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Follow-up to the twentieth special session of the General Assembly

General Debate of the high-level segment

Round-table discussion of the high-level segment

Commission on Crime Prevention and Criminal Justice

Eighteenth session

Vienna, 16-24 April 2009

Item 4 of the provisional agenda**

World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

Organized Crime and its Threat to Security

Tackling a disturbing consequence of drug control

Report by the Executive Director of the United Nations Office on Drugs and Crime

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United Nations Office on Drugs and Crime

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Summary

Over time, international controls have limited the number of people who take illicit drugs to a small fraction of the world's adult population, much smaller than those who use other addictive substances, like tobacco and alcohol. This undeniable success has also had a dramatic unintended consequence: a criminal market of staggering proportions. If unattended, this criminal market will offset the many benefits of drug control. In fact, the crime and corruption associated with the drug trade are providing strong evidence to a vocal minority of pro-drug lobbyists to argue that the cure is worse than the disease, and that drug legalization is the solution.

This would be an historical mistake, one which United Nations Member States are not willing to make. The reason is straightforward: there is no need to choose between health (drug control) and security (crime prevention). They are complementary, and not contradictory commitments. Yet, because drug trafficking enriches criminals, destroys communities and even threatens nations, it has to be dealt with urgently and forcefully. Policy change is required against crime, not in favour of drugs.

This paper focuses on three requirements, as a way to map the road ahead.

The need for an integrated strategy. Crime control measures must integrate all elements of the drug chain: supply, trade and demand. So far governments have mostly pursued disjointed interventions that have displaced the problem (from one country to another and/or from one substance to another); have addressed only some aspects (fighting illicit crops, instead of mass poverty); or have used a sledge-hammer instead of a more appropriate chisel (criminalizing addiction, instead of treating addicts). Also measures have been incoherently applied over time (with uneven political commitment), and over space (without the coordination promoted by international agreements). For example, the UN legal instrument against Organized Crime and its protocol on Fire Arms provide platforms for joint, rapid-impact action: yet, they not been implemented in a way robust enough to impact the drug trade. As a result, a number of countries now face *a crime situation largely caused by their own choice*. This is bad enough. Worse is the fact that, quite often their vulnerable neighbours pay an even greater price.

The need for community resistance. Drugs infect especially certain segments of society. Ghettos, even entire regions controlled by crime cartels, are breeding grounds of both drug supply (trafficking) and demand (addiction). Exploitation, instability, even terrorism are their direct cause and consequence. Yet, like addiction, violence can be cured: it is indeed possible to regain control of places that today are hospitable only to anti-social behaviours. The challenge is to re-integrate marginalized segments of society and draw them into, rather than push them out of the law. From the Andes to South East Asia, this has been done with farmers who have been assisted to switch from illicit to licit crops – despite the war conditions surrounding them. From Europe to Australia this has been done with addicts who have been helped to abandon their drug dependence – despite largely adverse social settings. The world over, drug farmers and drug addicts have benefited from targeted assistance: why not duplicate this winning model in the heart of ghettos and in areas out-of-control? Why do states abandon masses of unemployed, illiterate youth that face no other option than *a day of money, notoriety and death* as foot-soldiers in rag-tag armies of mafias

and rebels?

The need for a shared commitment. The drug trade not only infects people in so many lands. It also corrupts governments, together with business and finance. Nations need to strengthen integrity in governance (public and private) and resistance to drug cartels, armed with war chests worth billions of dollars. This is not happening. Money laundering is rampant and practically unopposed: honest citizens, seeing the expensive cars, yachts and mansions of untouchable mafias and their cronies, wonder why proceeds of crime are not seized. The internet supplies drugs, arms, even people and their organs, on-line. One of humanity's biggest capital assets, the web, when perversely used is turned into a weapon by criminals and terrorists. Surprisingly, calls for international agreements against cyber-crime and cyber-terrorism remain un-answered. Even existing international legal instruments are not adequately applied, their rules of engagement not yet agreed upon years after their entry into force. In fact, the Conferences of the Parties for the implementation of the UN Conventions against Corruption and against Organized Crime have repetitively failed to deliver – focussed on *processes* rather than on the *substance* of fighting organized crime.

The drug control conventions – so effective in reducing the health impact of illicit substances – are under attack for a collateral damage the founding fathers could not anticipate: the emergence of drug cartels powerful enough to affect politics and business. This may be an unintended consequence of the drug conventions: above all, it is the inescapable result of inadequate implementation of existing crime control agreements and unwillingness to develop new ones, despite the sacrifice – often the ultimate sacrifice – of law enforcement officers.

