

GENERAL ASSEMBLY



FORTY-THIRD REGULAR SESSION
June 4 to 6, 2013
La Antigua, Guatemala

OEA/Ser.P
AG/DEC. 73 (XLIII-O/13)
6 June 2013
Original: Spanish

AG/DEC. 73 (XLIII-O/13)

**DECLARATION OF ANTIGUA GUATEMALA
“FOR A COMPREHENSIVE POLICY AGAINST
THE WORLD DRUG PROBLEM IN THE AMERICAS”**

(Adopted at the fourth plenary session, held on June 6, 2013)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS) gathered in Antigua, Guatemala, at the forty-third regular session of the OAS General Assembly;

RECOGNIZING that the world drug problem, including its political, economic, social and environmental costs, has become an increasingly complex, dynamic, and multicausal challenge that creates negative effects on health, social relations, citizen security, and on the integrity of democratic institutions, public policies, development, and economic activities and that, under the principle of common and shared responsibility, which requires a comprehensive, balanced, multidisciplinary approach, built on a framework of full respect for human rights and fundamental freedoms;

MINDFUL of the complexity of the world drug problem and that addressing it must take into account the different realities of member states;

RECALLING that General Assembly resolutions AG/RES. 2556 (XL-O/10) y AG/RES. 2621 (XLI-O/11) endorsed the Hemispheric Drug Strategy and its 2011-2015 Plan of Action on Drugs which reflect significant updates and reforms from earlier documents and serve as the foundation of and guide for our joint Hemispheric drug control efforts;

DEEPLY MOVED by the large number of human lives lost and cut short, as well as the great suffering caused by the world drug problem;

REITERATING the need to cooperate through a comprehensive approach, based on scientific evidence and experience, taking into account the needs and realities of each country in order to more efficiently and effectively face the challenges, threats, risks and vulnerabilities generated by the world drug problem;

RECOGNIZING that efforts and progress made at the national, subregional and hemispheric levels to address the world drug problem continue to be challenged by persistent illicit channels of

production, distribution, and trafficking of drugs that are dominated by transnational and local criminal organizations and that tend to replicate and focus on each country to varying degrees;

CONVINCED that policies to reduce illicit drug demand should focus on the welfare of individuals and their environments, so that from a multisectoral and multidisciplinary approach and using available scientific evidence and best practices, be based on approaches to mitigate the negative impact of drug abuse, reinforce the social fabric, and strengthen justice, human rights, health, development, social inclusion, citizen security, and the collective well-being;

REITERATING the need to strengthen State institutions and its public policies and strategies, particularly those related to education, health, and citizen security, in order to enhance prevention of drug abuse, violence and related crimes, with full respect for human rights and fundamental freedoms;

REITERATING also the importance of greater allocation of public and private resources for the implementation of prevention, treatment, rehabilitation and social reintegration programs for the most vulnerable populations;

REITERATING further the importance of participation by civil society in addressing the world drug problem, including the design, execution, and evaluation of public policies, based on their experience and knowledge;

MINDFUL of the need to reduce crime and violence associated with the activities of criminal organizations involved in illicit drug trafficking and related crimes, strengthening the role of the State as a guarantor of peace;

RECOGNIZING that women and minors may be victims of exploitation by illicit drug trafficking networks, posing harm to families and society at large;

CONCERNED because the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials have become factors that feed and strengthen organized criminal groups that engage in illicit drug trafficking;

RECOGNIZING that money laundering and corruption related to illicit drug trafficking activities impact the rule of law, democratic institutions and governance, and can distort the operation of economies;

CONCERNED ALSO at the prevalence of drugs and their abuse in the Americas;

RECOGNIZING that regulatory measures to prevent diversion of chemical substances and precursors used in the illicit manufacture of narcotic and psychotropic substances represent an important critical tool against illicit drug trafficking;

RECOGNIZING that the experiences and new approaches that different governments and societies have developed in relation to the world drug problem may provide global lessons for the evolution of current policies on drugs, particularly when they consider human beings, their environments, social integration and human dignity, using criteria for mitigating negative effects of drug abuse, and taking into account the principles set forth in the international instruments in force,

including the three United Nations drug control conventions and international human rights instruments consistent with parties' obligations;

RECOGNIZING the role of the Inter-American Drug Abuse Control Commission (CICAD) as a consultative and advisory body of the OAS on the abuse and production of, and illicit trafficking in, drugs, as well as its contribution to promoting multilateral cooperation among member states and strengthening their capacity to address the world drug problem;

