M. Platzer

F. Mirella

United Nations International Drug Control Programme responds

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UNITED NATIONS INTERNATIONAL DRUG
CONTROL PROGRAMME RESPONDS

We would like to reply to the article written by Axel Klein entitled, "Between the Death Penalty and Decriminalization: New Directions for Drug Control in the Commonwealth Caribbean" published in *NWIG* 75 (3&4) 2001. We have noted a number of factual inaccuracies as well as hostile comments which portray the United Nations International Drug Control Programme in a negative light. This reply is not intended to be a critique of the article, which we find unbalanced and polemical, but rather an alert to the tendentious statements about UNDCP, which we feel should be corrected.

We would like to start with the reference to the Barbados Plan of Action (p. 203) which would lead an ingenuous reader to believe that this Plan has been more detrimental than beneficial to the region. It should be noted that the Plan had received the endorsement of the regional heads of government from the outset and was not imposed on the region. The meeting was, in fact, requested and hosted by the prime minister of Barbados. These consultations represented the first time that the drug issue was discussed by all the regional and extra-regional stakeholders to agree upon a way forward in a coordinated and integrated manner. UNDCP and most of our local partners believe that the cooperative framework afforded by the Barbados Plan of Action has not only focused attention on a problem that had been assessed by the region itself as the single, most important threat to stability and security in the region since the 1980s, but has also provided substantial resources. Those concerned with drug demand reduction in the communities in particular see the Barbados Plan of Action as a valuable policy instrument.

We are uncertain what is meant by "as a result of such regional politicking, the most important multilateral organization in the drugs field has been the United Nations International Drug Control Program" (p. 202), but there are factual errors in each of the subsequent sentences. The United Nations Drug Control Programme dates back to 1948. The UN Fund for Drug Abuse Control established an office in Barbados in 1988. The UN General Assembly Special Session was held in 1998. In fact, the sequence is the reverse of what is

described. We started out as a small project office that only later developed selected policy expertise but never were “off-the-shelf instruments for policies” (p. 203) and blueprints simply applied to the Caribbean. The Barbados Plan of Action has 68 recommendations – not 87 (p. 203).

The libellous implication of cronyism and/or corruption on page 205, “the ECDCO Technical Advisor on drugs used his discretion to subcontract six out of ten budget line supported interventions to former colleagues at the UNDCP,” must be challenged. The author well knows that most of the projects were formulated by UNDCP in cooperation with the European Commission and that many other donors had channeled their funds through UNDCP – a respected international drug control agency.

The table on Caribbean adherence to UN Conventions on drugs (p. 205) does not reflect current reality and needs to be updated. Belize and St. Vincent acceded to the 1961 and 1971 Conventions in 2001.

The author portrays the Barbados Plan of Action as a European Union initiative although he acknowledges that it came as a proposal from the prime minister of Barbados, the Hon. Owen Arthur. The United States, Canada, and individual European countries were, in fact, active supporters of the Plan, as were the Caribbean countries themselves. From the beginning, UNDCP has sought to encourage regional participation and ownership. It is true that UNDCP pushed the setting up of National Drug Councils and the formulation of Masterplans, not just to create interlocutors, but for very good indigenous reasons. It is part of the UN mandate, and particularly stressed by the current secretary general, to build partnerships with regional organizations. We are indeed proud of our close relationship with CARICOM, as manifested in the recent High Level Meeting on Drugs and Crime, cosponsored by the two organizations in Port-of-Spain. To malign the “so-called Regional Coordination Mechanism” (p. 206) at the CARICOM office in Georgetown and to state that its “functions were on the one hand to give the drug control activities the appearance of a partnership, while allowing CARICOM to keep some tabs on the UNDCP” (p. 206) is unfair to the genuine efforts made by both organizations to cooperate more closely. It is indeed unfortunate that Klein gives the impression that UNDCP is operating covertly or against the interests of the region. UNDCP operates strictly within the regional framework and the mandate of the International Treaties and the UN General Assembly. We do not think the implementation of the 1988 Convention should be considered “draconian” (p. 207) – the UN Convention provides for a humane response to addiction, treatment, rehabilitation, and social re-integration.

We concur that UNDCP provided the region with much-needed legal assistance which includes, but is not limited to, providing model legislation (p. 207). However, this assistance has been supported through a wide range of financial resources being provided by several donors rather than just EU grants, as suggested. The reference to the two workshops for senior judges from across the

region leads one to believe that the project in question provided only this service. Klein neglects to mention that through this highly successful project, magistrates, police prosecutors, judges, and Supreme Court judges were being trained for the first time in asset forfeiture of drug proceeds. Not only were practical examples from other jurisdictions provided and useful connections established with experienced prosecutors and judges, but a process was started of sensitizing members of the judiciary who were not aware of the technicalities involved in prosecuting and sentencing for these kinds of offenses. As a direct result of the work of the project in question, a Regional Mutual Legal Assistance treaty has been drafted which has been endorsed by the CARICOM Legal Affairs Committee. The author further refers to Dancia Penn's document (p. 207) as a UWI publication found in the Cave Hill Campus when, in fact, this publication is not registered in either the law library or the UWI Cave Hill Campus library registry. The internal evaluation document in question was provided to the author while he was conducting a consultancy on behalf of the European Commission. UNDCP has never been approached to provide an authorization to quote from the document. Again, several donors contributed to this project, not just the EU, and there was a donor supervisory committee which approved all activities.

