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Topic 1 | The War on Drugs

The history of the War on Drugs is nuanced and extends far into the 20th century. For decades, the U.S. government has created anti-drug policies aimed at curbing international drug trafficking and the domestic demand for drugs. The United States has had a lasting impact on every Latin American country through interventionist policies and through international operations in trying to infiltrate cartels. It is also clear that Latin America and the United States have differing perspectives on the effects of the drug war, which may be part of the foundation for such complex US-Latin American relations. Furthermore, despite a long history of following traditional methods in combating the drug problem throughout Latin America, OAS has adopted a different approach to the drug war.

Studying Latin America's history on the war on drugs in relation to how the U.S. was involved can teach us important lessons of how certain policies have merited certain outcomes. By analyzing Portugal's approach to its drug problem, we can glean important strategies and lessons that can be applied to how OAS will apply its approach to Latin America's drug problem. Today, Latin America and the U.S. maintain a complex interconnectedness, which can be better understood by synthesizing lessons from history and country case studies. Ultimately, understanding the complexity of US-Latin American relations is necessary to better determine how it can be adjusted to wage a more successful war on drugs.



Historical Context

1960s

The 1960s was a decade marked by social revolution in the United States with tie-dye shirts, civil rights, and the widespread use of drugs. During the 1960s, the use of drugs for recreational purposes rose as it became fashionable for young people to indulge on drugs of all types. For young, white America, the atmosphere of political defiance, protest, and rebellion engulfed their society and lowered the social stigmatization that was previously associated with drug use (“Thirty Years of America's Drug War: A Chronology”). This de-stigmatization of drug use provided the demand, but Latin America ultimately provided the supply.

Mexico had already long been fighting marijuana and opium traffickers prior to the 60s, but with rising pressure from the U.S. government, Mexico heightened border security and closed many airports. Mexico’s problem with drug trafficking eventually led to the postponing of all commercial flights in the states of Chihuahua, Durango, Sinaloa, and Sonora, where it is estimated that drug traffickers utilized 300 airports in Sonora and Chihuahua alone (Hyland, “The Shifting Terrain of Latin American Drug Trafficking”).

The pressure to crackdown on these drug traffickers largely came from the United States, where an increasing awareness of illicit drug use led to the Johnson administration’s creation of the Bureau of Narcotics and Dangerous Drugs (BNDD) in 1968. The Johnson Administration wanted to consolidate anti-drug enforcement into one entity in order to curb internal battles that occurred over narcotics enforcement for



much of the decade. Ultimately, the BNDD would be merged with other organizations to create the Drug Enforcement Agency (DEA).

In 1969, for only twenty days between September 21-October 11, the Nixon Administration enacted Operation Intercept along the border with Mexico, U.S. customs agents would search every car for about a minute each prior to and after the operation. However under Operation Intercept, drug enforcement agents and customs agents extended each search to approximately two to three minutes per car, which created hours-long traffic jams and economic downfall along border cities (“Operation Intercept: The Perils of Unilateralism”). The Nixon Administration had not been in bilateral talks with the Mexican government in regards to its implementation of Operation Intercept, and as a result, the Mexican government argued for the operation to be postponed or halted in order for stability to be reestablished. By mid-October, the U.S. government abandoned Operation Intercept and agreed to enter into an agreement called Operation Cooperation, in which both countries collaborated on ways to combat and implement drug enforcement policies.

With Operation Intercept largely ineffective in combatting drug trafficking, the decade came to a close without much anti-drug operations or further anti-drug policies. However, the 1970s would prove to be the beginning of the modern war on drugs with South America becoming increasingly involved in trafficking and drug cartel crime.

1970s

Throughout the 1970s, the modern war on drugs grew to expand beyond national boundaries and into the international atmosphere. In 1970, Congress passed the Comprehensive Drug Abuse Prevention and Control Act, which lowered the penalties



for marijuana possession while strengthening the power law enforcement agencies had to conduct searches (“Thirty Years of America's Drug War: A Chronology”). Included with this act is the Controlled Substances Act, which established five categories to rate drugs on the basis of their medicinal value and potential for addiction (“Thirty Years of America's Drug War: A Chronology”). With this new law, there were clear definitions for law enforcement to determine whether a drug should be legal or illegal, and which drugs should be strictly regulated and the level to which there needed to be control over the circulation of the drug. This piece of legislation would have lasting impacts on drug trafficking and anti-drug law enforcement throughout the decade and even in today’s world.

