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Mission: not impossible

Why Uruguay is standing by its decision to legalise cannabis

Alfredo Rodri□guez, Director of Uruguay's 'Chamber of Legal Marijuana' is sent to the US with a mission to smuggle back 50 tons of weed. The plot of 'Unofficial Mission' – a comedy of errors that recently hit Montevideo's silver screens – may be fictional, but it points to a more serious reality.

In July, pharmacies in Uruguay started selling Marihuana. The move was so popular that they were struggling to keep up with demand.

Then major American banks dropped a bombshell. Appealing to the US's Patriot Act and other laws, they threatened to shut down bank accounts of pharmacies that had links to the cannabis trade.

Despite these and other obstacles, Uruguay's ambitious plan to create a state-run cannabis market has inspired activists around the globe lobbying for more humane drug policies. Though early days, there are already four lessons we can draw from Uruguay's experiment.

Firstly, governments should regulate the entire value chain.

That means legalising every aspect of drug consumption. The use and abuse of drugs is a public health issue. It should involve doctors, nurses and counsellors – not the police or courts.

Smoking cannabis – and indeed the private consumption of all drugs – has been legal in Uruguay since 1974. But till recently there was no legal way to procure it. That empowered cartels and left consumers with no legal protection when it came to the product's quality. Now the entire process, from cultivation to consumption, has been decriminalised.

Under the new law, home growers may apply for a government permit to cultivate up to six plants. Larger cannabis clubs allow a maximum of 45

members to collectively cultivate up to 99 plants. Meanwhile, registered adults may purchase 40 grams a month from licensed pharmacies that source their crops from up to six government-approved farms.

Secondly, responsible regulation, rather than careless liberalisation, will clinch the political battle over cannabis.

Experts largely agree on the need to end prohibition. The Global Commission on Drug Policy led by Kofi Annan and others conceded in a 2011 report that 'the global war on drugs has failed'. Yet most politicians still shy away from taking concrete action to legalise drug use, fearing a public backlash. Indeed, around the world public opinion tends to oppose greater liberalisation – even in Uruguay. 70 per cent of Uruguayans opposed the government's initiative in 2012, and by July 2017 half the public still disapproved of the sale of cannabis in pharmacies. Yet despite internal opposition, Uruguay's government has stuck to its guns, putting reason before fear.

It has also learned to frame the debate better. The Uruguayan reform was part of a larger public safety package aimed at draining the black market, reducing violence and robbing organised crime syndicates of their power. So, for example, the government fixed the price of legal cannabis at around $1.30 per gram – less than its value on the black market.

Far from playing down the risks of drug abuse, the government crafted a comprehensive regulatory framework. Sales to minors; driving or working under the influence of cannabis; and all forms of advertising are prohibited. Regulation is overseen by a single body: the Institute for the Regulation and Control of Cannabis (IRCCA). Meanwhile, legislation surrounding tobacco and alcohol is being stepped up.

What's still missing is decent, comprehensive drugs education in schools, though the recent changes to cannabis legislation have opened up a media debate.

Thirdly, the international attention Uruguay has received for its drugs policy is welcome. Yet the global drug policy regime does not help.

Significant interest from abroad has helped Uruguay's government

defend its reform policy in the face of domestic opposition. At the 2016 United Nations general assembly special session on drugs, leaders called for a more 'humane solution' to drugs trafficking and consumption that focuses on more than just law enforcement and criminalisation. However, beyond that message, little progress has been made in replacing the failed prohibition paradigm.

Uruguay has already experienced the consequences of this inertia. The US ruling, which prohibits its financial institutions from doing business with dealers of certain controlled substances, spells bad news for the burgeoning legal drugs market. The fact that cannabis in Uruguay is strictly regulated makes no difference.

As well as lobbying the US for an amendment or exception for Uruguay (a delegation led by the Central Bank's president just toured the US on an official mission for this purpose), the country is coming up with a range of provisional solutions. Recently it announced a number of cash-based vending points outside pharmacies.

Fourthly, as with any other policy area, drugs legislation must be judged against its impact.

It's a common-sense attitude, but one governments have been loath to apply to their own prohibition-based drugs policies.

Prohibition does more harm than good. Decades of prohibitive policies have not reduced consumption. They have merely criminalised and stigmatised consumers. This means when people do face problems of addiction, they are afraid to seek help. Meanwhile, a black market has been allowed to flourish. Criminal gangs have reaped vast profits, grown in power and stature, spread violence and undermined democracy and the rule of law in many parts of the world.

Consumers have shown themselves willing to accept the government's strict regulations. So far, some 7,300 adults have registered as cultivators, and nearly 15,000 have registered as consumers. More have joined 64 government-approved cannabis clubs. The system already reaches almost a quarter of what are estimated to be 130,000 consumers in total.

But due external difficulties and administrative delays within Uruguay there are bottlenecks in the supply chain. Scared off by the threat from US banks, only 15 pharmacies are selling nationwide. Meanwhile, only two of six government-run farms are actually producing.

It is too early to assess the impact of the reform on people's health and on crime rates. However, qualitative evidence suggests consumption has not risen since 2014 (after a decade-long steep increase) and neither has drug-related crime.

Instead of merely observing Uruguay's experiment, policymakers should invest time and energy in establishing their own regulated regimes. At the same time, there needs to be more international dialogue. Uruguay has practical experience in regulating the value chain – an alternative to the market-based approach favoured by US states like Colorado. But it too can learn from other countries, especially when it comes to medicinal use.



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