

# **Initial Impact of the Legalization of Cannabis on Criminality in Uruguay**

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## **ABSTRACT**

South America is not besieged by cannabis, and that the legalization of the drug could only ever have a limited direct impact on criminality. The negative aspects of the legislation, must certainly not overshadow its positive impacts, in particular the central role given to the state in the form of regulatory bodies equipped with real powers. This has meant that despite the creation of a legal supply of cannabis, the diversion of that supply into the black market happens only extremely rarely.

*Keywords:* Uruguay, Drug, Legalization, South America

# **Impacto inicial de la legalización del cannabis en la criminalidad en Uruguay**

## **RESUMEN**

América del Sur no está asediada por el cannabis, y la legalización de la droga solo podría tener un impacto directo limitado en la criminalidad. Los aspectos negativos de la legislación, ciertamente, no deben eclipsar sus impactos positivos, en particular el papel central otorgado al estado en forma de organismos reguladores equipados con poderes reales. Esto ha significado que, a pesar de la creación de un suministro legal de cannabis, el desvío de esa oferta hacia el mercado negro ocurre muy raramente.

*Palabras clave:* Uruguay, droga, legalización, Sudamérica

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## 乌拉圭大麻合法化对犯罪产生的初期影响

### 摘要

南美洲没有被大麻包围，大麻合法化也仅能对犯罪行为产生部分直接影响。大麻合法化的消极面一定不能超过其积极面，尤其是中心角色一定由具备实际权力的立法机构扮演。这意味着尽管出现了大麻的合法供应，这种供应转变为黑市的情况仅在极端情况下才会出现。

关键词：乌拉圭，毒品，合法化，南美洲

A small country wedged between two giants of Latin America (Brazil and Argentina), Uruguay has its own quite particular features both in socio-economic terms and in matters of crime and security. With one of the highest GDPs on the South American continent, Uruguay has for a long time been unaffected by the dramatic rise in criminal activity seen elsewhere in the region. However, against a background of economic crisis and increasing drug-trafficking, the security situation has clearly deteriorated. Since the beginning of the 2000s, the southern cone countries—Argentina, southern Brazil, and Paraguay—have been seriously affected by trafficking in coca derivatives (coca paste and cocaine hydrochloride). This re-routing of drugs coming out of Colombia, Peru, and above all, Bolivia, has two main explanations: first, the delayed effect of enforcement policies already set in place across the north of South America which, among other things, has led to the transfer of the centers of decision-making in the Colombian cartels to Argentina;<sup>2</sup> and second, a reduction in anti-drug cooperation in Bolivia that has taken place against a backdrop of increased diplomatic tension with the United States.

These changes to trafficking routes also reflect a diversification of the products made from coca, and, more particularly, the increasing presence of coca paste destined for consumption by the continent's poorest people. This "poor man's cocaine" has spread right across the continent along an axis running north-west to south—from Colombia, Peru, and Bolivia to Argentina, Chile, and southern Brazil—as the increasing impoverishment of the lower and middle classes in those coun-

2 Nacer Lalam and David Weinberger, "Le trafic de stupéfiants à partir des aérodromes secondaires non surveillés et plateformes de circonstance," INHESJ, 2012. Available at: [https://www.inhesj.fr/sites/default/files/fichiers\\_site/etudes\\_recherches/synthese\\_aerodromes.pdf](https://www.inhesj.fr/sites/default/files/fichiers_site/etudes_recherches/synthese_aerodromes.pdf) (accessed July 26, 2018).

tries that began in the early 2000s has continued. Since that time, the Uruguayan authorities have therefore been faced with the accelerating growth of slums, and serious social fragmentation,<sup>3</sup> as well as increasing coca paste consumption.

Thus, alongside the trade in cocaine hydrochloride, increasingly exported through the southern cone countries, coca paste (known as *pasta base*, or *paco* in Spanish) made its appearance in Uruguay some time in 2001-2002. An attractive option due to its low retail price (1 or 2 dollars), the economic crisis ravaging the country at the time meant that it found a growing market. The large increase in the consumption of coca paste became problematic because it was accompanied by law-breaking and violence that Uruguayans associated, rightly or wrongly, with consumption of the drug. A sharp increase in theft (burglaries and muggings) was observed, along with an increase in cases of psychological breakdown coming to public attention.

