

## NEWSLETTER

# February 2014



PO Box 4736  
HIGGINS ACT 2615  
Tel: 02 62542961  
Email: mcconnell@ffdlr.org.au  
Web: www.ffdlr.org.au  
ISSN 1444-200

### NEXT MEETING

Thursday 27th Feb, 7.30pm  
St Ninian's Uniting Church hall,  
cnr Mouat and Brigalow Sts, LYNEHAM

This first meeting of the year will plan FFDLR's activities for 2014. One important element of the plan will be a discussion about commemorating FFDLR's 20 year anniversary, which will occur in April 2015.

Meetings are followed by refreshments and time for a chat.

### Editorial

#### World leaders speak out for drug law changes

The New Year has rushed in many changes. Uruguay will legalise and regulate cannabis in April 2014. The US has seen one state legalise and regulate cannabis and another state will follow in less than six months. As many as 20 US states have already agreed to medicinal cannabis and many other states are debating the issue..

In the UK a petition signed by over 100,000 people has recently been presented to parliament urging the government to order a cost benefit analysis of the Misuse of Drugs Act. Because the numbers on the petition are over 100,000, the parliament is compelled to hold a debate about the petition's request.

Many more world leaders are speaking out and calling for change to the current prohibition regime. Here is a small sample:

*US President Obama has said: Marijuana is less dangerous, "in terms of its impact on the individual consumer. ... We should not be locking up kids or individual users for long stretches of jail time when some of the folks who are writing those laws have probably done the same thing."*

*Columbia's President Juan Manuel Santos has said: "But depriving drug cartels of their cash cow would "be an enormous benefit for humanity." Santos called on politicians to be "a bit less hypocritical" and to talk openly about a new approach.*

*Uruguay's President Jose Mujica has said: The industrial societies are the ones that have to change. For a small country, it's possible to experiment with this, but it's also very possible for a developed country because of the resources it has.*

*Others include: Guatemala's President Otto Perez Molina, US Texas Governor Rick Perry, UK Deputy Prime Minister*

*Nick Clegg.*

Mujica has also taken action and has introduced legislation that comes into effect in April this year to regulate and control cannabis. An action for which some have claimed he deserves a Nobel peace prize.

There are of course many other world leaders who have spoken out in the past and they should not be neglected.

FFDLR believes that those who seek change should be recorded. To this end a new page has been added to the FFDLR website which lists world leaders who have spoken out for change. Access to it can be found from the front page of the website ([www.ffdlr.org.au](http://www.ffdlr.org.au)). The list can be filtered by country or by leader's name and it also provides the source of the statement.

#### You can help.

The web page is a work in progress and will be updated from time to time. But it would be helpful if members forward by email (or otherwise) details (eg name position, country, statement, date of statement and a web site address for the source of the statement) of additional world leaders who have spoken out for drug policy change.

#### Meanwhile in Australia ...

The Australian Crime Commission's project Eligo seized in the past year \$530 million in laundered drug money ("Terrorists taking cut of millions in drug money", The Age, 23/1/2014).

This makes great headlines giving an impression that the drug trade is being curtailed. Unfortunately that is far from the truth. Using ABS estimates ("The Non-Observed Economy and Australia's GDP, 2012") that year's seizure represents less than 5 percent of the Australian illegal drug economy for one year.

The ineffectiveness of our current prohibition approach to drugs is unquestionably beyond doubt. But there is little appetite for change. Perhaps because our leaders are fearful of losing their positions, or perhaps there is a paralysing fear that change will make the drug problem worse, are reasons why there is no consideration of alternative approaches.

It is hard to imagine how much worse it can get: about 500 deaths of young people each year, drugs of unknown quality freely available to all, experimental drugs available via the internet, jails over-populated, lost taxation of over \$1,000 million per year, violence such as beatings, drive by shootings or a shotgun blast to whoever answers the doorbell to sort out any disputes, and now terrorist organisations are involved.