RECALLING the mandate of the Heads of State and Government, gathered in Cartagena, Colombia, at the Sixth Summit of the Americas,^{1/2/} to analyze the results of the current policy on drugs in the Americas and to explore new approaches to strengthen this struggle and to become more effective;

TAKING NOTE of the report of the Secretary General of the OAS "The Drug Problem in the Americas" pursuant to the mandate given by the Heads of State and Government, gathered at the Sixth Summit of the Americas,^{2/}

DECLARE:

1. That it is essential that the Hemisphere continue to advance in a coordinated manner in the search for effective solutions to the world drug problem with a comprehensive integrated, strengthened, balanced and multidisciplinary approach with full respect for human rights and fundamental freedoms that fully incorporates public health, education, and social inclusion, together with preventive actions to address transnational organized crime, and the strengthening of democratic institutions, as well as the promotion of local and national development.

2. That they encourage the consideration of new approaches to the world drug problem in the Americas based on scientific knowledge and evidence.

3. That it is necessary, based on the principle of common and shared responsibility, to bolster and promote hemispheric cooperation by mobilizing different resources to coordinate and strengthen a comprehensive, balanced and multidisciplinary approach that recognizes, *inter alia*, the different impacts and manifestations of the world drug problem in each country, allows the challenges, threats, risks, and vulnerabilities generated thereby to be effectively confronted, and includes mechanisms for the exchange of information and experiences among countries.

4. The importance of fully implementing the three international drug control conventions (including the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988), which constitute the framework of the international drug control system; as well as the importance of ratifying or acceding to, and implementing, as appropriate, the United Nations Convention against Corruption of 2003; the United Nations Convention against Transnational Organized Crime of 2000 and its three protocols: the Protocol Against the Smuggling of Migrants by Land, Sea and Air; the Protocol to Prevent,

^{1.} The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held from April 14 to 15, 2012, in Cartagena de Indias, Colombia, without prejudice...

^{2.} The Government of Nicaragua considers that the reference to the Summit in Cartagena, Colombia, and the appeal to strengthen the so-called ...

Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition; the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA); the Inter-American Convention against Corruption; and the Inter-American Convention on Mutual Assistance in Criminal Matters.

5. That they recognize the Multilateral Evaluation Mechanism (MEM) as the only valid hemispheric tool for evaluating drug control policies in the countries that make up the inter-American system.

6. Recall that the evaluation of drug control policies must be a multilateral exercise^{3/}

7. That they encourage broad and open debate on the world drug problem so that all sectors of society participate and continue offering, as the case may be, their experience and knowledge of the different aspects of the phenomenon and thereby contribute to the strengthening of national strategies, as fundamental elements for the effectiveness of public policies.

8. Their commitment to strengthen the capacity of their states and institutions by fostering professionalization and improving policies and mechanisms for coordination, oversight, and transparency, in order to deal with the threats associated with the world drug problem, as well as its causes and consequences.

9. That drug abuse is also a public health problem and, therefore, it is necessary to strengthen public health systems, particularly in the areas of prevention, treatment, and rehabilitation, and, at the same time, develop evidence-based national monitoring mechanisms that will enable us to identify current drug use trends, demand for and access to health services, and institutional capacities to respond to this phenomenon.

10. That drug policies must have a crosscutting human rights perspective consistent with the obligations of parties under international law, including the American Convention on Human Rights and other applicable human rights instruments, as well as the American Declaration of the Rights and Duties of Man, in order to promote and achieve, *inter alia*, the well-being of individuals, their social inclusion, access to justice and health.

11. That public policies to address the world drug problem must necessarily be designed and implemented with gender awareness, where appropriate.

12. Their commitment to make greater efforts to effectively reduce demand for drugs.

13. Their commitment to strengthen efforts at reducing the illicit supply of drugs.

14. That to reduce the levels of violence associated with the world drug problem and related crimes it is essential to implement and strengthen more-effective measures to prevent the illicit manufacturing of and trafficking in firearms, ammunition, explosives and related materials and their illicit diversion to organized criminal groups among other security measures.

³ . The United States respects the sovereign right of states to determine how and under what conditions its resources may be allocated. We fully support the concept that evaluations ...