Moreover, this increase in the drug supply led to a clear increase in violent deaths in the country, which had a murder rate<sup>4</sup> well below the Latin American average.<sup>5</sup> This background of crime and disorder has fed into a strong public sense of insecurity. A number of general opinion and victim surveys showed at the time that two-thirds of Uruguayans saw public safety as the country's most serious problem, reaching levels of perceived risk similar to those found in Venezuela and Mexico, two countries that were in fact far more dangerous than Uruguay in terms of criminality, homicide, and violence.<sup>6</sup> This low tolerance threshold, much lower than that found in many other Latin American countries, was further reinforced by the fact that the economic recovery experienced in the country since the end of the 2000s has not been accompanied by a drop in levels of violence. In fact, the opposite has been the case.

It was against such a background that this small state became the first country in the world to legalize cannabis for other than medical reasons. The project is therefore, as highlighted by Milton Romani, former Secretary General of the Junta Nacional de Drogas, "a liberal vision that consists of reducing the criminal market"<sup>7</sup> in a context in which Uruguay is increasingly affected by acts of violence carried out by criminal gangs. What put cannabis front and center of the Uruguayan

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3 CANNALEX, Montevideo, December 2016.

4 According to the global study carried out by the UNODC (United Nations Office on Drugs and Crime), the murder rate in Uruguay is one of the lowest in the Americas, with 7 deaths per 100,000 inhabitants, compared to 53.7 in Venezuela, 30.8 in Colombia, and an average of 16 per 100,000 in Latin America as a whole (UNODC, Homicide Statistics 2013). In effect, these figures put Uruguay at the same levels as European countries. The majority of murders are the result of interpersonal conflict.

5 ONUDC, Homicide Statistics, 2013.

6 Chiara Fioretto, "Problèmes d'insécurité en Uruguay," Sciences Po, 2014. Available at: <https://www.sciencespo.fr/opalc/content/problemes-dinsecurite-en-uruguay> (accessed July 26, 2018).

7 Interview, CANNALEX, New York, UNGASS, April 2016.

authorities' concerns was the danger faced by users having to go into areas with high levels of criminal activity in order to buy their drugs.<sup>8</sup> The aim of legislators was to weaken the criminal networks involved in the trade, and simultaneously to protect those who consume the drug by keeping them from entering areas known to be dangerous.

This aim was expressed very clearly in the preamble to the law legalizing cannabis, which declares that for the state, the legislation is intended "to protect the population from the risks associated with the illicit trade" by ending the paradoxical situation in Uruguay in which the state had decriminalized the use of marijuana in 1974, while at the same time prohibiting users from buying on the still illegal black market.<sup>9</sup> The power of the criminal groups involved in the illicit marijuana trade was thus seen as a secondary issue at that time, despite being mentioned, for example, in a brochure intended to pave the way for the reform, and published by the Junta Nacional de Drogas, a public body that put forward the idea that the economic recovery seen in Uruguay in 2012 represented an "opportunity moment [that] had to be used to carry the bill through into law, so important was it to weaken the traffickers by squeezing them out of the cannabis market."

Thus, on July 13, 2013, Law 19.172 was passed by Uruguay's Parliament with a slim majority of 50 votes against 46, a sign of the lack of any clear consensus on the issue in Uruguayan society. It was then ratified by the Senate, December 10, 2013, and subsequently enacted by the President on December 23, 2013. But has this innovative strategy borne fruit? Has there been a weakening of the criminal organizations theoretically now deprived of their lucrative monopoly on the cannabis market?

## **Inadequate Supply of Legal Product Leaves a Thriving Black Market**

Nearly four years after the reform was passed, illegally produced cannabis still dominates the Uruguayan market, and with some estimates putting demand somewhere in the range of 25 to 35 metric tons, worth 30 to 40 million dollars,<sup>10</sup> the combined volume produced by home growers (six plants per home) and clubs (non-profit cooperatives, allowed no more than 45 members per 99 plants), plus the amount sold through pharmacies appears clearly insufficient. "Legal" production of cannabis appears to represent only 5% of the coun-

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8 A high-profile news story at the time affected public perception: the murder in appalling circumstances of a young woman who had gone into a gang-controlled area of Montevideo to buy cannabis. Interview with the CANNALLEX team, Calzada, Montevideo, September 2015.

9 Geoffrey Ramsey, "Uruguay: Marijuana, Organized Crime and the Politics of Drugs," *Insight Crime*, 2013.

10 <http://monitorcannabis.uy/investigaciones/>

try's annual consumption, excluding the amount sold in pharmacies. Even including the pharmacies, which move up to 5 metric tons per year, that leaves nearly three-quarters of the national market in the hands of the black market.