Instead of having the courage to take a different path as overseas countries have, our very own Assistant Minister for Health, Senator Fiona Nash, has been instrumental in stopping government funding for the Alcohol and Drug Council of Australia (ADCA). This is a peak body that has provided advice and guidance to governments and its members for 46

years. Its library has been second to none for alcohol and drug resources. Senator Nash's actions has caused ADCA to go into administration and its eventual closing down will be a serious loss to the sector.

A few years ago ADCA ran a campaign "alcohol is a drug too" and it has run other campaigns to reduce the harm from alcohol. It turns out that Nash's (now former) chief of staff is a lobbyist for the alcohol industry and is seriously implicated in the defunding.

It is not only the illegal drug industry that is dirty.

## **Staffer Alastair Furnival had links to alcohol industry, helped strip funding from group minimising alcohol harm**

Amy Corderoy, February 17, 2014, Sydney Morning Herald

A lobbyist working in Assistant Health Minister Fiona Nash's office had links to the alcohol industry and played a key role in stripping Australia's peak drug and alcohol body of its funding.

Alastair Furnival told staff at the Alcohol and other Drugs Council of Australia in a meeting in December that their organisation, established 46 years ago, would no longer be funded.

The Public Health Association of Australia and the Australian Medical Association say the decision is not in the best interests of Australians and must be urgently reversed.

Fairfax Media can reveal that Mr Furnival ran the meeting where the council was informed of the funding cut with no input from the Assistant Health Minister despite a respected former Liberal politician being a key player on the council's board.

Former Liberal MP Mal Washer said he had contacted Senator Nash's office on a number of occasions, but had only been able to speak with Mr Furnival.

"Normally when you contact them they will have a yarn with an ex-federal colleague," Dr Washer said.

"There was no reason given [by Mr Furnival] for the cut except for 'we don't have enough money and have a nice day', but, well, it's amazing what they can find money for."

He said neither Mr Furnival or Senator Nash appeared to have much knowledge about the council, including its huge library of more than 100,000 drug and alcohol resources that will now have to close.

Mr Furnival resigned as Senator Nash's chief of staff on Friday citing a "smear campaign" against him after Fairfax revealed that he and Senator Nash had intervened to have a new healthy food website taken down, and that he had been involved in high-level food policy negotiations with the states and territories without disclosing that he co-owns with his wife a lobbying company that works for the soft drink and confectionary industry. At these meetings both declared no conflict of interest.

Senator Nash made a late-night statement to the Senate on Tuesday to admit that Mr Furnival had "a shareholding" in Australian Public Affairs, after earlier stating he had no connection with it.

Documents lodged with the corporate regulator show Australian Public Affairs is wholly owned by another company, Strategic Issues Management, of which Mr Furnival and his wife Tracey Cain are the sole shareholders, and Mr Furnival was the director.

In 2004, Strategic Issues Management was described as

specialising in co-operatives in the agriculture, transport and liquor sectors. Australian Public Affairs appears to have been involved in alcohol-industry PR at least as recently as 2012.

Public Health Association of Australia head Michael Moore said given everything that had happened the government needed to clear the air.

"That means, one, simply acting to reinstate the funding for ADCA and, two, reinstating the health star rating website," he said.

The council's chief executive, David Templeman, agreed the decision should be overturned.

"I'm just literally gob-smacked by the vetting process that has gone on in the Prime Minister's office," he said. "I'm just wondering now was that ever divulged, was it ever declared? I don't know but I doubt it."

He said the government had changed its story on why the funding was cut, first saying that it needed the savings and then wrongly stating that the council had been in financial difficulties.

"I know that the industry has not been happy with our advocacy, they expressed that to the chair of the ADCA board last year," he said.

Council patron Ian Webster, Emeritus Professor of Public Health and Community Medicine at the University of NSW, said in the past it had successfully worked with numerous state and territory governments, including John Howard's government. It also helped develop the Hawke government's National Drug Strategy.

He said it was "absolutely strange" to suddenly have its funding removed.

"This is the first government that has taken this position," he said. "ADCA has been an organisation that has existed for almost 50 years."