The overall context has weakened further the respect for human rights. *Although drugs and crime kill, societies should not kill because of them.* There cannot be disagreement on this. Yet, under the (no doubt emotional) pressure of a concerned public opinion, efforts to preserve public health (by controlling drugs) and to maintain public order (by preventing crime) are not always conducted with respect for the rights of other human beings. Still worse, when the law is not observed, when drug mafias challenge the state, when vast income inequalities are the result of crime rather than honest work, the call is inevitable: *an eye for an eye*. Governments must oppose this frightening cycle.

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Organized Crime and its Threat to Security

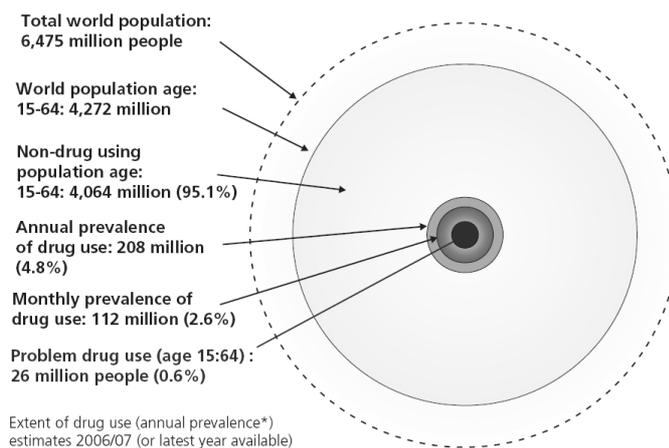
Tackling a disturbing consequence of drug control

The international drug control system has endeavoured to restrict the use of dangerous drugs to medical purposes and to stop them from spreading throughout society. Health programs, together with law enforcement, have played a key role in implementing this control regime.

Although countries cannot parade all the addicts-that-never-were because of prevention and interdiction, progress has been undeniable.

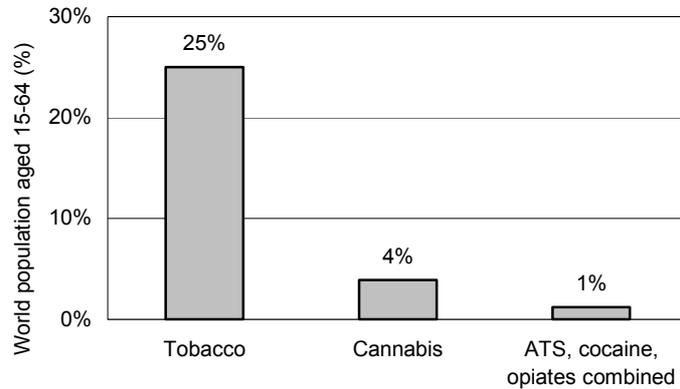
The share of the world population (age 14-64) that *does not* take illicit drugs is much larger (95%) than the fraction of humanity that does use them, even on an occasional basis (5%). Problem drug users are estimated at no more than 26 million people – a very modest 0.6% of the world adult population. Furthermore, the number of people in the world using illicit drugs has remained relatively stable during the past several years. This is a welcome change with respect to the rapid increases of illicit drug use recorded at the beginning as well as at the end of the 20th century.

Illicit drug use at the global level (2006/2007)



Also noteworthy is the fact that far fewer people use illicit drugs than use licit addictive, and often lethal substances such as tobacco and alcohol. And far fewer people die as a result of illicit drugs (a tenth or less).