There has now been a large increase in seizures of cannabis in Uruguay, particularly coming in from Paraguay which is, according to the United Nations Office on Drugs and Crime (UNODC), the largest producer of marijuana in Latin America. However, the yawning shortfall in legal production may not be the only explanation for this trend. Other theories have been proposed; according to one Uruguayan journalist, this change in the amount of seizures reflects a change of strategy on the part of the authorities in which they had to "seize the cannabis in order to avoid criticism from abroad .... And perhaps to create a diversion from cannabis so that the international community would stop focusing on the increasingly large quantities of cocaine now being trafficked through Uruguay."<sup>11</sup> In this way the security forces, which are generally less favorable toward the new policy, seem to be playing their own game by centering their efforts on illegal cannabis, with the aim of turning the spotlight onto the shortcomings of the legislation.

Mario Layera, Uruguay's National Chief of Police, announced that "In 2016, we reached record levels of seizures of products coming into the country from outside, showing that trafficking into Uruguay has not been seriously deterred."<sup>12</sup> At the same time, between 2012 and 2016, seizures of cocaine collapsed from 1.5 metric tons to 116 kilos.

Whatever this may indicate, according to the Uruguayan authorities the only thing that can prevent a breakthrough against the predominance of illegally produced marijuana would be to increase the amount of legally produced cannabis sold via the pharmacies, in order to "progressively choke off that aspect of the region's criminal economy by producing more legal cannabis through new and increasing numbers of legal producers."<sup>13</sup> The delayed start in implementing the reform has meant that it is still too soon to see its full impact, as one of its key elements—the sale of cannabis in pharmacies—only came into effect in July 2017, a delay that prevented the reforms from meeting Uruguay's demand for cannabis.

## **Diversion of Legally Produced Cannabis**

**I**s the increase in seizures in Uruguay mainly due to cannabis produced in Paraguay? Or could some of it be cannabis diverted from the cooperatively run Cannabis Social Clubs (CSC) which, it should be remembered, can only produce cannabis for the consumption of their duly registered membership, and are

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11 Journalist, Nicolas Delgado.

12 "Uruguay: augmentation du trafic de cannabis, malgré la légalisation," AFP, March 8, 2017.

13 Interview, CANNALEX, Uruguay, 2016

not allowed to sell what they produce? The risk of legally produced cannabis from home growers, CSCs, and the state being redirected to the black market is a real one, especially when the legal market falls far short of meeting national demand. Seizures of cannabis plants and seeds registered by the UNODC between 2010 and 2014 further suggest that such diversion of cannabis does exist, as shown by the following table:

**Seizures of Cannabis Plants and Seeds in Uruguay, 2010-2014**

|                         | 2010  | 2011   | 2012   | 2013   | 2014      |
|-------------------------|-------|--------|--------|--------|-----------|
| Cannabis plants (items) | 71.00 | 126.00 | 154.00 | 269.00 | 459.00    |
| Cannabis seed (grams)   | 30.00 | 30.00  | 10.00  | 671.00 | 38,673.00 |

Source: UNODC-ARQ

But the diversion of legally produced cannabis appears to be marginal in Uruguay, despite rumors surrounding one Cannabis Social Club manager who, it is claimed, also sold cannabis on the black market.<sup>14</sup> Yet a number of indicators, such as the proliferation of cannabis-growing equipment and seeds that can be seen in the increasing number of grow shops in the center of the capital,<sup>15</sup> as well as neighborhood denunciations (50,000 in the space of 3 years), suggest that an illegal domestic production sector has developed, operating in the shadows of the legal sector.

These ways of "working round" the new legislation appear mainly to involve consumers rather than criminal groups.<sup>16</sup> Diverting production in this way is subject to administrative sanction in the case of home growers/consumers who fail to register as such, and to criminal sanction if crops are intended to supply the illegal market. In both cases, the plants are destroyed. Cannabis seeds remain legal but, depending on the context, may be taken as evidence, as explained by one magistrate in an interview.<sup>17</sup>

Turning to state-controlled cannabis production for sale in pharmacies, the very strict control procedures surrounding the process appear to make any redirection of the product into the black market impossible. Prior to going into operation, the two private firms selected, International Cannabis Corporation and SIMByosis, were subjected to painstaking vetting procedures. These included, significantly, working together with the Uruguayan financial intelligence unit (UIAF), on their

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14 Interview, Montevideo, September 2015

15 Observation notes, 2016.

16 CANNALEX team interview with Milton Romani, Montevideo, December 2016: "a marginal amount is diverted, and it is the consumers doing it, not the criminal groups, which, while not perfect, does still provide competition against the cannabis traffickers."

