



Illicit Drugs and International Security: Towards UNGASS 2016

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Summary points

- In spite of a decades-long 'war on drugs', the global drug trade persists as a significant problem for international security given its scale, the number of deaths related to trafficking and consumption it creates, and the organized crime and corruption it fuels.
- The international drug control system has been ineffective in reducing the size of the market and in preventing the emergence of new drugs and drug routes that cause and shift instability around the world.
- Current drug policies have been counter-productive, often causing more harm than the drugs themselves through capital punishment for offences, widespread incarceration, discrimination in law enforcement, violation of basic human rights in forced 'treatment' centres, and opportunity costs.
- In the last three years, the drug policy debate has evolved more than in the previous three decades. There remain a number of political obstacles to making recent developments sustainable ahead of the UN General Assembly Special Session (UNGASS) on drugs in 2016, but these should not be used as excuses for continuing with a failed status quo.

Introduction

According to estimates by the United Nations Office on Drugs and Crime (UNODC), the global illicit drugs market has an annual value of \$320 billion, making it the third largest market in the world after oil and arms.¹ While the accuracy of this figure – like any estimate on illicit activities – has been questioned, the international trade of illicit drugs is widely recognized as a lucrative business. It is telling that the head of Mexico's Sinaloa cartel, Joaquin 'El Chapo' Guzman, who is reported to control an estimated 25 per cent of the illicit drugs trade from Mexico to the United States, made the *Forbes* World's Billionaires List for the fourth year in a row in 2012.²

The international drug trade causes numerous fatalities worldwide every year. In 2011, UNODC estimated the number of deaths related to illicit drugs use to be 211,000.³ These figures are relatively low compared with annual rates related to use of alcohol and tobacco worldwide, respectively 2.5 million and nearly six million.⁴ However, deaths related to the production and trafficking of illicit drugs – primarily owing to gun violence – should also be taken into consideration. Although there is no reliable global estimate, Mexico's government estimates that over 70,000 people have died in drug-related killings in the country since 2006.⁵ Over 26,000 people believed to be connected to the trade have disappeared over the same period.⁶ The overall homicide rate in Mexico has almost tripled in the past few years – from 8.1 per 100,000 in 2007 to 23.7 per 100,000 in 2012.⁷

In addition, drug-related violence in Mexico has a significant economic impact: in 2012 its direct and indirect costs amounted, respectively, to 3.8 per cent and 15.8 per cent of the country's GDP.⁸ However, the homicide figures

in Mexico are far lower than in other countries of the region and in other parts of the world also affected by drug-trafficking, e.g. Honduras (91.6 per 100,000 in 2011), El Salvador (70.2 per 100,000 in 2011) and Ivory Coast (56.9 per 100,000 in 2009).⁹ These countries, however, have either incomplete or no official data on deaths specifically related to drug-trafficking.

‘ In 2011, UNODC estimated the number of deaths related to illicit drugs use to be 211,000 ’

The international trade in illicit drugs also fuels organized crime and corruption across regions that are incorporated into transnational supply chains but that are often underdeveloped and ill equipped to tackle the scale and complexities of the trade. Although the production, trafficking and sales of illicit drugs provide positive economic and social opportunities in areas of the world where state services are lacking, they have an overall negative impact on international development.¹⁰ A quarter of all cocaine consumed in Western Europe is trafficked through West Africa. This represents a local wholesale value of approximately \$2 billion per year and an annual retail value 10 times that in Europe. The value of the cocaine trade going through Guinea-Bissau is larger than the country's GDP, which has undermined security, economic and social stability and governance there.¹¹ In 2009, the president and chief of the army were assassinated in drug-related killings.¹²

1 United Nations Office on Drugs and Crime (UNODC) (2005), *World Drug Report*, p. 2. <http://www.unodc.org/unodc/en/data-and-analysis/WDR-2005.html>.

2 Luisa Kroll and Kerry A. Dolan (2013), 'The World's Billionaires', *Forbes*, 3 April. <http://www.forbes.com/billionaires/>.

3 UNODC (2013), *World Drug Report*, p. ix. http://www.unodc.org/unodc/secured/wdr/wdr2013/World_Drug_Report_2013.pdf.

4 World Health Organization (WHO) (2013), 'Tobacco', Fact sheet no. 339. http://www.who.int/substance_abuse/facts/alcohol/en/; <http://www.who.int/mediacentre/factsheets/fs339/en/>.

5 'Q&A: Mexico's drug related violence', BBC News, 16 July 2013. <http://www.bbc.co.uk/news/world-latin-america-10681249>.

6 'Mexico estimates 26,000 missing since 2006', BBC News, 27 February 2013. <http://www.bbc.co.uk/news/world-latin-america-21597033>.

7 UNODC (2013), 'UNODC Homicide Statistics'. <http://www.unodc.org/unodc/en/data-and-analysis/homicide.html>.

8 Institute for Economics and Peace (2013), 'Mexico Peace Index 2013'. <http://visionofhumanity.org/#/page/news/795>.

9 UNODC (2013), 'UNODC Homicide Statistics'.

10 Vanda Felbab-Brown (2012), 'Organized Criminals Won't Fade Away', *The World Today*, Vol. 68, No. 5, August–September.

11 'The OAS Report on the Drug Problem in the Americas: The Way Forward', Meeting Summary, 31 July 2013. <http://www.chathamhouse.org/publications/papers/view/193978>.

12 'Guinea-Bissau president shot dead', BBC News, 2 March 2009. <http://news.bbc.co.uk/1/hi/7918061.stm>.

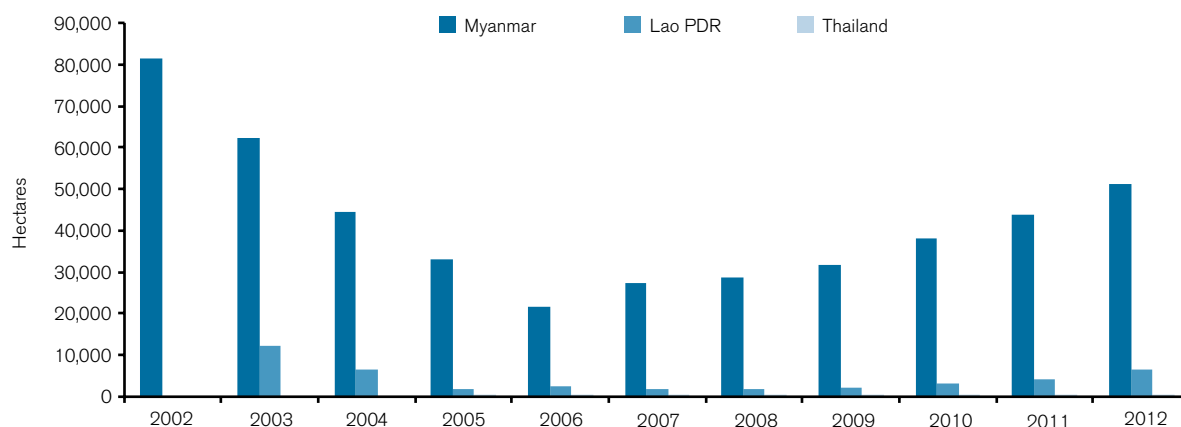
Policy successes and failures

The international drug control system has been built upon a number of UN conventions and documents, but revolves primarily around the 1961 Single Convention on Narcotics Drugs, which was complemented by the 1971 Convention on Psychotropic Substances and the 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. As has been pointed out, the system is based on a ‘belief that that there was a simple linear relationship between the scale of the drug market and the level of harm to human health and welfare (i.e., the smaller the market, the fewer the harms)’. Therefore ‘the singular focus of the system has been on reducing the scale of the illegal drug market, with the eventual aim of a “drug free world”, as reiterated by the UN in 1998.¹³

