and beyond, many in collaboration with GDPP and IHRD. The below selection of grants, while not representative of the entire portfolio, highlights LAP's commitment to both support both the pillars of the field and to foster innovation and new actors.

Pillars in the Field

Intercambios (OSF funding their drug policy work since 2007)	<i>Building consensus on drug policy reform</i> (OR2013-03000)	Intercambios is a well-regarded Argentinean organization that focuses on the health and human rights of drug users; its work on drug use patterns and HIV directly contributed to Argentina launching its first needle exchange program in 1999. LAP supports Intercambios' meaningful contributions to drug policy reform in not just in Argentina, where it still engages in evidence-based harm-reduction programming, but also across Latin America, where it increasingly acts as a bridge builder and unifier of the region's drug policy organizations. The specific aims of the "Building Consensus" project are to generate greater consensus among actors in order to achieve comprehensive reform (in particular in the lead up to UNGASS 2016) and to strengthen a critical mass of national and regional key stakeholders who are trained and committed to policy change.
Washington Office on Latin America (WOLA) (...since 2007)	<i>Leveraging New Opportunities in the Drug Policy Reform Debate</i> (OR2013-06819)	Founded in 1974 in response to the military coup in Chile, WOLA is that rare U.S. organization that has earned profound respect and trust in the region. Its small staff of well-connected experts works with partners in Latin America to shape policies in the U.S and abroad that promote human rights, democracy, and social justice. WOLA's ongoing "Reform Debate" line of work, now in its third year, seeks to take advantage of new political/social openings and capitalize on Latin America's emerging leadership in drug policy to sustain the momentum for constructive debate on drug policy, both regionally and in international bodies. In addition to this project, WOLA also received a small grant to organize a workshop in October in Denver to bring reformers from Uruguay, Mexico, and Canada together with lawmakers from Washington and Colorado to discuss legal frameworks for cannabis regulation.
Colectivo por una Política Integral hacia las Drogas (CUIHD) (...since 2010)	<i>Building the Drug Policy Debate in Mexico: Towards Local, Regional and Global Alternatives</i> (OR2013-03004)	Since 2008 CUIHD, a small organization of young Mexican activists formerly affiliated with the Angelica Foundation, has used research, education, and advocacy to transform drug policy and culture. The current grant helps to maintain CUIHD's role as a key player in the Mexican reform debate. It has a strong reputation among lawmakers and other public opinion leaders and was integrally involved in pushing for and, later, drafting the cannabis decriminalization bill recently presented in Mexico City. In addition to its work with legislators, CUIHD also does research and publications around various drug policy issues and develops projects with such partners as the Mexico City Human Rights Commission.

Universidad de los Andes (...since 2008)	<i>Support for CESED and Drug Policy Seminar (Sepodra)</i> (OR2013-09836)	Uni Andes, a prestigious private university in Bogota, has become a key LAP and GDPP partner in drug policy, primarily through its Research Center on Drugs and Security (CESED), housed in the Economics School. Founded in 2012 by Prof. Daniel Mejia Lodoño with OSF support, CESED is an interdisciplinary initiative that spearheads research on drugs and drug policy, seeking to promote an informed debate between the academy and different institutions involved in the design and execution of drug and security policies. The current grants supports Mejia's research and funds the Sepodra, a yearly Latin American academic seminar on drug policy whose location alternates between CIDE and Uni Andes. In addition to his academic work, Lodoño is an internationally recognized expert on the Colombian drugs context and is a member of the Colombian Drug Policy Advisory Commission.
Centro de Investigacion y Docencia Economicas (...since 2012)	<i>Drug Policy Program Incubator (Year 2)</i> (OR2013-04153)	Established in 1974, CIDE is one of Mexico's foremost public teaching and research centers in the social sciences. For the past two years, CIDE Prof. Alejandro Madrazo has employed support from OSF and CIDE to found a drug policy course of study at the school's new campus in Aguascalientes, Mexico. In 2012 the new program was officially approved by the university administration and Madrazo is now seeking to develop a master's degree in drug policy. CIDE is poised to become (and to some extent already is) an academic hub that generates original, multidisciplinary policy-oriented research on drugs and drug policy, builds relationships between like-minded academicians, and consistently graduates young new actors in drug policy. In addition to the Incubator grant, LAP has also made two small grants to CIDE to set up a two-week course in drug policy and human rights in summer 2014.
Dejusticia (...since 2012)	<i>General Support</i> (OR2013-07928)	Dejusticia is a relatively new human rights organization (founded 2003) that also serves as a center for applied research. It uses rigorous research and thoughtful advocacy to influence public opinion, academic debate and public policy, and to promote social inclusion, democracy, the rule of law, and human rights in both Colombia and Latin America. This general support grant, made in late 2013, reflects LAP's believe that Dejusticia is injecting fresh ideas and approaches into the regional human rights movement. Institutional support allows the organization to strengthen its core domestic programs (legal reforms, rule of law, discrimination, environmental justice, and public policy evaluation) while advancing in relatively newer areas of work, namely drug policy. Currently, Dejusticia is leading regional efforts (with partners like CELS and Conectas) to reconcile the current drug prohibition regime with existing human rights obligations, and to propose drug policy reforms to ensure compliance with human rights obligations.
Center for Studies on	<i>General Support</i> (OR2013-08129)	CESeC, a research center at the Universidade Candido Mendes in Rio de Janeiro, has been an important grantee of the Human Rights