15. Their commitment, within the framework of each state's domestic laws, to increase efforts to prevent, detect, and punish operations that launder the proceeds of criminal activities, particularly illicit drug trafficking and corruption, and to strengthen international cooperation to prevent those proceeds from entering into, transiting through, or egressing from our financial systems, and other asset-exchange activities as they can distort the operation of economies and affect other spheres of society.

16. That they urge those countries that produce, export, import and transit chemical substances and precursors that are used in the illicit manufacture of narcotic and psychotropic substances to strengthen, in cooperation with the private sector, their measures for controlling production, distribution, and domestic and foreign sales of chemical substances and precursors, in order to prevent their diversion toward illicit activities, and to encourage international cooperation and strategic public-private partnerships.

17. That they encourage member states, in the framework of international cooperation, to analyze, based on scientific knowledge and research, and share experiences, lessons learned and outcomes of, *inter alia*, their demand-reduction strategies and their impact on health, crime, the judicial system, and the prison population.

18. That they encourage member states, in accordance with their domestic law, to continue strengthening measures and policies, including a gender perspective, as appropriate, to reduce overcrowding in prisons, while promoting greater access to justice for all, and establishing penalties that are reasonable and proportionate to the severity of the crime, and supporting alternatives to incarceration in appropriate cases, particularly by increasing access to rehabilitation, comprehensive health care, and social reintegration programs; and, in that regard, they encourage member states to strive to incorporate the relevant provisions of the United Nations Standards and Norms into their practices.

19. That they encourage member states to consider, as part of their national policies, comprehensive and sustainable alternative development programs and measures—including, where appropriate, preventive alternative development—aimed at eliminating the factors that cause poverty, social exclusion, and environmental degradation in order to avert the involvement of vulnerable populations in activities connected with illicit drug production and trafficking.

20. To initiate a process of consultation, taking into account the contents of the present declaration, the general debate in the plenary, the resolutions and mandates about this matter approved in the current regular session as well as the “Report on the Drug Problem in the Americas” presented by the Secretary General.

This process will take place, among others, in the following instances:

- a) At the national level, as decided by each member state;
- b) In regional multidisciplinary groups to consider actions strategies, according to what each interested country decides;
- c) In the Inter-American Drug Abuse Control Commission at its 54th Ordinary Session;
- d) In the Meeting of Ministers Responsible for Public Security in the Americas, to be held in Medellin, Colombia in November 2013;

- e) In specialized meetings coordinated by the General Secretariat of the OAS with other regional organizations and entities.

On the basis of results obtained from these processes, entrusts the Permanent Council to call for a Special Session of the General Assembly to be held no later than 2014.^{4/5/6}

21. To request the General Secretariat to support implementation of this Declaration, at the request of Member States, and subject to existing financial resources in the program budget of the Organization and other resources.

⁴ . Observations to this paragraph were presented by the delegations of Canada, Paraguay, Saint Vincent and the Grenadines, and the United States.

⁵ . The United States believes that the decision on how to continue the dialogue on drugs is best suited for the Permanent Council...

⁶ . The delegation of Saint Vincent and the Grenadines understands that the various mechanisms articulated in the paragraph are sufficient to inform the next steps...

FOOTNOTES

1. ...to the contents approved by Ecuador in other negotiation contexts, as appropriate.
2. ... “Summit of the Americas” are inappropriate in that during that event, the Heads of State and Government were unable to consider or adopt the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean for the sister republic of Cuba to participate unconditionally and on a footing of sovereign equality. We reaffirm that a “Summit of the Americas” cannot be held without the presence of Cuba. The mandates and operative paragraphs on the core themes were part of the Political Declaration and as the latter were not adopted, nor were the former. For that reason, Nicaragua disagrees with making references to these documents and mandates, which were not adopted.
3. ... of drug policies are best conducted in a collaborative manner.
5. ... If the Permanent Council decides that a Special General Assembly is desirable, we believe such a meeting should be held in 2015, so as not to conflict with or detract from the March 2014 high level meeting of the Commission on Narcotic Drugs (CND), and to provide enough time to incorporate the outcomes from the CND into the OAS Special General Assembly. We further believe that the Special General Assembly should focus specifically on strengthening the Hemispheric Drug Strategy and considering whether to undertake a new Plan of Action for 2016-2020 through CICAD. Any additional Special Sessions of the OAS General Assembly should be funded by voluntary contributions.
6. ... in the process and is further of the view that the stipulation of an indicative date for holding a Special General Assembly is premature.