By 1971, President Nixon officially announced the U.S. war on drugs as he described the rise in drug abuse across the nation as “public enemy No.1” (“Thirty Years of America's Drug War: A Chronology”). By 1973, Nixon had developed a plan to create a governmental organization designed to consolidate the many bureaus and agencies tasked to combat drug abuse, narcotics, drug trafficking, and drug research. This plan came to fruition as the Drug Enforcement Agency (DEA), which has continued to play a major role in the U.S. War on Drugs since its creation. In forming the DEA, the government hoped to be able to end inter-agency disputes and to create a “superagency” that oversaw the collection of information and the enforcement of anti-drug laws (“Thirty Years of America's Drug War: A Chronology”). The DEA began collecting data, training informants and agents, and working around the country as well as internationally in an attempt to reduce drug trafficking. As the main enforcement agency for anti-drug policies and laws, the DEA played a key role in the War on Drugs



and continues today to be influential in U.S. anti-drug enforcement and policy development.

After Nixon's resignation in 1974, the DEA and the war on drugs became a Nixon legacy untouched, due to the economic and political instability that swept across the U.S.. However, in 1975, Colombian police captured approximately 600 kilograms of cocaine at an airport ("Thirty Years of America's Drug War: A Chronology"). This prompted a backlash from the drug traffickers and led to the Medellin Massacre, in which there were 40 deaths in one weekend ("Thirty Years of America's Drug War: A Chronology"). This event signaled the beginning of the cocaine powerhouse that dominated Colombia for much of the 1970s and 1980s.

In 1977, Former Georgia Governor Jimmy Carter is inaugurated into office after running on a campaign to decriminalize marijuana. With much support, he is elected into office, but the support wavers shortly after as multiple parents organizations against teenage drug abuse and other national drug abuse organizations campaign against the decriminalization of marijuana and other common drugs ("Thirty Years of America's Drug War: A Chronology"). The battle against drugs in the country transferred from being a national issue to a familial issue. With parents organizations now in the national spotlight, the battle against drugs gained more momentum, but not enough to curb pop culture and magazines from promoting the use of cocaine.

The media played a key role in increasing the demand for cocaine in the U.S.. With demand on the rise, Colombia became the regional headquarter for cocaine creation and distribution. However, the United States law enforcement agencies did not prioritize Colombian traffickers until July 1979, when a deadly shootout in broad daylight



at the Miami Dadeland Mall brought the “savagery of Colombian cocaine lords” to the forefront of American anti-drug policing (“Thirty Years of America's Drug War: A Chronology”). At the end of the decade, American opinions of drugs began to change while demand for cocaine continued to grow and Colombian drug cartels worked to meet the demand at any cost necessary.

1980s

The 1980s was a decade marred by drug violence across the Americas. In 1981, the Medellin cocaine cartel was formed from an alliance between the major cocaine trafficking lords in Colombia. The alliance consisted of the Ochoa Family, Pablo Escobar, Carlos Lehder, and Jose Gonzalo Rodriguez Gacha. Together, they collaborated in manufacturing, transporting, and marketing cocaine throughout the world, but mainly to the United States (“Timeline: America's War on Drugs”). Meanwhile, the U.S. government worked alongside the Colombian government in order to ratify an extradition treaty mainly aimed at extraditing drug traffickers from Latin America to the US. When Reagan took office in 1981, the greatest fear for drug traffickers was extradition as the largest offensive against drugs ever seen began (“Thirty Years of America's Drug War: A Chronology”).

For much of President Reagan’s time in office, Latin America and the drug trade controlled the nation’s attention. In 1982, Panamanian General Manuel Noriega and cocaine drug lord Pablo Escobar struck a deal in which Escobar pays \$100,000 per load in return for safe passage through Panama (“Thirty Years of America's Drug War: A Chronology”). During the same year in January, Vice President George H.W. Bush



created the South Florida Task Force in order to combat drug traffickers in Miami, Florida, which was the main entry port for much of the nation's cocaine.