The UN and its member states have had some genuine success in reducing the scale of the illegal drugs market – in consumption and in production. UNODC noted

in 2008 that ‘if opiate use prevalence had remained the same as in the early years of the 20th century, the world would be facing some 90 million opiate users, rather than the 17 million it must care for today’.¹⁴ The US Office of National Drug Control Policy noted in 2012 that ‘the rate of Americans using illicit drugs today is roughly one-third the rate it was in the late ’70s. More recently, there has been a 40 per cent drop in current cocaine use and meth use has dropped by half.’¹⁵ Between 2005 and 2011, the number of adults in England who used illicit drugs fell from 3.3 to 2.8 million, the lowest figure ever recorded since drug use trends were first tracked in 1996.¹⁶ In the Golden Triangle (the Lao People’s Democratic Republic, Myanmar and Thailand), opium poppy cultivation decreased by 85 per cent between 1998 and 2006 (as shown in Figure 1).¹⁷ In Colombia the cocaine production capacity dropped by 72 per cent between 2001 and 2011 (see Figure 2).¹⁸

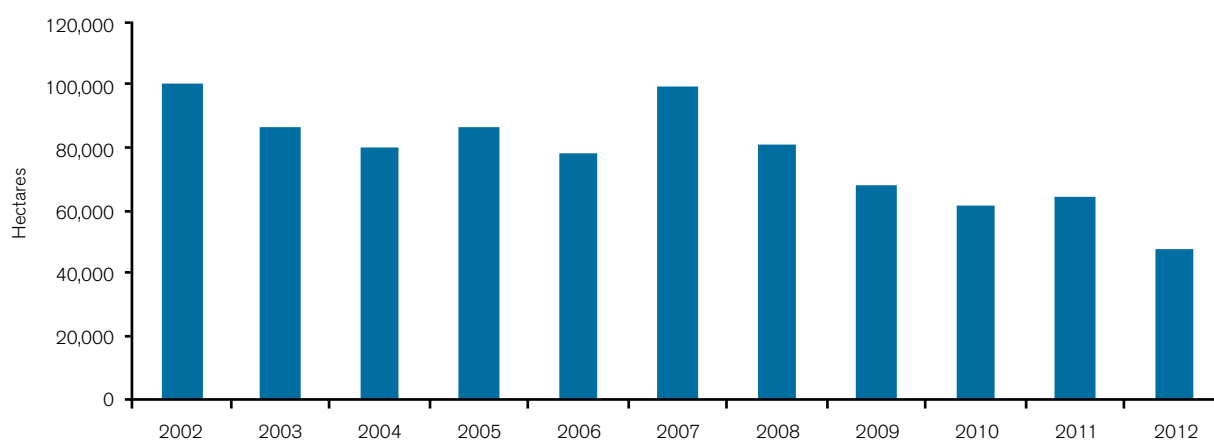
Figure 1: Poppy cultivation, Thailand, Lao PDR and Myanmar, 2002–12



Source: UNODC Crop Monitoring 2002–2013, <http://www.unodc.org/unodc/en/crop-monitoring/>.

13 Mike Trace (2011), ‘Drug Policy – Lessons Learnt, and Options for the Future’, Global Commission on Drug Policy. http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Com_Mike_Trace.pdf; United Nations General Assembly, ‘Twentieth Special Session’. <http://www.un.org/ga/20special/>.
 14 UNODC (2008), *World Drug Report*, p. 213, http://www.unodc.org/documents/wdr/WDR_2008/WDR2008_100years_drug_control_achievements.pdf.
 15 Stephen Kaufman (2012), ‘US Illegal Drug Use Down Substantially from 1970s’, *IIP Digital*, 17 April. <http://iipdigital.usembassy.gov/st/english/article/2012/04/201204174034.html#ixzz2kKvu9f5k>. The UNODC also noted that ‘in 1982, an estimated 10.5 million people in the US had used cocaine in the previous year. By 2008, this number had fallen to 5.3 million. In other words, over a 25-year period, the cocaine trade has had to adjust to a loss of 50% of users in its largest market.’ UNODC (2011), ‘The Transatlantic Cocaine Market’. <http://www.unodc.org/documents/data-and-analysis/tocta/4.Cocaine.pdf>.
 16 Dennis Campbell (2011), ‘Number of illegal drug users falls, survey shows’, *The Guardian*, 27 January. <http://www.theguardian.com/society/2011/jan/27/number-of-illegal-drug-users-fall>.
 17 UNODC (2006), ‘Opium Poppy Cultivation in the Golden Triangle: Lao PDR, Myanmar, Thailand’. http://www.unodc.org/pdf/research/Golden_triangle_2006.pdf.
 18 Office of the National Drug Control Policy (ONDCP) (2013), ‘Survey Shows Significant Drop in Worldwide Cocaine Production’, 9 July.

Figure 2: Coca cultivation, Colombia, 2002–12



Source: UNODC Crop Monitoring <http://www.unodc.org/unodc/en/crop-monitoring/>.

However, the international drug control system has been ineffective in reducing overall demand, trafficking and production, as well as the price and purity of drugs – and therefore the size of the global market. The global demand for drugs not only persists, but has also evolved. Decreasing demand for traditional drugs in some countries has been mirrored by an overall increase in demand for other substances, including prescription medicine and over-the-counter medication, and new psychoactive substances (NPS) including synthetic cannabinoids, phenethylamines, synthetic cathinones, tryptamines, plant-based substances and piperazines.¹⁹ In 2012, 73 NPS were officially notified for the first time to the EU's Early Warning System – up from 49 in 2011, 41 in 2010 and 24 in 2009.²⁰

As a result of persistent demand worldwide, the global flow of drugs remains high. Traffickers have adjusted to changes in demand and in law-enforcement measures by adapting their tactics. These include a wide range

of innovative smuggling means: smaller surface vessels instead of large ships off the coast of West Africa; submarines instead of overland transport in Latin America; drug catapults, drones and tunnels over and under the US–Mexican border; the exploitation of drug mules internationally; and the use of cyber tools, such as when an organized crime group hacked the IT system of the port of Antwerp to control shipment of its drug-laden containers.²¹ Online black markets also provide an opportunity for organized crime groups to carry out business transactions with a lower risk of violence and arrests. Ultimately, their ability to survive and thrive largely depends on their capacity to launder and invest their revenues in legitimate sectors, including a range of legal businesses and banks. In 2012, HSBC agreed to pay a record \$1.92 billion settlement following accusations that it had, among other things, enabled Mexican drug cartels to move money illegally through its US subsidiaries.²²

19 UNODC (2008), *World Drug Report*, p. 216; and UNODC (2013), 'New psychoactive substances', in *World Drug Report*. <https://www.unodc.org/wdr/en/nps.html>.

