



UNODC

United Nations Office on Drugs and Crime

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PREFACE

The end of the first century of drug control (it all started in Shanghai in 1909) coincided with the closing of the UNGASS decade (launched in 1998 by a General Assembly Special Session on Drugs). These anniversaries stimulated reflection on the effectiveness, and the limitations, of drug policy. The review resulted in the reaffirmation that illicit drugs continue to pose a health danger to humanity. That's why drugs are, and should remain, controlled. With this sanction in mind, Member States confirmed unequivocal support for the UN Conventions that have established the world drug control system.

At the same time, UNODC has highlighted some negative, obviously unintended effects of drug control, foreshadowing a needed debate about the ways and means to deal with them. Of late, there has been a limited but growing chorus among politicians, the press, and even in public opinion saying: *drug control is not working*. The broadcasting volume is still rising and the message spreading.

Much of this public debate is characterized by sweeping generalizations and simplistic solutions. Yet, the very heart of the discussion underlines the need to evaluate the effectiveness of the current approach. Having studied the issue on the basis of our data, UNODC has concluded that, while changes are needed, they should be in favour of different means to protect society against drugs, rather than by pursuing the different goal of abandoning such protection.

A. What's the repeal debate about?

Several arguments have been put forward in favour of repealing drug controls, based on (i) economic, (ii) health, and (iii) security grounds, and a combination thereof.

I. The economic argument for drug legalization says: *legalize drugs, and generate tax income*. This argument is gaining favour, as national administrations seek new sources of revenue during the current economic crisis. This *legalize and tax* argument is un-ethical and un-economical. It proposes a perverse tax, generation upon generation, on marginalized cohorts (lost to addiction) to stimulate economic recovery. Are the partisans of this cause also in favour of legalizing and taxing other seemingly intractable crimes like human trafficking? Mod-

ern-day slaves (and there are millions of them) would surely generate good tax revenue to rescue failed banks. The economic argument is also based on poor fiscal logic: any reduction in the cost of drug control (due to lower law enforcement expenditure) will be offset by much higher expenditure on public health (due to the surge of drug consumption). The moral of the story: don't make wicked transactions legal just because they are hard to control.

II. Others have argued that, following legalization, a health threat (in the form of a drug epidemic) could be avoided by state regulation of the drug market. Again, this is naive and myopic. First, the tighter the controls (on anything), the bigger and the faster a parallel (criminal) market will emerge – thus invalidating the concept. Second, only a few (rich) countries could afford such elaborate controls. What about the rest (the majority) of humanity? Why unleash a drug epidemic in the developing world for the sake of libertarian arguments made by a pro-drug lobby that has the luxury of access to drug treatment? Drugs are not harmful because they are controlled – they are controlled because they are harmful; and they do harm whether the addict is rich and beautiful, or poor and marginalized.

Drug statistics keep speaking loud and clear. Past runaway growth has flattened out and the drug crisis of the 1990s seems under control. This 2009 Report provides further evidence that drug cultivation (opium and coca) are flat or down. Most importantly, major markets for opiates (Europe and South East Asia), cocaine (North America), and cannabis (North America, Oceania and Europe) are in decline. The increase in consumption of synthetic stimulants, particularly in East Asia and the Middle East, is cause for concern, although use is declining in developed countries.

III. The most serious issue concerns organized crime. All market activity controlled by the authority generates parallel, illegal transactions, as stated above. Inevitably, drug controls have generated a criminal market of macro-economic dimensions that uses violence and corruption to mediate between demand and supply. *Legalize drugs, and organized crime will lose its most profitable line of activity*, critics therefore say.

Not so fast. UNODC is well aware of the threats posed by international drug mafias. Our estimates of the value

PREFACE

of the drug market (in 2005) were ground-breaking. The Office was also first to ring the alarm bell on the threat of drug trafficking to countries in West and East Africa, the Caribbean, Central America and the Balkans. In doing so we have highlighted the security menace posed by organized crime, a matter now periodically addressed by the UN Security Council.

Having started this drugs/crime debate, and having pondered it extensively, we have concluded that these drug-related, organized crime arguments are valid. They must be addressed. I urge governments to recalibrate the policy mix, without delay, in the direction of more controls on crime, without fewer controls on drugs. In other words, while the crime argument is right, the conclusions reached by its proponents are flawed.

Why? Because we are not counting beans here: we are counting lives. Economic policy is the art of counting beans (money) and handling trade-offs: inflation vs. employment, consumption vs. savings, internal vs. external balances. Lives are different. If we start trading them off, we end up violating somebody's human rights. There cannot be exchanges, no *quid-pro-quo*s, when health and security are at stake: modern society must, and can, protect both these assets with unmitigated determination.

I appeal to the heroic partisans of the human rights cause worldwide, to help UNODC promote the right to health of drug addicts: they must be assisted and reintegrated into society. Addiction is a health condition and those affected by it should not be imprisoned, shot-at or,

year's Report to examining further the issue and its policy implications. Here are some of the main points.

First, law enforcement should shift its focus from drug users to drug traffickers. Drug addiction is a health condition: people who take drugs need medical help, not criminal retribution. Attention must be devoted to heavy drug users. They consume the most drugs, cause the greatest harm to themselves and society – and generate the most income to drug mafias. Drug courts and medical assistance are more likely to build healthier and safer societies than incarceration. I appeal to Member States to pursue the goal of universal access to drug treatment as a commitment to save lives and reduce drug demand: the fall of supply, and associated crime revenues, will follow. Let's progress towards this goal in the years ahead, and then assess its beneficial impact on the next occasion Member States will meet to review the effectiveness of drug policy (2015).

Second, we must put an end to the tragedy of cities out of control. Drug deals, like other crimes, take place mostly in urban settings controlled by criminal groups. This problem will worsen in the mega-cities of the future, if governance does not keep pace with urbanization. Yet, arresting individuals and seizing drugs for their personal use is like pulling weeds – it needs to be done again the next day. The problem can only be solved by addressing the problem of slums and dereliction in our cities, through renewal of infrastructures and investment in people – especially by assisting the youth, who are vulnerable to drugs and crime, with education, jobs and sport. Ghettos do not create junkies and the jobless: it is

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