17 Interview with a Uruguayan magistrate.

financial circumstances, in order to check that both candidate firms had no links to criminal groups.

Furthermore, the site given over to this public/private partnership is close to a high-security prison and heavily protected by the Uruguayan police, and to address the fears expressed by neighboring countries that the region might see increased illegal trafficking of legally produced cannabis, a traceability system was put in place. This works with a DNA database of the plants and is run by Uruguay's Instituto de Regulación y Control del Cannabis (IRCCA) and the Ministry of Health. In other words, when cannabis from Uruguay is seized in Argentina or Brazil, it is possible to determine whether it comes from a legal or an illegal source.

## **A Gray Area for Tourists in Uruguay**

**D**espite all these precautionary measures, it nonetheless appears that illegal production could be developing, in particular, in response to a boom in demand driven by foreign tourists. Uruguay's beach resorts are highly thought of among Latin America's middle and wealthy classes. Every year tens of thousands of mainly Argentinean and Brazilian tourists enjoy the beauty of the country's comparatively crime-free coastal areas. Alongside the traditional tourist activities, a large number of casinos and houses of prostitution (known as *whiskerías*), which have been legal since 1940, offer adult entertainment that clients may not necessarily be able to find in their own country.

Free port areas are also popular because of the cheap duty-free alcohol and cigarettes to be found there. Thus, the cannabis regulations provide new opportunities for tourism despite the law explicitly prohibiting non-residents from consuming cannabis.<sup>18</sup> Cannabis tours have sprung up, where guides show people the sites and "make available" a few Uruguayan joints, while hotels displaying "cannabis friendly" signs set aside areas for the smoking of cannabis. On occasion, in place of the traditional courtesy bowl of fruit, some establishments even offer a number of free cannabis cigarettes, a gift that has encouraged a number of entrepreneurs to ride the wave of toleration as far as making their customers certain "special offers."

The JND (Junta Nacional de Drogas), Uruguay's drug policy body, believes that the (illegal) supply of cannabis to tourists remains a marginal issue and the monitoring authorities follow this kind of occasional abuse to avoid it growing to the point where it becomes unmanageable. Julio Calzada, one of those who backed the law, does not think that this kind of minor infringement is any reason to cast doubt on the objective of closing down the black market through the sale of legal cannabis intended exclusively for Uruguayan nationals.<sup>19</sup>

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18 It is also illegal for non-residents either to grow cannabis or be a member of a growers' club. If a foreign national is charged, administrative sanctions apply.

19 CANNALLEX interview with Julio Calzada, Corporación Nacional de Desarrollo [National Devel-

## No Effect Observed on Minor Offenses

The work of the Uruguayan police and magistrature has been transformed by the new regulatory policy. But while the legalization of cannabis has physically reduced their field of operations, police activity and judicial intervention have not come to a halt. For example, in 2010, despite the decriminalization in 1974 of "minimal" (and then "reasonable") quantities of cannabis, 43% of offenses under narcotics legislation involved quantities of less than 10 grams. With the decision as to what exactly constitutes the "reasonable" quantity permitted by law having been left to magistrates, many ordinary users were still being targeted.<sup>20</sup>

A government directive has now set the limit at 40 grams of cannabis grass.<sup>21</sup> In 2015, while "more than half of the anti-drug effort no longer [targeted] cannabis consumption since the change in the law,"<sup>22</sup> it still appeared to a number of civil liberties organizations (Proderechos, IELSUR, EMPUT, Open Justice Society), that there was not a clear enough distinction between micro-trafficking and mere possession, and that ordinary consumers could still be prosecuted.