20 European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol (2013), 'EU Drugs Market Report: A Strategic Analysis'. <http://www.emcdda.europa.eu/publications/joint-publications/drug-markets>.

21 Patrick Radden Keefe (2012), 'The most outlandish stories from the drug war in Mexico', *The New Yorker*, 11 December. <http://www.newyorker.com/online/blogs/newsdesk/2012/12/2012-the-most-outlandish-stories-from-the-drug-war-in-mexico.html>; Tom Bateman (2013), 'Policy warning after drug traffickers' cyber-attack', BBC News, 16 October 2013. <http://www.bbc.co.uk/news/world-europe-24539417>; Rodrigo Canales (2013), 'The deadly genius of drug cartels', TED, November. http://www.ted.com/talks/rodrigo_canales_the_deadly_genius_of_drug_cartels.html.

22 Ben Protess and Jessica Silver-Greenberg (2012), 'HSBC to pay \$1.92 billion to settle charges of money laundering', *New York Times* (Deal Book), 10 December. <http://dealbook.nytimes.com/2012/12/10/hsbc-said-to-near-1-9-billion-settlement-over-money-laundering/?hp>.

Table 1: Coca cultivation, Colombia, Peru and Bolivia, 2002–12

	Coca cultivation (hectares)		
	Colombia	Peru	Bolivia
2002	100,000	46,700	24,400
2003	86,000	44,200	23,600
2004	80,000	50,300	27,700
2005	86,000	48,200	25,400
2006	78,000	51,400	27,500
2007	99,000	99,000	28,900
2008	81,000	56,100	30,500
2009	68,000	59,900	30,900
2010	62,000	61,200	31,000
2011	64,000	62,500	27,200
2012	48,000	60,400	25,300

Source: UNODC Crop Monitoring <http://www.unodc.org/unodc/en/crop-monitoring/>.

Counter-narcotics policies have failed overall to curb production. Successes in reducing it in some countries have often been followed by an increase in production in neighbouring countries. This phenomenon is widely known as the ‘balloon effect’, whereby squeezing a balloon (stronger control of production) in one place leads to a swelling (increased production) in another. UNODC has noted that

Success in controlling the supply of illicit opium in China in the middle of the 20th century ... displaced the problem to the Golden Triangle. Later successes in Thailand displaced the problem to Myanmar. A similar process unfolded in South West Asia from the 1970s onward. Supply control successes in Turkey, Iran and Pakistan eventually displaced the problem to Afghanistan.²³

Production of coca shifted from Bolivia and Peru (the main producers in the 1980s) to Colombia following US counter-narcotics efforts in the 1990s,²⁴ and back again in the 2000s. As a result cultivation in Peru and Bolivia

increased by 38 per cent and over 100 per cent respectively between 2000 and 2009, while it decreased by 58 per cent in Colombia (see Table 1).²⁵ This has led President Juan Manuel Santos and other senior Colombian officials to call for a regional rethink of drugs policies, in particular to tackle the ‘balloon effect’ and its impacts.

‘ In Afghanistan, the United States has spent more than \$6 billion over the past decade to reduce the size of the opium industry through a series of measures ’

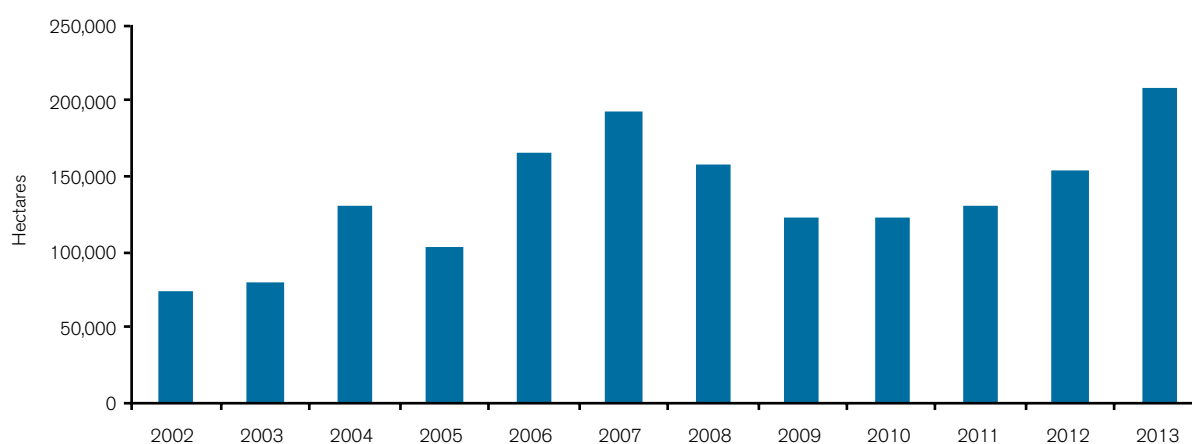
In Afghanistan, the United States has spent more than \$6 billion over the past decade to reduce the size of the opium industry through a series of measures including eradication, alternative crop subsidies

23 UNODC (2008), *World Drug Report*, p. 216.

24 Stella M. Rouse and Moises Arce, ‘The Drug Laden Balloon: US Military Assistance and Coca Production in the Central Andes’ (2006) *Social Science Quarterly*, Vol. 87, No. 3, pp. 540–57. http://www.gvpt.umd.edu/srouse/Site/Research_files/Rouse%20and%20Arce%202006%20SSQ%20article.pdf.

25 UNODC (2011), ‘The Transatlantic Cocaine Market’, p. 7.

Figure 3: Poppy cultivation, Afghanistan, 2002–13



Source: UNODC Crop Monitoring 2002–2013, <http://www.unodc.org/unodc/en/crop-monitoring/>.

and interdiction.²⁶ The country's opium production fell sharply in 2000/2001 following the beginning of military operations there but largely as a result of the Taliban ban on harvest completed in August 2001. It increased again dramatically from 2002, with average production soon surpassing the levels of the 1990s. Today, Afghanistan still produces approximately 90 per cent of the world's opium.²⁷

Despite a general increase in drug interdiction measures aimed at reducing the size of the market and increasing the price of drugs, a study by the International Centre for Science in Drug Policy (ICS DP) has shown that overall prices have decreased while the purity of drugs has increased worldwide.²⁸ Ultimately, studies have found that there is very little correlation between the level of punishment for drug offences and the rate of use or problems.²⁹

Negative consequences of drugs policy

Drug control policies have also produced a number of negative consequences, some of which were acknowledged by the UNODC in its 2008 *World Drug Report*.³⁰ The international drug control system has led to a large increase in the illegal, underground market as trafficking creates substantial economic opportunities for organized crime across the world.