At the beginning of March, Pablo Escobar was elected into the Colombian Congress with support from Catholic priests and the lower classes of society as he was seen as a Robin Hood type figure with his policies for the poor ("Timeline: America's War on Drugs"). Then, on March 9, U.S. law enforcement seizes 3,906 pounds of cocaine at Miami International Airport, which prompts a shift in domestic enforcement strategy as the agencies realize the Colombian cartels were working together in coordinating shipments ("Thirty Years of America's Drug War: A Chronology").

The Reagan presidency is recognized not only by Ronald Reagan's control of the White House, but also as the First Lady, Nancy Reagan's, dominance in domestic policy. In 1984, she launched her "Just Say No" campaign against drug abuse. Her campaign would serve as the main face of the fight against drugs in the U.S., and the aftereffects would be felt for multiple generations.

As the domestic campaign pushed forward, the Cold War and the War on Drugs met in 1984. The Washington Post ran an article on a DEA agent's successful infiltration into the Medellin Cartel ("Thirty Years of America's Drug War: A Chronology"). This article sensationalized the fight against the drug trade and eventually led to the indictment of the major Colombian drug lords. However, one of the largest controversies to come out of the release of the article was the involvement of Nicaraguan Sandinistas. This brought the fight against leftist regimes and U.S. Cold War foreign policy into the drug war policy.



Around the mid-1980s, the drug war shifted. Crack cocaine swept across the nation and destroyed inner-city communities while the South Florida Task Force increased their efforts in Miami (“Timeline: America’s War on Drugs”). The demand for cocaine rose with the advent of crack, but the ability to supply began to be more difficult. The difficulty of getting cocaine through Miami eventually led to a shift from Miami as the main transit point, to the border-states along the Mexican-US border. In October 1986, President Reagan signed the Anti-Drug Abuse Act, which designated \$1.7 billion to fighting drugs and established a mandatory minimum penalty for drug possession (“Timeline: America’s War on Drugs”). This law is pinpointed as the reason racial disparities exist within the prison system. As a result, this has maintained a lasting legacy for the U.S. prison system and racial inequality in the nation.

As the decade progressed, the Colombian authorities worked to capture the leaders of the Medellin cartel, but at the cost of public support for extradition treaties with the U.S.. In 1987, Carlos Lehder, one of the main drug lords of the cartel, was captured by Colombian police and is extradited to the United States. He was then prosecuted and sentenced to life in prison with an added 135 years (“Thirty Years of America's Drug War: A Chronology”). However, by May 1987, the Supreme Court of Colombia ruled against the extradition treaty 13-12 (“Thirty Years of America's Drug War: A Chronology”).

As attention shifted from Colombia to the Mexican border, the War on Drugs in the U.S. saw a change in leadership. In 1988, President-elect George H.W. Bush and the President-elect of Mexico, Carlos Salinas de Gortari, discussed the drug trade along the border. Through a process known as certification, President Bush tells President



Gortari that he must demonstrate to the U.S. Congress that he is committed to fighting the drug trade (“Timeline: America’s War on Drugs”). Later in 1988, the Office of National Drug Control Policy (ONDCP) is created and William Bennett is appointed as its first leader (“Timeline: America’s War on Drugs”). His goal and the goal of the ONDCP were to make drug use socially unacceptable.

1989 saw the release of a report highlighting the Reagan Administration’s knowledge of drug trafficking by the Contra’s during the Nicaraguan Civil War (“Thirty Years of America's Drug War: A Chronology”). The Reagan administration had backed the Contras through funding and supplying resources in efforts to combat the leftist regime in the nation. This revelation highlights the U.S. prioritizing Cold War policy over drug trafficking throughout the decade. In December 1989, the U.S. invaded Panama and forced General Manuel Noriega to surrender to the DEA (“Timeline: America’s War on Drugs”). He was then taken to Miami and sentenced to 40 years in prison. By the end of the decade, both the U.S. and Mexico both had new leadership and anti-drug law enforcement increased, but the drug control issue continued to plague both sides of the border.