Public Security and Citizenship (CESeC) (...since 2012)		Initiative pre-trial detention's work in Brazil since 2009. Director Julita Lemgruber, who previously served as the police ombudswoman and as general director of the prison system in the state of Rio de Janeiro, is well regarded in the field of policing and justice. In 2011 LAP supported CESeC's public opinion polling on decriminalization in Brazil, a project that moved the Center toward the field of drug policy just as the paradigm began to shift in the region (if not Brazil). While the transition into drug policy is recent, a recent LAP consultancy on Brazil found that most players in drug policy reform view CESeC's entry into the field as a very positive development. This general support grant has allowed CESeC the flexibility to respond to challenges as they emerge and react quickly to new opportunities—for example, connecting with activists from the recent social protests in Brazil to help CESeC better target its drug policy education toward youth.
Social Science Research Council (SSRC) (...since 2010)	<i>Drugs, Security and Democracy Fellowship Program</i> (OR2012-00602)	The SSRC has been administering the Drugs, Security and Democracy (DSD) fellowship program since 2010. The fellowship supports research on drug policy and its nexus with citizen security and/or democratic governance in Latin America. The DSD Fellowship is a central element in LAP's ongoing strategy to develop a cohort of researchers who are interested in achieving policy-relevant outcomes in drug policy, participating in a global interdisciplinary network, and serving as public intellectuals on the topic. The dissertations, policy papers, and op-eds that DSD Fellows publish as a result of this fellowship also directly contribute to growing the still-small body of literature on current drug policy that will help drive evidence-based policymaking in the future.

Innovators and New Actors

ATS (OSF funding their drug policy work since 2011)	<i>Preparing and Implementing a Needle-Exchange Program in Bogota, Pereira and Cucuta</i> (Colombia) (OR2013-10366)	The Bogota-based Technical Social Action Corporation (ATS) was founded in April 2008 by a group of young professionals who sought to improve development models for Colombia's most vulnerable populations in Colombia. Since then the group has developed a unique profile: it not only provides harm-reduction and educational services to drug users, particularly youth, but also conducts relevant research and works with governments and international agencies to design and implement public policy. For the current needle and syringe program (NSP), ATS successfully advocated with municipal-, state-, and national-level governments to get buy-in to launch a seven-month NSP pilot in the cities of Cucuta and Pereira. ATS continues to lay the groundwork for such a program in Bogota, where resistance within government ministries has been firmer. If the programs indeed succeed past their pilot stage (which ends this July), they are likely to diminish transmission of HIV and hepatitis among IV drug users and to generate evidence that could influence
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		future public policy toward drug users.
Igarape (...since 2011)	<i>Brazilian Platform for Drug Policy Reform</i> (OR2013-09941)	Igarapé is a two-year-old Brazilian think tank devoted to promoting progressive security and development agendas, particularly in drug policy, violence prevention, and international cooperation. Collaborative by nature, the organization is currently working to direct a unified communications strategy for a developing consortium of like-minded but diverse Brazilian civil society groups. The goal of building this coalition and bolstering its PR is to deepen discussion on progressive drug policy in Brazil by expanding the range of information sources available to Brazilian lawmakers—and, in doing so, to generate maximum policy impact. Brazil is entering an election year in 2014, so LAP's support is specifically devoted to bolstering strategic communications such that they target public opinion and influence key government entities, candidates, and interest groups.
Proderechos (...since 2013)	<i>Campaign for the Regulation of Marijuana in Uruguay</i> (OR2013-08498)	Proderechos is a Uruguayan civil society activist group that works on various rights issues, including drug policy, freedom of choice, and sexual diversity. In mid-2013, ProDerechos <i>launched Regulación Responsable</i> , an OSF-supported broad-based coalition that carried out a public education campaign that played a vital role in passing Uruguay's landmark marijuana regulation law. The current grant both supported that effort and, today, enables Proderechos' continued work on cannabis regulation, specifically by collaborating with the government on the design and implementation of the regulatory framework. In addition, a Proderechos team member, Sebastian Aguiar, has been a key player in founding a drug policy diploma program at the national university in Uruguay.
ICEERS Foundation (...since 2013)	<i>Pilot study: Effects of Medicinal Marijuana Use on Health-Related Quality of Life and use patterns among cocaine abusers</i> (OR2013-11324)	ICEERS is a Dutch foundation that works in multiple countries to disseminate knowledge about the practical, therapeutic application of ethno-botanical substances and to provide a scientific basis for influencing public health policies in social development, mental health, and drugs. OSF is currently funding Dr. Raquel Peyraube, a Uruguayan member of ICEERS, as she lays the groundwork to stage a clinical trial on the possible uses of cannabis to alleviate withdrawal symptoms and other health-related issues related to the use of and addiction to coca-paste, PBC, and crack. Anecdotal evidence suggests that cannabis may be used as a substitute for more harmful stimulants, and this grant supports the first scientific test of that thesis.