Moreover, drug law enforcement has contributed to instability and violence. The new trade routes created by tightened control strategies in specific countries, the 'balloon effect' and evolving trends in demand have spread instability. For example, the Caribbean was the primary transit route for cocaine destined for the US market until the 1990s, when Central America and the Pacific became increasingly used instead, and as more

26 Azam Ahmed (2013), 'That other big Afghan crisis, the growing army of addicts', *The New York Times*, 2 November. <http://www.nytimes.com/2013/11/03/world/asia/that-other-big-afghan-crisis-the-growing-army-of-addicts.html?smid=tw-share>.

27 UNODC (2013), 'Illicit Crop Monitoring: Afghanistan'. <http://www.unodc.org/unodc/en/crop-monitoring/index.html?tag=Afghanistan>.

28 In the United States, 'the average inflation-adjusted and purity-adjusted prices of heroin, cocaine and marijuana decreased by 81%, 80% and 86%, respectively, between 1990 and 2007, whereas average purity increased by 60%, 11% and 161%, respectively'. In Europe 'during the same period the average inflation-adjusted price of opiates and cocaine decreased by 74% and 51%, respectively'. ICS DP (2013), 'New research shows war on drugs has failed to reduce supply and access to illegal drugs internationally', 30 September. http://www.icsdp.org/media/press_releases/pressrelease-supplyreduction.aspx.

29 Alex Stevens (2011), *Drugs, Crime and Public Health: The Political Economy of Drug Policy* (Oxford: Routledge-Cavendish). EMCDDA found 'no simple association between recent drug law changes and levels of marijuana use'. EMCDDA (2011), 'Policies and responses must be fit to face the challenges of the decade, says drugs agency chief', 15 November. <http://www.emcdda.europa.eu/news/2011/7>.

30 UNODC (2008), *World Drug Report*.

cocaine was also shipped by air and sea to the growing European market.³¹ The UNODC and EUROPOL noted that renewed law-enforcement efforts in the Netherlands, where the authorities began to enforce a total controls policy on flights from specific Latin American countries in the early 2000s, may have led traffickers to find different channels, notably through Africa.³² In addition, law enforcement has often led to more violence within specific countries. The ICSDP reports that 82 per cent of all studies employing statistical analyses found a significant positive association between drug law enforcement and violence.³³ Other examples of violent competition between other players for leftover profits resulting from a crackdown on drugs cartels include the alcohol prohibition in the United States, the removal of the Cali and Medellín cartels in the 1990s in Colombia, or more recently the military crackdown in Mexico that began in 2006. While other factors may explain the latest surge of drug-related killings in Mexico, including easier access to weapons coming from the United States, law-enforcement measures certainly contributed to the growing levels of violence there.³⁴

Drug control policies have also stigmatized and criminalized farmers, users and other low-level offenders, with numerous cases involving violations of basic human rights. Crop-eradication efforts have destroyed the livelihoods of many farmers in Afghanistan. Alternative livelihood programmes have had limited success as they have encountered political and structural obstacles, ignored the fact that some Afghan farmers also grow poppy for medical reasons (although this practice is more common in Southeast Asia

and have at times underestimated the importance of low agricultural costs, the reliability of crops and their economic benefits. These efforts have contributed – among many other processes – to undermining the credibility of both international actors and the Afghan government.³⁵ In Latin America, aerial spraying has had negative effects on soil and the health of local populations. A recent paper argues that ‘the vast majority of evaluations of the efficacy of aerial fumigation campaigns have found their efficacy to be very low, if not zero’, despite more than 1.6 million hectares being sprayed between 1996 and 2012 according to the Washington Office on Latin America.³⁶ Moreover, according to the paper, there is sufficient evidence to show that exposure to aerial spraying using glyphosate increases the incidence of skin disorders and miscarriages.³⁷

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The inefficacy of widespread drug-related arrests and incarcerations is another indicator of the negative impact of policy around the world. In the United States, the

31 UNODC, ‘The Transatlantic Cocaine Market’, pp. 11, 16.

32 UNODC (2007), ‘Cocaine Trafficking in Western Africa’, p. 6. <http://www.unodc.org/documents/data-and-analysis/Cocaine-trafficking-Africa-en.pdf>; EMCDDA (2013), ‘EU Drug Markets Report: A Strategic Analysis’, p. 45. <https://www.europol.europa.eu/sites/default/files/publications/att-194336-en-td3112366enc-final2.pdf>.

33 ICSDP (2010), ‘Effect of Drug Law Enforcement on Drug-Related Violence: Evidence from a Scientific Review’, p.15. <http://www.icsdp.org/docs/ICSDP-1%20-%20FINAL.pdf>.

34 Over the last decade the number of firearms being smuggled into Mexico has tripled. Institute for Economics and Peace (2013), ‘Mexico Peace Index 2013’; Arindrajit Dube, Oeindrila Dube and Omar Garc, (2013), ‘Cross-Border Spillover: US Gun Laws and Violence in Mexico’, *American Political Science Review*, 107, No 3. https://files.nyu.edu/od9/public/papers/Cross_border_spillover.pdf.

35 ‘Drugs and Organized Crime: Towards a New Policy Agenda’, Meeting Summary, Chatham House, 3 July 2012. <http://www.chathamhouse.org/publications/papers/view/185565>.

36 Adam Isacson (2013), ‘Time to Abandon Coca Fumigation in Colombia’, Washington Office on Latin America. http://www.wola.org/commentary/time_to_abandon_coca_fumigation_in_colombia.

37 Miriam Wells (2013), ‘Immigration Does Not Work: Columbia Anti-Drugs Adviser’, *Insight Crime*, 30 October. <http://www.insightcrime.org/news-analysis/aerial-fumigation-of-coca-does-not-work-colombias-top-anti-drugs-advisor>.

world's largest drugs market, the number of people arrested for possession only almost tripled between 1982 and 2007, from approximately 530,000 to 1,520,000.³⁸ Furthermore, approximately 500,000 people are now in jail for drug-related offences (including for possession, trafficking, production etc.), a tenfold increase from 1980.³⁹ (For comparison, the US population has only grown by approximately 40 per cent over the same period.⁴⁰) This suggests there has been a wide range of social, economic and health consequences, including limited job opportunities, social exclusion and often vicious cycles of criminality and violence. In many Latin American countries, drugs offenders can receive longer jail sentences than murderers (for instance, in Ecuador maximum prison sentences for such offences are 16 years but 12 years for homicides; in Bolivia the figures are 25 and 20 years respectively.⁴¹) Drugs offences are still sanctioned with the death penalty in 33 countries: over 540 people were executed for them in Iran in 2011.⁴² Conditions in prisons across the world vary significantly, but there are numerous cases of illegal detention, forced labour, and physical and sexual violence in government-run drug treatment centres in countries such as Vietnam, China, Cambodia and the Lao PDR.⁴³

Law enforcement has also targeted ethnic minorities disproportionately. In the United Kingdom, a recent study by the charity Release and the London School of Economics and Political Science has shown that black and Asian people are respectively 6.3 times and 2.5 times more likely to be stopped and searched for drugs than whites, although consumption levels among black and Asian people are in fact lower.⁴⁴

Government policies and law-enforcement practices have also had a number of consequences in related sectors. They have undermined popular support for government and police in many countries, making other policies and law-enforcement strategies more difficult to implement. Mexico and several Central American countries have struggled to offer positive, effective and inspiring alternative messages to that of the drug cartels, which have created a whole culture that appeals to and benefits large parts of the populations.