1990s

The 1990s was a decade that saw the end of the Cold War and the scramble to continue the fight against drugs and to prevent post-Cold War conflicts around the world. In 1991, the Colombian government secretly votes to ban extradition in their new constitution, and on the same day, Pablo Escobar turns himself into authorities (“Thirty Years of America's Drug War: A Chronology”). The following year, Mexican President Salinas de Gortari created the first list of regulations for DEA agents in the country



(“Thirty Years of America's Drug War: A Chronology”). These two events would begin the pushback against U.S. interventionist policies in Latin American countries. However, as governments pushed against U.S. intervention, the war on drugs became more violent. After massacres of Mexican police officers, assassinations of church officials, journalists, and civilians, governments around Latin America needed to resolve their drug problems.

In 1993, President Clinton signed the North American Free Trade Agreement, which lowered tariffs between the US, Canada, and Mexico. As a result, trade between the three countries increased, but the oversight of drugs into the U.S. became more difficult (“Thirty Years of America's Drug War: A Chronology”). Meanwhile, the mid-1990s witnessed the arrests of multiple drug lords and the dismantling of major cartels across the region. By the late 1990s, the U.S. government shifted its focus away from cartels to the Latin American government’s complacency and involvement in drug trafficking.

In 1997, Operation Casablanca led to the indictment of 3 Mexican and 4 Venezuelan banks with an additional 167 individual arrests (“Thirty Years of America's Drug War: A Chronology”). This event heightened tensions between the U.S. and Latin American countries, as the latter objected to U.S. intervention in their domestic affairs. As a result, the attorneys general of both the United States and Mexico sign the Brownsville Agreement in 1998 (“Thirty Years of America's Drug War: A Chronology”). The agreement called for the sharing of information involving sensitive cross-border law enforcement operations. Although it lowered tensions, the agreement did cause controversy within U.S. law enforcement agencies. Foreign relations in the 1990s



foreshadowed the policies the U.S. government would take in regards to the drug war in the 21st century.



The War on Drugs in the 21st Century

Current U.S. and Latin American Drug Policies

Since Nixon's declaration of war on drugs, the United States has continued to involve itself with counter-narcotic measures and actions to reduce illicit drug trade and consumption as well as violence due to drug trafficking. With the following policy approaches, the United States continues to enact its counterdrug efforts: (1) combat the source of the production of drugs, (2) combat drugs in transit, and (3) take down illicit drug networks (Rosen, "International Drug Control Policy: Background and U.S. Responses).

The United States has attempted to combat the source of the production of drugs using crop eradication and alternative development strategies. The goal of crop eradication is to attack the root of the supply chain and stem drug cultivation; crop eradication can be done by aerial fumigation, manual removal, and/or mechanical removal. Many have questioned the effectiveness of the method, seeing that eradication efforts may be potential causes of negative economic, social, and political consequences for the country cultivating the drugs (Rubin and Guaqueta, "Fighting Drugs and Building Peace"). For example, in the case of negative economic consequences, farmers may be stripped of their only source of income despite drug cultivation being illegal. There are also health and environmental consequences involved as well.

The alternative method, therefore, involves attempting to convince farmers to seek alternative, licit, and more stable sources of income by leaving drug cultivation and seeking more sustainable livelihoods (Rosen, "International Drug Control Policy:



Background and U.S. Responses). Lastly, the counter drug efforts of combating drugs in transit and taking down illicit drug networks have proven to be more controversial due to the low success rates of narcotics reduction strategies (Felbab-Brown, “Counternarcotics Policy Overview: Global Trends & Strategies”).

Unlike such policies that the U.S. continues to put into action, OAS has adopted a different approach to Latin America’s drug problem. OAS seeks to break the taboo of drugs and move forward with a more humane and effective policy for the health and safety of all affected communities (OAS Drug Report). Rather than address the drug problem with harsh incarceration and preventative policies, former presidents and ministers of Latin America arrived to a consensus that the drug problem must first be viewed as a public health issue, which seeks to focus on interventions designed to impact at the individual level, availability of substances, and the environment (OAS Drug Report).