He said it had taken a number of positions on alcohol - including supporting taxation based on alcohol volume, rather than product, and limits on advertising and availability - that are opposed by many in the alcohol industry.

"I do know that there are some powerful interests involved... we now have an alcohol-industrial complex at every different level promoting an economy where each on its own is reasonable, but together does a great deal of harm to the community," he said.

Labor health spokeswoman Catherine King said every additional inquiry into the situation appears to reveal more information of concern.

"Senator Nash needs to make a full account of these matters. In particular why she chose to abolish ADCA and is opposing the health star rating system in light of these conflict of interest revelations," she said.

"The Prime Minister's office having approved this appointment needs to detail what their knowledge of the policy rationale for these decisions was."

Australian Medical Association head Steve Hambleton said the funding cut should be reviewed.

"When we see adverse effects and acute side-effects from a toxic product continuing to rise we have to really question the wisdom of defunding a body that is trying to reverse that," he said. "We would be happy to support a review of the decision."

A spokeswoman for Senator Fiona Nash said there had been no discussions at this stage about whether the funding cut would be reviewed.

## Time for Britain and the rest of Europe to join the drugs debate

Editorial, The Observer, Sunday 9 February 2014

With America rethinking its policy on drugs, our MPs and MEPs need to make their own feelings known

It was with great foresight that a Conservative backbench MP stood up during a parliamentary debate in the House of Commons in 2002 and pleaded with the then Labour government to rethink its commitment to the “war on drugs”. “I ask the Labour government not to return to retribution and war on drugs. That has been tried and we all know that it does not work.”

Contributions like this have been all too rare from British politicians, particularly at a time when the debate about the merits of prohibition has changed so radically in recent years. That is most evident in the Americas, both North and South.

Over the past five years, Latin American support for the “war on drugs” has ebbed away. The so-called “drug-producing” nations have tired of bearing the brunt of the violence as they attempt to eliminate the supply of drugs to the “drug-consuming” nations to the north.

In Latin America the war on drugs presents a different order of threat than that posed in the US and Europe. The threat is an existential one because prohibition has the effect of driving profits and power into the hands of murderous cartels. They corrupt, challenge and often destroy the institutions of the state – the police, the judiciary and the body politic. Colombia very nearly succumbed to the cartels during a decade when drug-related violence tore the heart out of the institutions of the state and left many civilians dead. Politicians, public prosecutors and members of the judiciary were ruthlessly targeted. Many of the politicians who escaped death only did so because they were in the pay of the cartels. Welcome to the war on drugs.

Guatemala and Honduras are the new battle spaces, facing exactly the same challenges as Colombia did. No wonder Latin Americans are tired of paying such a high price. In recent years the presidents of Colombia and Guatemala – and international bodies and reports such as the Organisation of America States and the Global Commission on Drug Policy – are speaking with one voice: the war on drugs can never be won; we need to look at alternatives.

And while prohibition in the west poses its own challenges and creates its own misery, it is not a threat to the very fabric of the state. But since their citizens – largely – create the demand that fuels the war on drugs they have a moral responsibility that they have shamefully failed to acknowledge.

But the debate is changing in North America – as Kasia Malinowska-Sempruch makes clear in other pages today – and public opinion is driving significant policy changes. American states are introducing – or considering – a licensed, regulated market for marijuana. Since January, people can buy marijuana in Colorado for recreational purposes. Washington State will soon follow suit.

An indication of the new direction of travel came last month at the World Economic Forum when the Republican Texas governor Rick Perry said: “After 40 years of the war on drugs, I can’t change what happened in the past. What I can do as the governor of the second largest state in the nation is to implement policies that start us toward a decriminalisation and keeps people from going to prison and destroying their lives, and that’s what we’ve done over the last decade.”

Last October, the head of the US Justice Department, Eric Holder, said: “As the so-called ‘war on drugs’ enters its fifth decade, we need to ask whether it, and the approaches that comprise it, have been truly effective... Today, a vicious cycle of poverty, criminality and incarceration traps too many Americans and weakens too many communities.”