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Drug control policies also have opportunity costs. An over-reliance on law-enforcement responses to drug-related problems often leads to the reduction of expenditure in other areas including public health, education and socio-economic policies. For instance, as Figure 4 shows, in the 2013 US National Drug Control budget (\$25.6 billion) 55 per cent of domestic expenditure is dedicated to law enforcement (\$9.4 billion) and interdiction (\$3.7 billion).⁴⁵ In countries where public finances are under much more stress, including developing countries

38 US Bureau of Justice Statistics, 'Drugs and Crime Facts – Drug Law Violations – Enforcement' <http://www.bjs.gov/content/dcf/tables/salespos.cfm>.

39 This figure includes probationers, jail inmates, state prison inmates, federal prisoners and juveniles: US Bureau of Justice Statistics, 'Drugs and Crime – Drug Law Violations – Correctional Populations and Facilities' <http://www.bjs.gov/content/dcf/correct.cfm>.

40 Ibid.

41 De Justicia (2012), 'Punitive Addiction: The Disproportion of Drug Laws in Latin America', 5 December 2012. http://www.dejusticia.org/index.php?modo=interna&tema=estado_de_derecho&publicacion=1391.

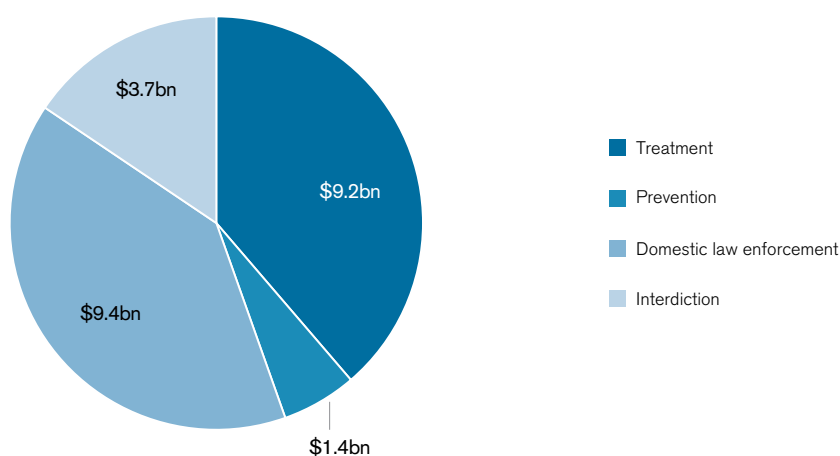
42 Harm Reduction International (2012), 'The Death Penalty for Drug Offences: Global Overview 2012'. http://www.ihra.net/files/2012/11/13/Death_penalty_2012_Tipping_the_Scales_Web.pdf.

43 Human Rights Watch (2013), 'UN Report highlights abuse as drug treatment', 3 March. <http://www.hrw.org/news/2013/03/03/un-report-highlights-abuse-drug-treatment>.

44 Niamh Eastwood, Michael Shiner and Daniel Beae (2013), 'The numbers in black and white: ethnic disparities in the policing and prosecution of drug offences in England and Wales', Release. <http://www.release.org.uk/publications/numbers-black-and-white-ethnic-disparities-policing-and-prosecution-drug-offences>.

45 ONDCP (2012), 'The National Drug Control Budget: FY 2013 Funding Highlights'. <http://www.whitehouse.gov/ondcp/the-national-drug-control-budget-fy-2013-funding-highlights>.

Figure 4: US domestic drug policy spending, 2013



Source: ONDCP (2012), 'The National Drug Control Budget: FY 2013 Funding Highlights'. <http://www.whitehouse.gov/ondcp/the-national-drug-control-budget-fy-2013-funding-highlights>.

such as Afghanistan, the opportunity costs are even more important. Over-focusing on measures that have proved ineffective and damaging, including drugs interdiction and poppy eradication, means that limited funds were not spent on such long-term investments for the economy as education and transport infrastructure. With the withdrawal of international military forces from Afghanistan in 2014 and the parallel decrease of outside financial support to the country, striking a better balance in the use of resources to address the issues of drugs and organized crime will be even more crucial.

Policy experimentation

In response to the inadequacy of the international drug control system, attempts at more progressive policy experimentation, while straying from the original spirit of the UN conventions, have nevertheless proved successful. They include the following:

- In Switzerland, the introduction of methadone programmes contributed to a significant drop in the number of deaths from AIDS among illicit drugs users from the early 1990s to 1998.⁴⁶
- In Portugal, a 2001 drug policy reform bill centred on decriminalization of possession of a less than 10-day supply of any drug was followed by a drop in the most problematic forms of use, including use among teenagers, a significant decrease in drug-related deaths and HIV infections, and a reduction in the prison population.⁴⁷
- In Vancouver, Canada, a strategy centred on harm reduction including measures such as condom distribution, needle exchange and North America's first safe injection site in 2003 has proved successful. The numbers of overdose deaths and new HIV infections among injection drugs-users are now the lowest since record-keeping began, and treatment levels have increased considerably.⁴⁸

46 Joanne Csete (2010), 'From the Mountaintops: What the World Can Learn from Drug Policy Change in Switzerland', Open Society Foundations: Global Drug Policy Program, pp. 21–22. <http://www.opensocietyfoundations.org/reports/mountaintops>. The number of deaths attributable to drugs overdose dropped from 405 in 1991 to 181 in 1999, while the number attributable to AIDS among injection drugs users decreased from 318 in 1994 to 196 in 1996. Chantal Collin (2002), 'Switzerland's Drug Policy', Library of Parliament, Canada, 14 January. <http://www.parl.gc.ca/Content/SEN/Committee/371/ille/library/collin1-e.htm>.

47 As Alex Stevens points out, decriminalization may have only partly contributed to these positive developments, as policy change also included a significant rise in drug treatment, such as methadone maintenance, and an expansion of broader welfare programmes, including a guaranteed minimum income. Alex Stevens (2012), 'Portuguese drug policy shows that decriminalisation can work, but only alongside improvements in health and social policies', *EUROPP*, London School of Economics, 10 December. <http://blogs.lse.ac.uk/europpblog/2012/12/10/portuguese-drug-policy-alex-stevens/>.