In order to effectively carry out policies in the following three focuses, the leaders of OAS established the importance of solid political, economic, and legal framework in each country. Within these frameworks, OAS came up with the following actionable goals to pursue a better fight on the war on drugs: (1) the enactment of judicial reforms to provide alternatives to incarceration, (2) recognition of transnational organized crime as a major player in the drug problem, and (3) necessity to strengthen judicial and law-and-order institutions (OAS Drug Report). Ultimately, though what OAS strives to accomplish is similar to what the U.S. seeks to achieve, but its strategy in approaching the war on drugs is drastically different.



The Effects of the War on Drugs on Latin America

The War on Drugs has made a significant impact on the political, economic, and social workings of Latin American nations. Government corruption and instability continue to affect the effectiveness of anti drug policy enforcement, a cartel-driven economy challenges the transition towards a stable economy, and extreme violence as a result of drug trafficking continues to occur and place the lives of millions in danger. Independent from the alternatives offered, it is inevitable that the current drug policy approach is in dire need of reform. Following OAS's approach to treating the drug problem as a health issue, decreasing criminalization and the association of drugs with punishment may break the pessimism and taboos associated with drugs, and therefore bring forward successful outcomes.

The war on drugs has led to increased government corruption due to the adoption of the lucrative drug black market by ruthless drug lords ("The War on Drugs: Undermining International Development and Security, Increasing Conflict"). The drug black market is financed by the profits earned from selling drugs and has been widely successful due to the lack of formal market regulation by the government. This enables the entrance of extra-legal organizations that depend, secure, and expand their businesses by hiring private armies, buying weapons, and bribing local or state authorities. Therefore, corruption, along with intimidation by violence against police, politicians, government officials, and civilians, undermines the government's ability to maintain a stable grip on its state's security. The local and/or state authorities' readiness and willingness to take and accept bribes also contributes to the instability of



government enforcement of policy (“The War on Drugs: Undermining International Development and Security, Increasing Conflict”).

Because drug cartels have the means to buy protection and/or political support, they basically have power at almost every level of government (“The War on Drugs: Undermining International Development and Security, Increasing Conflict”). This means that they have an implicit influence on inner government functions. Furthermore, the organized drug network, which is well established throughout Latin America, is not limited to drug lords themselves. Within this vast network, politicians coexist with drug lords and other wealthy private business owners, revealing how organized crime is also inherently linked to governmental functions, shaping the ways in which laws are enforced (OAS Drug Report). The drug lords also need the cooperation of government officials in order to continue operations under their protection and obtain some immunity to criminalization (“El Problema de Las Drogas En Las Américas”). It is important to note, however, that most of the intergovernmental links are driven by the use fear and intimidation tactics by drug cartels onto politicians, making it even harder to regulate drug cartels.

In addition to government corruption and the political power drug lords exert over government officials, the drug trade is adaptable and extremely resilient; therefore, the economics behind this drug trade are evasive to any efforts to regulate the trade (“The War on Drugs: Wasting Billions and Undermining Economies”). For example, efforts to reduce supply-side demand via crop eradication and interdiction have not been successful due to how the market adapted to the changes they introduced because when a supply source is temporarily shortened, prices increase.



The price hike introduces an economic incentive for new drug producers and traffickers to enter the market due to the possible profits they could make. As more and more producers and traffickers enter the market, the supply increases, thus decreasing the cost of the drug and increasing the demand. Ultimately, the drug market simply reaches a new equilibrium rather than being more regulated (“The War on Drugs: Wasting Billions and Undermining Economies”). This challenges the transition towards a stable economy, because a dependence on the illicit, informal economy trumps any incentive to even begin transitioning towards a regulated economy. A regulated economy, for drug producers and drug traffickers specifically, would imply a limited trade and ability to incentivize their products for consumers. The failure to successfully regulate and limit the illegal drug trade therefore affects not only the economy of a nation but also the social sector of a nation.