But in Britain we have heard nothing from frontline political figures. Until now, which is why Nick Clegg’s intervention is a welcome one and may start a debate on the merits or otherwise of the war on drugs.

The onus is on those who support prohibition to make the case for prolonging a war that has evidently failed. Political figures in the UK and Europe need to engage with the changing tide of public opinion in the Americas and investigate whether market alternatives may provide a better solution than prohibition.

Perhaps the Conservative backbencher who entered the debate in 2002 and declared the war on drugs a failure would care to re-enter the debate? **Especially as he is now the prime minister.**

[Keith Morris, former British ambassador to Columbia and Lord Fowler of the UK House of Lords have written to the Observer fully supporting this editorial.]

## Drug policy must change in US, Europe - Uruguay president

Malena Castaldi and Felipe Llambias, MONTEVIDEO Thu Feb 13, 2014, Reuters UK Edition

The United States and Europe need a new strategy in the war on drugs and should look at alternatives such as the regulated sale of marijuana, says Uruguayan President Jose Mujica, whose country recently legalized the production and sale of cannabis.

In an interview with Reuters on Thursday, the 78-year-old former left-wing guerrilla said the world’s largest economies, which are the biggest markets for illegal narcotics, need to tackle drug trafficking using tools other than prohibition.

“The industrial societies are the ones that have to change,” he said. “For a small country, it’s possible to experiment with this, but it’s also very possible for a developed country because of the resources it has.”

In December, Uruguay’s parliament approved a bill to legalize and regulate the sale and production of marijuana.

The move is being closely watched by countries around the world, some of which are seeking to change anti-drug policies that are widely seen as having failed.

“There are big markets, they have great buying power, and that is a big economic attraction. Until things change there, it will be very difficult to change elsewhere,” said Mujica from his home on the outskirts of Uruguay’s capital, Montevideo, where he lives in a simple cottage with his wife and dogs.

Mujica pointed to changing laws in other places, including those of U.S. states that have taken steps to decriminalize and even legalize marijuana use, as evidence of an “undeniable evolution” in attitudes.

Washington and Colorado states recently legalized the sale of cannabis under license, although federal law in the United States has not changed.

“Any North American state is more important than Uruguay, in dimensions, in its economic force,” he said. “But it’s still a bit like a lady embarrassed to admit her natural sins and lying to herself. What we are doing is much more open.”

## Growing pains

Uruguay's new marijuana laws are scheduled to take effect in April. Citizens will be allowed to grow up to six plants a year in their homes and will be able to buy up to 40 grams (1.4 ounces) a month at pharmacies licensed by the state.

The country is not interested in promoting a culture of cannabis tourism, such as that seen in the coffee shops of Amsterdam in the Netherlands, which has a no-penalization policy. To try to prevent such tourism, marijuana will be available only to Uruguayan residents who are registered on a confidential database.

Mujica conceded that illicit sales are likely to continue nonetheless.

"The consumer will be able to go to the black market. It is bound to keep on existing, but the attack on the black market will be via the market itself, it will affect it," he said.

Ultimately, what Uruguay is doing is an experiment with no guarantees, he said - but one that someone had to try.

"We are trying to invent a path, picking up experiences as we go. There are people who say that you can't experiment. ... That condemns you to failure."

## Heroic Uruguay deserves a Nobel peace prize for legalising cannabis

Simon Jenkins, The Guardian, Friday 13 December 2013

The war on the war on drugs is the only war that matters. Uruguay's stance puts the UN and the US to shame

I used to think the United Nations was a harmless talking shop, with tax-free jobs for otherwise unemployed bureaucrats. I now realise it is a force for evil. Its response to a truly significant attempt to combat a global menace – Uruguay's new drug regime – has been to declare that it "violates international law".

To see the tide turn on drugs is like trying to detect a glacier move. But moving it is. Wednesday's statute was introduced by the Uruguayan president, José Mujica, "to free future generations from this plague". The plague was not drugs as such but the "war" on them, which leaves the world's youth at the mercy of criminal traffickers and random imprisonment. Mujica declares himself a reluctant legaliser but one determined "to take users away from clandestine business. We don't defend marijuana or any other addiction, but worse than any drug is trafficking."