48 British Columbia Centre for Excellence in HIV/AIDS (BCCE) (2013), 'Drug Situation in Vancouver', Urban Health Research Initiative. http://www.cfenet.ubc.ca/sites/default/files/uploads/news/releases/war_on_drugs_failing_to_limit_drug_use.pdf.

- In the United States, voters in the states of Colorado and Washington approved referendums that supported the legalization of marijuana on a recreational basis in 2012. In December, Uruguay became the first country to regulate the production, distribution and sale of marijuana. Such reforms fit in a long-term trend towards more progressive policies on marijuana, marked by *de jure* decriminalization of possession of small amounts across Latin America and in Portugal and *de facto* decriminalization in some countries of Western Europe, for instance, where laws on marijuana possession are not as severely enforced as for other drugs.

These alternative policies were not directly intended to reduce the size of the drugs market or consumption, but rather to diminish the level of harm caused by the drugs themselves and by previous policies. They have generated limited and conflicting feedback from international authorities. The World Health Organization (WHO) has officially stated that it

strongly supports harm reduction as an evidence-based approach to HIV prevention, treatment and care for people who inject drugs and has defined a comprehensive package, which includes needle and syringe programmes and opioid substitution therapy.⁴⁹

However, international drug control remains primarily the remit of the UNODC and the International Narcotics Control Board (INCB), the independent and quasi-judicial monitoring body for the implementation of the UN international drug control conventions. The UNODC is mandated to assist UN member states in tackling illicit drugs, crime and terrorism. It has been often lukewarm

towards the aforementioned alternative policies, stuck in an awkward position between its own views and the conflicting agendas of member states. However, the INCB has been much more aggressive in defending the 1961 Single Convention and its mandate

to limit the cultivation, production, manufacture and use of drugs to an adequate amount required for medical and scientific purposes, to ensure their availability for such purposes, and to prevent illicit cultivation, production and manufacture of, and illicit trafficking in and use of, drugs.⁵⁰

It has regularly openly opposed harm-reduction policies, qualifying them as ‘crusades’ against the UN conventions, and ignored human rights violations caused by drug policies that managed to reduce drug production, trafficking and use.

The politics of drugs policy

Given the severity of the international drug problem and the persistent inadequacy of control policies, an increasing number of former leaders and NGOs have urged governments and international organizations such as the UNODC and INCB to review their strategies to address the challenges posed by drugs and organized crime.

In particular, calls for reform have come from the Global Commission on Drug Policy (GCDP), which includes former presidents Ernesto Zedillo of Mexico, César Gaviria of Colombia, Fernando Henrique Cardoso of Brazil and Ruth Dreifuss of Switzerland, former UN Secretary General Kofi Annan, and former senior government officials and policy and business leaders. Crucially, a number of current political leaders have also joined the call for reform, including Otto Pérez Molina of Guatemala and Juan Manuel Santos of Colombia.

49 WHO, ‘Injecting Drug Use’. <http://www.who.int/hiv/topics/idu/en/index.html>.

50 See, for example, Transnational Institute (2005), ‘UN: Conflicting Views on Harm Reduction’. <http://www.undrugcontrol.info/en/issues/un-a-harm-reduction/item/2302-un-conflicting-views-on-harm-reduction>. Also see Kasia Malinowska-Sempruch (2013), ‘The International Narcotics Control Board Strains its Limited Credibility’, LSE IDEAS, 8 March, <http://blogs.lse.ac.uk/ideas/2013/03/the-international-narcotics-control-board-strains-its-limited-credibility/>; Joanne Csete (2013), ‘Overhauling Oversight: Governing the Global Drug Wars’, in *Governing the Global Drug Wars*, LSE IDEAS, October, <http://www.lse.ac.uk/IDEAS/publications/reports/SR014.aspx>; International Drug Policy Consortium (IDPC) (2013), ‘INCB President Comments on Cannabis Policy Reform in Washington and Colorado’, 23 October, <http://idpc.net/incb-watch/updates/2013/10/incb-president-comments-on-cannabis-policy-reform-in-washington-and-colorado>.

These calls for change led to the announcement of a broad reassessment of current policies at the Sixth Summit of the Americas in Cartagena, Colombia in April 2012, a process then taken over by the Organization of American States (OAS). The role of the Colombian government was crucial in securing a policy review: although the country is often presented as having a successful control strategy, Colombian officials have instead argued that despite an improvement in the situation at the national level, the subsequent emergence or re-emergence of similar problems in neighbouring countries demonstrates the need for a strategic rethink and a broader review at the regional level.⁵¹ In September 2012, the presidents of Colombia, Guatemala and Mexico urged the UN to conduct a review of international drugs policies. This will be undertaken in the lead-up to a UN General Assembly Special Session (UNGASS) on drugs in 2016, the first since 1998.⁵²

‘Beyond the calls for policy change, the reforms that have taken place in the United States and Uruguay broke taboos and further opened the debate’

The OAS published the findings of its year-long review in May. The final report challenged the current status of drug control, which was unprecedented for a multilateral organization. It promoted a rethink of policies at national and regional levels based on the core idea of treating the problem primarily as a health issue rather than a criminal

one. As part of this new strategy, the OAS noted that ‘decriminalization of drug use needs to be considered as a core element in any public health strategy’ and that ‘it would be worthwhile to assess existing signals and trends that lean toward the decriminalization or legalization of the production, sale, and use of marijuana’.⁵³ One of the scenarios presented by the OAS as a potential outcome for 2025, labelled ‘Pathways’, focuses on alternative approaches such as the legalization and regulation of drugs, especially cannabis, and opening a space to enable different countries to pursue different pathways – in other words, on conducting policy experimentation.

Beyond these calls for policy change, the reforms that have taken place in the United States and Uruguay broke taboos and further opened the debate. This has led the United States and other countries in the region to consider what could be done differently to tackle the drug problem and address the growing call for more progressive policies.

Persistent political challenges

In the last three years, the drug policy debate has evolved more than in the previous three decades. However, there remain a number of obstacles to making recent developments sustainable ahead of UNGASS 2016.⁵⁴

Although Latin American leaders have been instrumental in pushing the debate forward, the political context is more complicated today than it was around the 2012 Summit of the Americas. There is widespread consensus in the region that the ‘war on drugs’ has failed, that drugs are primarily a health problem, and that use and possession should be decriminalized further. However, disagreements remain on how to control supply (in particular on the effectiveness of regulation models), what law enforcement should look like in a

51 See, for example, ‘Interview: President Juan Manuel Santos of Colombia’, *The World Today*, Vol. 68, No. 5, August–September 2012.

52 George Murkin (2012), ‘Latin American leaders call on the UN to explore alternatives to the war on drugs’, *Count the Costs*, 8 October. <http://www.countthecosts.org/es/blog/latin-american-leaders-call-un-explore-alternatives-war-drugs>.

53 OAS (2013), ‘The Drug Problem in the Americas: Introduction and Analytical Report’, May, pp.103–04. http://www.oas.org/documents/eng/press/Introduction_and_Analytical_Report.pdf. For further analysis on the OAS report, see also: ‘The OAS Report and the Drug Problem in the Americas’, conference summary, Chatham House, 30–31 July 2013. <http://www.chathamhouse.org/events/view/193381>.