One of the most publicized consequences of the drug war is social unrest, division, and exclusion; for every effort taken to regulate or terminate a drug cartel has resulted in innocent civilian deaths due to narco-terrorism. For example, Colombia has been responsible for 10% of the world’s coca production during the 1980s (Huey, “The U.S. War on Drugs and Its Legacy in Latin America”). However, despite that the war on drugs had been initiated in 1971, Colombia had become the world’s largest cocaine producer by 2000 (Huey, “The U.S. War on Drugs and Its Legacy in Latin America”). Within these twenty years spent trying to dismantle the Colombian cartels and decrease supply-side demand and production, millions of innocent civilians were killed, victims to narcoterrorism (Huey, “The U.S. War on Drugs and Its Legacy in Latin America”).



In addition to violence and massacres as a result of narcoterrorism, social exclusion remains a steady issue throughout Latin America. Because criminalization and incarceration have been the policy approaches to decrease dependence on drugs, those who are dependent on drugs have been marginalized (“El Problema de Las Drogas En Las Américas”). As a result, this population is socially excluded from the rest of society by default because they are stigmatized as violent, dangerous, and as delinquents (“El Problema de Las Drogas En Las Américas”). Due to such marginalization and stigmatization, creating policies to socially reintegrate them as well as introduce rehabilitation opportunities becomes more difficult to do (“El Problema de Las Drogas En Las Américas”). The association of violence with drug cartels and trafficking further exacerbates this social division, even if drug users have no direct connection with drug lords.



Case Study

Portugal

Portugal adopted decriminalization policies to combat its drug problem on July 1, 2001. Since then, not only have drastic changes in drug dependence and consumption been observed, but also the way in which the drug problem was perceived. An example of one of the few successes in winning its drug war, we will examine Portugal's decriminalization framework, the political and social impetus that led to adopt decriminalization, and the effects of decriminalization.

Drugs were viewed as an uncontrollable social problem. It was difficult to provide treatment due to the stigma attached to being labeled as a criminal for drug usage and consumption. The drug dependent population also avoided treatment due to fear of being arrested for their addiction. Criminalization was ultimately exacerbating the drug problem rather than successfully eliminating it, thus Portugal decided to take a change in direction by decriminalizing drugs.

Decriminalization does not equate to legalization; rather, the purpose of decriminalization is to categorize drug possession violations as administrative violations rather than criminal offenses (Drug Policy Alliance). Drug trafficking, however, is still characterized as a criminal offense. Portugal decided to enact such a drastic policy to eliminate any notion of guilt from drug use and to emphasize health and treatment aspects -- it wanted to approach the drug problem as a public health issue rather than a criminal offense (Greenwald, "Drug Decriminalization in Portugal"). Approaching the drug problem as a public health issue would hopefully reduce any stigma that results from criminal proceedings and with drug addiction and dependence in general. Most



importantly, Portugal did not introduce decriminalization in act of concession to the inevitability of drug abuse. Rather, Portugal enacted drug decriminalization as an effective government policy for for reducing addiction and consumption and the harms accompanying it (Greenwald, “Drug Decriminalization in Portugal”).

Portugal’s decriminalization policy demonstrated high success rates. Not only did usage rates in younger age groups decrease, drug related mortality rates also decreased (Greenwald, “Drug Decriminalization in Portugal”). The willingness to participate in treatment programs also increased; this is important to note because the primary goal of approaching the drug problem as a public health issue is to also ensure successful treatment and rehabilitation rates. Lastly, within the context of the European Union and its trends regarding the prominence of drugs and drug usage, the prevalence of drug usage in Portugal turned out to be less than the European Union’s average post decriminalization. With the success of such policy within the nation and within the broader continent, Portugal has no intention of returning to a criminalization framework.



Questions to Consider

- Considering the different approach OAS is aiming to adopt in combating the drug war, how would U.S.-Latin American relations be affected? How would the changed relations play a different role in the drug war?
- Part of the success to Portugal's decriminalization policy was a smooth transition from one policy approach to another. Comparatively, how would this transition take place in Latin America considering that this approach would be assumed for multiple countries of different government/regime types?
- Identify your country's major players in Latin America's drug war. How could they be adjusted to OAS's new policy approach? How could your country respond to such a shift?



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