Uruguay will legalise not only cannabis consumption but, crucially, its production and sale. Users must be over 18 and registered Uruguayans. While small quantities can be grown privately, firms will produce cannabis under state licence and prices will be set to undercut traffickers. The country does not have a problem on the scale of Colombia or Mexico – just 10% of adults admit to using cannabis – and stresses that the measure is experimental.

This measured approach is still way in advance even of American states such as Colorado and Washington, which have legalised recreational as well as medical cannabis consumption, but not production. While the Uruguayan law does not cover other drugs, by depriving traffickers of an estimated 90% of their market, the hope is both to undermine the bulk of the criminal market and to diminish the gateway effect of traffickers pushing harder drugs.

Mujica's courage should not be underrated. His is a gently old-fashioned country, and two-thirds of those polled oppose the move, though this is up from 3% a decade ago. In addition some

pro-legalisation lobbies object to his de facto nationalisation. An open question is whether a state cartel will be as effective as a regulated free market. But the drugs chief, Julio Calzada, is blunt: "For 50 years, we have tried to tackle the drug problem with only one tool – penalisation – and that has failed. As a result, we now have more consumers, bigger criminal organisations, money laundering, arms trafficking and collateral damage."

The response of the UN's International Narcotics Control Board has been to incant futile bromides. The move, says its chief Raymond Yans, would "endanger young people and contribute to the earlier onset of addiction". It would also be in breach of a "universally agreed and internationally endorsed treaty". Yet the UN admits that half a century of attempted suppression has led to 162m cannabis users worldwide, or 4% of the total adult population.

The 78-year-old Mujica notes the irony that many of his South American contemporaries agree with him, but only after leaving office. They include Brazil's Fernando Cardoso, Mexico's Ernesto Zedillo and Colombia's César Gaviria, all of whom have now called for the decriminalisation of the drug market so that they can begin to regulate a trade whose feuding operators are killing thousands of people each year. The value of the drugs trade is second only to the trade in arms. Yet the US resists decriminalisation so it can continue to fight cocaine and opium production in Latin America and Afghanistan, to avoid confronting the real enemy: a domestic consumption that is out of control.

For all this, the futility of suppression is leading to laws crumbling across the west. Twenty US states have legalised medical cannabis. California this year narrowly rejected taxing consumption (turning down an estimated \$1.3bn in annual revenue) and may yet relent. Drug use is accepted across most of Latin America and, de facto, Europe. Even in Britain, where possession can be punished by five years in prison, just 0.2% of cases prosecuted result in such a sentence. The most intensive drug users are said to be in the state's own jails. The law has effectively collapsed.

The difficulty now is to resolve the inconsistency of enforcers "turning a blind eye" to consumption while leaving supply (and thus marketing) untaxed and unregulated in the hands of drug traffickers. This is little short of a state subsidy to organised crime. Indulgence may save the police and the courts from the cost of enforcement, but it leaves every high street open to massive cross-jeopardy, from cannabis to hard drug use.

Ending this inconsistency requires action from legislators. Yet they remain seized by a lethal mix of taboo, tribalism and fear of the media. British policy on all intoxicants and narcotics (from booze to benzodiazepines) is chaotic and dangerous. The government on Thursday admitted its inability to control "legal highs", new ones being invented every week. It is running round back-street laboratories waving bans and arrest warrants like the Keystone Cops.

The catastrophe of death and anarchy that failed drug suppression has brought to Mexico and to other narco-states makes the west's obsessive war on terror seem like a footling sideshow. The road out of this darkness is now being charted not in the old world but in the new, whose heroic legislators deserve to be awarded a Nobel peace prize. It is they who have taken on the challenge of fighting the one world war that really matters – the war on the war on drugs. It is significant that the bravest countries are also the smallest. Thank heavens for small states.