54 Claudia Hofmann and Benoît Gomis (2013), ‘Uruguay Marijuana Bill Portends New Era in Drug Policy’, *World Politics Review*, 20 August. <http://www.worldpoliticsreview.com/articles/13174/uruguay-marijuana-bill-portends-new-era-in-drug-policy>.

regulated market, and what public health strategies mean in practice, especially in countries that have had difficulty in controlling parts of their territory and collecting taxes.⁵⁵

Concerns remain on the international stage as to how open the United States will be in discussing and promoting reform given the country's historical reluctance to challenge international drugs conventions.

Political leadership towards reform is also more hesitant than it was in 2012. In Mexico, President Enrique Peña Nieto has been willing to discuss alternative policies. He has said he would aim to prioritize social and economic issues, and readjust security policy towards reducing violence while ending widespread US access to Mexican intelligence. However, the Mexican government is undertaking other ambitious reforms, including in the energy and education sectors and in economic and fiscal policy. The country's diplomatic efforts with the United States have also prioritized immigration and gun laws over drug policy reform. President Santos of Colombia has taken a back seat in the international debate to some extent, focusing instead on the peace process with the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), and on the forthcoming presidential elections. Guatemala, under the

leadership of President Molina and Foreign Minister Fernando Carrera, remains very proactive and continues to punch above its weight in the drug debate. However, it is a small country that needs partners and has been more reluctant than its neighbours to engage in a review of its domestic policy.⁵⁶

Two elements further complicate the political context in Latin America. The revelation by Edward Snowden of widespread US intelligence activities that included targeting the emails of former president Felipe Calderón and the text messages of Peña Nieto when he was running for president may have an impact on Mexico's collaboration with the United States. Although such intelligence practices were arguably always presumed within the country's political elite, their public revelation means that government leaders need to address the issue.⁵⁷ In addition, the populations of Latin American countries are still predominantly against more progressive drugs policies. In Uruguay, 63 per cent of the population were opposed to the marijuana bill in July 2013.⁵⁸ Around the same time in Mexico, only 32 per cent of the population supported marijuana legalization.⁵⁹ The support has been even lower in Colombia and Peru – respectively 13 per cent and 11 per cent in 2010.⁶⁰

In the United States, the referendums in Colorado and Washington, and the OAS report, have put pressure on the Obama administration to discuss domestic and international drug policy reforms more openly. Some notable progress has been made domestically. US Attorney General Eric Holder has announced that the federal government would order prosecutors to sidestep federal mandatory minimum sentencing in certain low-level cases as a way to reduce the prison population. He also confirmed that the Department of Justice would not seek to challenge the

55 Chatham House (2013), 'The OAS Report and the Drug Problem in the Americas', Meeting Summary. <http://www.chathamhouse.org/events/view/193381>.

56 Hofmann and Gomis, 'Uruguay Marijuana Bill Portends New Era in Drug Policy'.

57 Benoît Gomis (2013), 'Regional Security and Counter-Narcotics Policies', Inter-Parliamentary Union Seminar on Drug Policy Reform, 28–30 October. <http://www.bjipu.org/our-work/parliamentary-seminar-on-drug-policy-reform/>.

58 Mariano Castillo (2013), 'Legalizing weed: the Uruguayan model', CNN, 20 August. <http://edition.cnn.com/2013/08/20/world/americas/uruguay-marijuana-bill/>.

59 'Only One Out of Three Mexicans Wants to Legalize Weed', *Fusion*, 24 July 2013. <http://fusion.net/justice/story/mexicans-legalize-weed-18007>.

60 'Los argentinos, entre los más favorables a legalizar la marihuana en América latina [Argentines among those most favourable to legalizing marijuana in Latin America]', *Clarín*. http://www.clarin.com/sociedad/argentinos-favorables-legalizar-marihuana-America_0_391161086.html.

marijuana regulation laws in Colorado and Washington.⁶¹ However, concerns remain on the international stage as to how open the United States will be in discussing and promoting reform given the country's historical reluctance to challenge international drugs conventions.

Meanwhile Russia has expressed concerns over flows of drugs from Afghanistan following the withdrawal of the International Security Assistance Force (ISAF) in 2014. It is pushing for harsher counter-narcotics policies in the country, as the latest UN report indicates a record annual increase of opium production.⁶² Russia has also supported a series of counter-narcotics programmes focused on law enforcement and interdiction training in Afghanistan, Turkmenistan, Kyrgyzstan, Tajikistan and Pakistan, and in Central American countries. Russia's uncompromising prohibitionist stance continues to be popular in numerous countries in Asia and Africa that advocate zero-tolerance policies.⁶³

Europe certainly has lessons to offer regarding drug policy but European governments have largely stayed away from the recent international debates. In countries such as Portugal, where progressive policies have been implemented, budgetary pressures and the rise of conservative views are endangering progress domestically.⁶⁴ In the United Kingdom, Prime Minister David Cameron rejected the parliamentary Home Affairs Select Committee's proposal for a Royal Commission to comprehensively reassess current policies. Home Secretary Theresa May has been reluctant to discuss reform, even disregarding recommendations from the Advisory Council on the Misuse of Drugs and putting in place a ban on khat.⁶⁵ An internal

review into drug policy concluded that decreases in use in the country demonstrate that existing policies are working. This argument, however, ignores the international nature of the challenge and the larger responsibility of West European governments in tackling a truly global and complex problem that fuels high levels of organized crime and violence. In addition, the United Kingdom faces an increase in the use of other drugs, including new psychoactive substances and over-the-counter or prescription medicine.

‘ Home Secretary Theresa May has been reluctant to discuss reform, even disregarding recommendations from the Advisory Council on the Misuse of Drugs and putting in place a ban on khat ’

Other regions of the world face increased levels of political uncertainty and insecurity related to drug production and trafficking. West Africa struggles to tackle the multiple challenges linked to the growing trade through the region, including corruption, organized crime, financing of extremist organizations, an increase in addiction and an increased burden on law-enforcement agencies and other already struggling public institutions.⁶⁶

61 Eric Holder (2013), 'Remarks at the Annual Meeting of the American Bar Association's House of Delegates', San Francisco, 12 August. <http://www.justice.gov/iso/opa/ag/speeches/2013/ag-speech-130812.html>; Ashley Southall and Jack Healy (2013), 'US won't sue to reverse states' legalization of marijuana', *New York Times*, 29 August. http://www.nytimes.com/2013/08/30/us/politics/us-says-it-wont-sue-to-undo-state-marijuana-laws.html?_r=0.

62 UNODC (2013), 'Afghanistan Opium Survey 2013: Summary Findings'. http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghan_report_Summary_Findings_2013.pdf.