It is not factually correct to state "having introduced model legislation and trained the judges, the organization then checked on countries' compliance with its legal obligations. Officers from the Caribbean drug control Coordination Mechanisms, [...] visited each Caribbean states [sic] to report on drug issues. The reports were then published and distributed among the donor community" (p. 207-8). First of all, the joint CCM/RCM missions were undertaken not as a result of legislation being introduced in the countries but rather as a follow-up mechanism to gauge the level of progress being achieved in the countries and territories on the basis of objectives outlined in the Barbados Plan of Action. The checklist was elaborated with the CARICOM/RCM, and the country profiles were produced for all of the countries of the region as well as the donors being placed on the CCM website, and given to the respective countries to help analyze their situation and improve their drug control systems. Klein does not mention that this was a mutually reinforcing cooperative exercise between CCM and CARICOM, designed to gather information but, more importantly, to facilitate the coordination function of CARICOM with up-to-date information.

The name of the attorney general of Trinidad and Tobago is consistently misspelled in Klein's article. It is doubtful most law enforcement personnel, parliamentarians, media, or even civil society would agree with the author's assertion about the "widespread resentment in the region over the allocation of law enforcement resources" (p. 208) and "much dismay over misplaced priorities" (p. 209). The story of ganja being unavailable in Dominica, St. Vincent, Jamaica, and Barbados and smokers having to turn to crack appears to be ludicrous.

We believe the Study of the Justice System in the region was undertaken by the Inter-American Development Bank, not the Caribbean Development Bank (p. 210). Again, the description of the criminal justice system by the author is misleading. In fact, many countries that have signed the UN Convention are providing alternatives to imprisonment (through legislation or the magistrates' discretion) and, in reality, the usual practice for the possession of small amounts of illicit drugs is a monetary fine. The use of prisons was always high in the Caribbean, in comparison with other countries, even before the drug epidemic.

With regard to the demand reduction efforts of UNDCP (p. 215), Klein is again seriously off the mark. The priority assigned to demand reduction in 2000 was done at the suggestion of the CCM and other stakeholders. A regional demand reduction expert had been assigned to the office since 1988, and demand reduction projects have always been and still are the majority of UNDCP's projects. UNDCP pioneered the Integrated Demand Reduction projects in Jamaica, the Bahamas, Barbados, and Trinidad and Tobago. Klein forgets that demand reduction was considered very important by the UN Special Session and in subsequent resolutions of the Commission on Narcotic Drugs. Moreover, the Demand Reduction Section (DRS) at UNDCP Headquarters supports all regional projects. An example of the assistance received from this section, of which the author may not be aware, is the help DRS provides from the project formulation stage right through to the evaluation stages of project design and implementation. An example of this is the addiction certificate program mentioned in the article. The project in question is also portrayed as having being "top-sliced" by UNDCP when in fact project support costs are mandated by intergovernmental bodies and considerable support services were required from the regional office. It should also be noted that the continuation of tertiary level drug specific education programs along the lines of the UWI certificate program have not only been prepared with UNDCP assistance, but actively promoted. However, the critical mass required to start implementation has not been found among the donors even though the region would like a fully developed and regionally adapted educational curriculum based on the UNDCP/UWI drug addictions program.

It should also be noted that the CARIAD program has received extensive support from UNDCP over the years. We are sure that Professor Beaubrun would be saddened to hear that Drugscope considers his institute "almost defunct" (p. 217), given that he has managed to run a summer program for over thirty years.

The author should also note that the Health and Family Life education programs and, more specifically, the drug education aspects provided through the formal education system, whereby a large number of teachers have been trained in the region, were developed through a multilateral initiative involving CARI-COM, UNICEF, PAHO, and UNDCP. A second phase of this project targets out-of-school and "high-risk" youth. It is not correct to say that drug workers

are largely reliant on “learning on the job” and that peer-based approaches have yet to be introduced. Those who have labored on the HFLE, CARIAD, and UWI addiction study courses would certainly disagree that “an overhaul of drug education content and delivery is urgently called for” (p. 218). Characterizing CARICOM governments’ efforts in the field of drug prevention as “ill-advised” but “concerted” (p. 219) – UNDCP may agree with the latter but cannot agree with the former. Marion House does not offer “well-structured residential treatment courses for dependent drug users” (p. 219), but Crossroads in Antigua does. There does exist a network of low-threshold centers which, of course, must be strengthened. With regards to Klein’s dismissal of the “unsatisfactory data gathering methods (p. 218),” there are in fact very valuable school surveys, rapid assessments, and now there is a Drug Information Network which needs to be expanded but not denigrated. The glass is more than half full, not empty.

In the section dedicated to IDER programs, the author gives the wrong impression that UNDCP’s mandate runs counter to the IDER approach. In fact, UNDCP favors finding solutions with community participation not only in the Caribbean region but in other countries where we implement our activities. There are large-scale community development programs in South America and Asia with infrastructure improvements and skills training components. UNDCP/IDER projects, moreover, are financed by other donors in the region besides the EU. Again, UNDCP acts as more than a “managing agent” (p. 220).

Axel Klein’s argument in favor of decriminalizing ganja is not convincing. There has been no credible evidence that relaxing drug laws reduces drug abuse. On the contrary, the progressive liberalization of drug laws in some countries over the last twenty years has been associated with a progressive increase in drug abuse. There is medical evidence and community experience in the Caribbean that ganja is harmful. The public in the Caribbean knows that the health and social consequences of ganja use are at least as serious as those of tobacco or alcohol. It would be a historical mistake to put ganja in the same category when policies aimed at fighting the abuse of those two substances are finally getting the attention that they deserve. We believe that Axel Klein is seriously out of step with thinking in the Caribbean.

MICHAEL PLATZER & FLAVIO MIRELLA
UN House
Marine Gardens
Bridgetown, Barbados
<michael.platzer@undcpbb.org>