In contrast, repressive measures against coca paste have intensified. While the previous law made no distinction between the smokable drugs (cannabis and coca paste), one of the Articles of Law 10007 makes provision for specific sentencing—a minimum of three years in jail—for possession and consumption of coca paste. Some magistrates find this problematic, because it leads to overload in the prisons and focuses on groups in society that already suffer discrimination, such as single women and the young. What is more, by failing to include other drugs like cocaine and synthetic drugs, this article reinforces class inequalities because hardly any middle class or wealthy individuals consume a product that is also known precisely as "poor man's cocaine." However, the targeting should be seen in the round, because, according to the Uruguayan legal literature,<sup>23</sup> more than two-thirds of those charged are later released as a result of procedural irregularities, largely on the grounds of how difficult it is for the investigating forces to determine the exact nature of the substance being consumed: "The article is difficult to apply, since laboratory analyses are needed in order to determine whether the product really is coca paste, and these tests are not sufficiently widely available."<sup>24</sup>

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opment Corporation], UNODC, Vienna, 2016.

20 <https://www.state.gov/j/inl/rls/nrcrpt/2016/vol2/253439.html>

21 For other drugs (including cannabis resin) there are no set limits, and the judge decides according to the circumstances of the case.

22 Interview with Proderechos, CANNALEX, 2015.

23 Diego Silva, Law faculty, *Revista de justicia*

24 Interview with magistrates, Montevideo.



## **Serious Offenses Remain a Significant Problem**

### *Violence in Uruguay Associated with Drug-Trafficking Is Not on the Wane*

The deterioration of public safety in Uruguay, as evidenced in particular by the increase in homicides in the early 2000s, played a significant part in the decision to change drug policy.<sup>25</sup> The statistics show that since 2012, rather than decreasing, the number of homicides has in fact risen by a third, exceeding the highest ever level of 8 per 100,000 inhabitants (or 250 per year). The profile of these murders has also changed, with the figures for 2015 showing that homicides with a direct link to criminal activity—the settling of accounts between drug rivals—have increased since 2013, coming to account for a third of the total.<sup>26</sup> These feuds appear to be taking place between small-scale coca-paste dealers, but may also have links to the more organized criminal groups who specialize in the international cocaine and cannabis trafficking that has grown sharply in recent years.

Statistics from the Uruguayan Ministry of the Interior further show that the increase in the number of homicides involving individuals with a criminal record for drug-related offenses rose from 6% of the annual total in 2012 to 9% in 2016. The same is true for homicide involving firearms, which in 2015 accounted for 67% of all recorded murders.<sup>27</sup>

## **Transnational Criminality at Highest Ever Levels**

Despite the violence engendered by drug trafficking that characterizes the South American continent, Uruguay has remained largely untouched by organized crime and lives up to its reputation as "the Switzerland of Latin America." This derives from its strong banking sector, which is in fact more a platform for laundering the money generated by drug trafficking.<sup>28</sup> However, the situation is changing. The security concerns currently affecting the country appear to be linked to the presence of growing numbers of criminal gangs from across Latin America, who operate a global export trade in cocaine and a regional export trade in cannabis.<sup>29</sup> According to the 2016 International Narcotics Control Report (INCSR),<sup>30</sup> there are today Columbian, Mexican, Russian, and Brazilian crimi-

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25 The category "homicides" is also one of 50 indicators chosen by researchers at the Advisory Council and used to evaluate the impact of the law on Uruguayan society.

26 This corresponds to a total of 80 deaths, the majority linked to drug-related feuds.

27 Violence and Criminality, Uruguayan Ministry of the Interior.

28 The biggest drug-trafficking cases Uruguay has seen over the last twenty years have centered on money laundering. Since 2005, a hundred people have been imprisoned for this offense.

29 Police drug seizure operations against the illegal trade in cannabis regularly encounter Paraguayans and Brazilians. Organized crime follows the classic drug routes: cannabis produced in Paraguay is sent east, that from Brazil is sent west, the two converging through the port of Montevideo.

30 <https://www.state.gov/j/inl/rls/nrcrpt/2016/vol2/253439.html>

nal groups at work in Uruguay. For example, the Primeiro Comando da Capital (PCC), a group originally from Sao Paulo, with 20,000 members and very active in Paraguay as well as Bolivia, seems to have established itself in Montevideo,<sup>31</sup> using the Uruguayan capital as a transit zone for its cannabis and cocaine export trade.