63 See, for example, Virginia Comolli and Claudia Hofmann (2013), 'Drug Markets, Security and Foreign Aid', Modernising Drug Law Enforcement project, September. <http://dl.dropboxusercontent.com/u/64663568/library/MDLE-6-Drug-markets-security-and-foreign-aid.pdf>.

64 Andrei Khalip (2012), 'Once a model, crisis imperils Portugal's drug programme', Reuters, 13 August 2012. <http://uk.reuters.com/article/2012/08/13/uk-portugal-drugs-idUKBRE87COMY20120813>.

65 David Barrett (2013), 'Theresa May bans herbal drug khat against official advice', *The Daily Telegraph*, 3 July. <http://www.telegraph.co.uk/news/uknews/crime/10157616/Theresa-May-bans-herbal-drug-khat-against-official-advice.html>.

66 West Africa Commission on Drugs (2013), 'Commission on the Impact of Drug Trafficking on Governance, Security and Development in West Africa: Inaugural Meeting, Summary of Proceedings', 31 January. <http://www.wacommissionondrugs.org/wp-content/uploads/2013/03/Report-inaugural-meeting-WACD-2013-02-26.pdf>.

In Afghanistan, the withdrawal of ISAF from the country and the transition to an Afghan-led security apparatus shows little promise of mitigating opium production and related corruption.⁶⁷

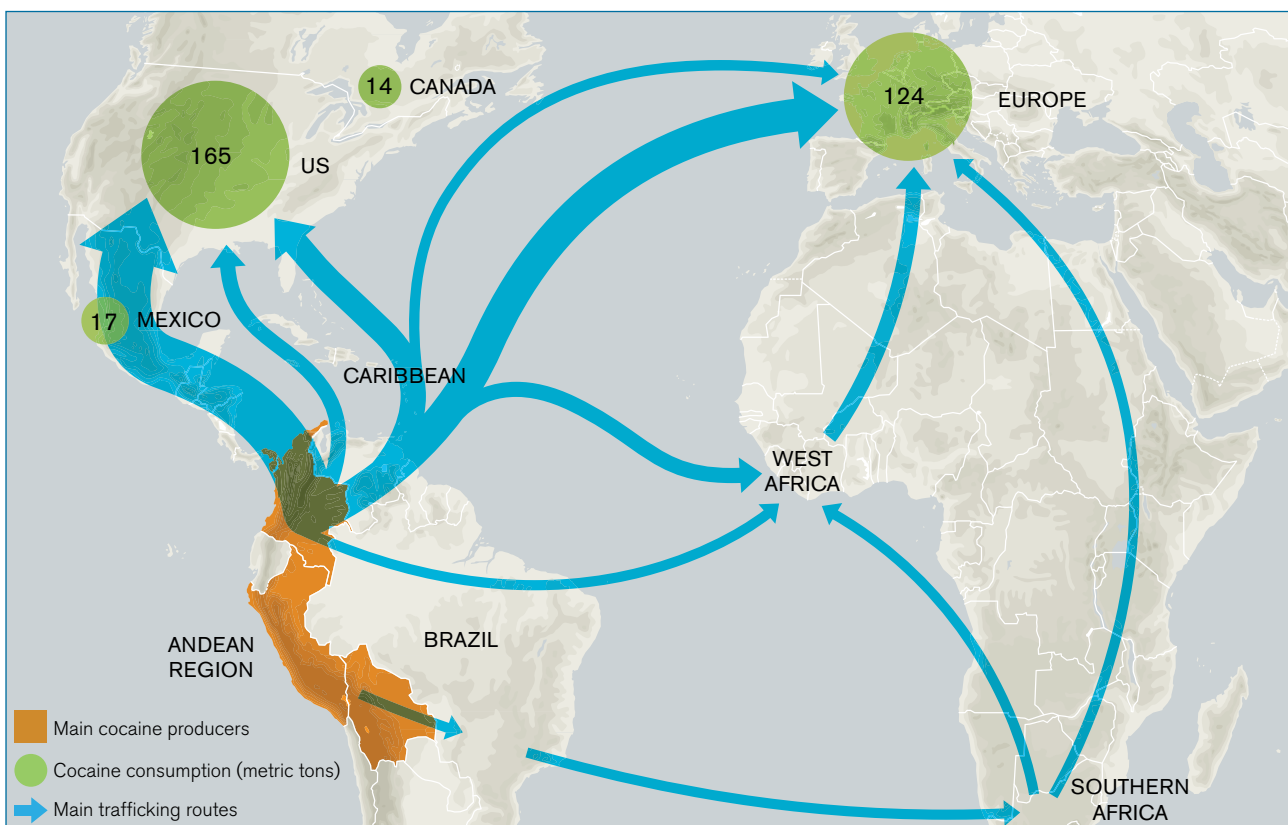
This international political context makes it very difficult, if not impossible, to substantially reform the UN conventions. However, current difficulties and the overall complexity of the problem should not be used as an excuse for policy inaction and inertia. The current situation – characterized by persistent levels of violence, insecurity and corruption, changing trade routes causing instability in new regions, the emergence of new drugs and the negative impact of drug policies – is no longer sustainable.

Conclusion

In 2012, President Santos of Colombia said: ‘Sometimes we all feel that we have been pedalling on a stationary bicycle. We look to our right and our left and we still see the same landscape.’⁶⁸ Little progress has been made in the drug policy field since President Richard Nixon first called drug abuse ‘America’s public enemy number one in the United States’,⁶⁹ and policies have caused much damage. Drug control policies around the world have often proved at best ineffective and at worst counter-productive, unless they strayed away from the strict letter of the UN conventions.

However, a tipping point has been reached. Current policies are no longer sustainable and therefore momentum is growing towards more responsible and comprehensive

Global cocaine flow



Source: *The World Today*, Vol. 68, No. 5, August–September 2012, p. 10.

67 Vanda Felbab-Brown (2013), 'Still Knee-Deep In Poppy: The Evolution of Counter-Narcotics Policies in Afghanistan', Brookings Institution, March. <http://www.brookings.edu/research/papers/2013/03/counternarcotics-policies-afghanistan-felbabrown>.

68 'Interview: President Juan Manuel Santos of Colombia', *The World Today*.

69 Richard Nixon (1971), 'Remarks About an Intensified Program for Drug Abuse Prevention and Control', White House, 17 June. <http://www.presidency.ucsb.edu/ws/?pid=3047>.

responses to the global problem of illicit drugs. The UNGASS in 2016 provides an opportunity for governments to review and reform their policies at the national and regional levels. A number of national governments, including Colombia's, have embarked on much-needed review processes of their

domestic drug policies, but regional and international discussions will be crucial to tackle these truly transnational challenges and opt for more adequate responses that focus on reducing the harms caused by drug consumption, trafficking and production, and drug policies themselves.

For more policy guidance ahead of UNGASS 2016, please read 'Moving Beyond the Drug Policy Deadlock: Ten Policy Recommendations'.

The Drugs and Organized Crime project at Chatham House

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For more information, including a list of related publications and events, and for more detailed policy guidance to be published ahead of UNGASS 2016, please visit:

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