What attracts them to the city is its status as a regional outlet for the export of raw and processed goods sent from Brazil and Paraguay, and its port facilities with links to China, the United States, and Europe.<sup>32</sup> According to Julio Calzada, former head of the JND, "this increase in criminal activity has begun to give rise to drug-related kidnappings; and since 2008, the security situation has been made even worse by the increasing number of murders carried out by *sicarios*."<sup>33</sup>

This phenomenon, overwhelmingly linked to narcotics, and previously only seen in other Latin American countries like Mexico and Columbia, is now affecting Uruguay, as shown by the discovery of the tortured and dismembered remains of two teenagers a year after they disappeared, in August 2015, part of a settling of accounts between Brazilian and Paraguayan gangs. As for activities related to money laundering, the INCSR details how the Uruguayan authorities have carried out five significant operations since 2013, involving funds from Peru, Argentina, and Spain. These money flows can avail themselves of the services of twenty or so financial institutions, of which three are offshore banks. Moreover, twelve free trade zones (FTZ) in tourist areas and on the borders also enable money to be laundered through the numerous casinos set up there. And finally, a number of suspicious real estate transactions have also been identified.

## **Policing Reorganized**

**T**he Uruguayan police, thirty-thousand state employees, and parts of the magistrature believe that they have not been fully involved in the process of legalizing cannabis,<sup>34</sup> a process that has in fact been criticized from that quarter because of the loopholes contained within it: "This resistance on the part of the repressive organs of the state is also due to the fact that this law was badly written from a juridical point of view, and because a lot of Uruguayans are not in favor of it, particularly the more conservative elements."<sup>35</sup>

Some explain this lack of enthusiasm in terms of how difficult it is to bring about a change of mentality and shake up established professional practices. But

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31 <http://www.insightcrime.org/news-briefs/brazil-gang-uruguay-shows-growing-role-drug-trade>

32 <http://www.elpais.com.uy/informacion/narcos-brasilenos-uruguay-trampolin-crimen.html>

33 Meaning "hired killer" in Spanish, the *sicarios* are generally young gang members who carry out murders sometimes for a few dollars, or to earn a place in the criminal gang.

34 Members of the new government—who emerged from the political left, which was severely repressed during the dictatorship of 1973-1985—supported by a segment of the population, probably preferred to keep the police and magistrature away from the legislative process.

35 Interview with a magistrate, CANNALEX.

things are changing. The Instituto de la regulación y control del Cannabis (IRCCA), the police, and the magistrature have signed a protocol that creates a much closer relationship between the forces of law and order and the new criminal justice system created by the new regulatory policy.<sup>36</sup> Thus, non-criminal offense such as licensing infringements, possession, small quantities, and non-fatal accidents are handled by an administrative tribunal, while more serious offenses (large plantations, use and possession in prison) are dealt with by the penal system.

## **Conclusion: The Uruguayan Paradox**

**W**ith a sharp increase in cannabis seizures and a rise in homicide linked to drug feuds since organized crime groups began to operate in the country, the crime and security situation in Uruguay has been deteriorating continuously since 2013. This state of affairs is strongly linked to three factors. One is the development of transnational cocaine-trafficking routes which increasingly pass through the continent's southern cone; a second factor is the increased traffic in coca paste, driven by gangs of youths from the most disadvantaged neighborhoods; and third, regulatory policy has been implemented more slowly than expected because of internal resistance specific to Uruguayan society, which has impeded the replacement of the illegal supply of cannabis with a legal one.

This latter point explains in particular the growth in cannabis seizures. The supply to the legal market is barely a tenth of national consumption and is thus not sufficient to satisfy the demand. As for the first two points, it would be unfair to blame the growth of criminal violence on regulatory policy, because it arises in connection with a substance—cocaine—that is not targeted by that policy; and the process of "Colombianization" or even "Mexicanization" of Uruguay has been under way for nearly fifteen years. The increasing problem of rising criminality does, however, suggest that while attempting to be innovative, this policy does not, by definition, even address one of the most significant sources of criminal violence in Latin America: the trafficking of cocaine and coca paste.

This serves to underline the fact that the continent of South America is not besieged by cannabis, and that the legalization of the drug could only ever have a limited direct impact on criminality. The negative aspects of the legislation, reinforced by reticence in some quarters of the police and magistrature, who had the impression that they were not fully involved in the new policy, must certainly not overshadow its positive impacts, in particular its most significant achievement: the central role given to the state in the form of regulatory bodies equipped with real powers. This has meant that despite the creation of a legal supply of cannabis, the diversion of that supply into the black market happens only extremely rarely.

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36 Despite this protocol, one Uruguayan magistrate says that it has been difficult to change the mindset and professional practices of the police and the magistrates: "Until 2015, you could see policemen weighing the plants one after the other." Source: CANNALEX.