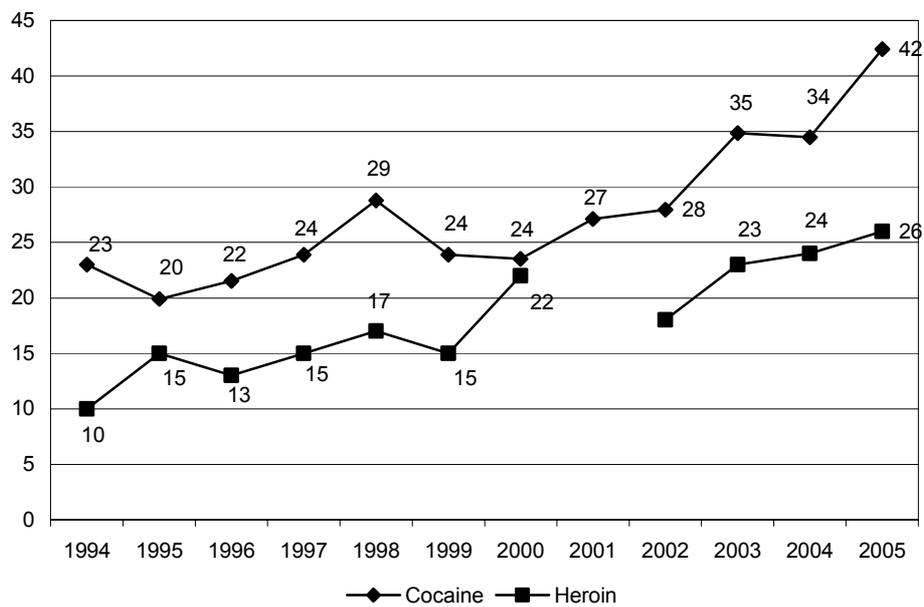
Figure 1: Annual illicit drugs use compared to tobacco use, share of world population aged 15 to 64



Source: WDR 2008

Law enforcement has been prominent and largely successful in these efforts. Almost half of all cocaine and about a quarter of all opiates produced annually are being seized world-wide (it is more difficult to measure the situation with synthetic drugs and cannabis). These are respectable outcomes.

Figure 2: Share of global drug supply seized, 1994-2005



Source: WDR 2007

Yet, the drug control system has had its costs, and these are not limited to the public expenditure on supply and demand reduction. International drug control has produced several unintended, yet costly *consequences* reviewed in an earlier paper submitted to the Commission on Narcotic Drugs in March 2008, entitled *Making drug control 'fit for purpose': Building on the UNGASS decade*. Among them, the most formidable collateral damage has been the creation of a lucrative black market for controlled substances, dominated by powerful crime cartels and resulting in unprecedented violence and corruption.

The origin and the mechanics of this drug-driven crime phenomenon are easily understood. Drugs are a commodity. Their scarcity – through controls – boosts prices out of proportion to production costs. Fear of the law and high value keep drugs out of the hands of an untold number of potential addicts. At the same time, they allow international mafias to generate enormous profits, with almost macroeconomic dimensions by attending those who do use drugs.

Criminal competition for the drug markets is fierce, resulting in real wars on the streets of many cities, worldwide. Profits are ploughed back into increasing the capacity for violence and into corrupting public officials. Together, violence and corruption drive away investment and undermine governance to the point that the rule of law itself becomes questionable. A vicious circle is thus triggered, with lawlessness allowing even greater drug trafficking, with ever higher proceeds abrading the social contract between society and its elected leaders.

The question of assessing the balance of advantages between the considerable *costs* of controlling drugs and the undeniable health *benefits* derived from it, has come up during the UNGASS review. Are the consequences so severe that the response is worse than the problem it is meant to address? This cost/benefit analysis is hard to quantify, but the issue certainly needs to be tackled head-on.

The argument should not be framed as a *false dilemma*, forcing us to choose between drug control and crime prevention. The fact that some repulsive transactions are hard to control doesn't mean that they should not be controlled. Should humanity accept paedophilia, human trafficking, or arms smuggling out of a naïve sense of market inevitability or intractability? Lifting controls on drug use would be a cynical resignation of the state's responsibility to protect the health of its citizens and tantamount to accepting that a portion of every generation will be lost to addiction.

Instead of an either/or dichotomy, it is incumbent on the international community to achieve both objectives: to protect a *public good* (health), and contain one of the world's foremost *public bads* (crime).

A crime market of macroeconomic size

Controlling *both* drugs and crime is a daunting task. The global drug trade was recently valued by UNODC at \$320 billion per year. While it probably remained stable over the recent past, it has now a virtually macroeconomic dimension. If it were a country, it would be listed as the 21.st economy in the world, right after Sweden's GNP of \$358 billion. Put another way, it is greater than the world market for tobacco, wine, beer, chocolate, coffee and tea combined, though smaller than the wholesale market for oil.

For *heroin*, the most dangerous drug, UNODC valued its global trade at \$57 billion. Less than \$2 billion of this goes to the farmers, most of the rest (2/3) remains in the hands of professional criminals, insurgents and terrorists (1/5 accrues to street retailers). This

amount of money in sinister hands creates a dangerous economic, political and even paramilitary leverage that buys the weapons, access and influence needed to get the drugs to the market. The trade is so lucrative that those involved are willing to use deadly tactics to deliver their deadly doses.

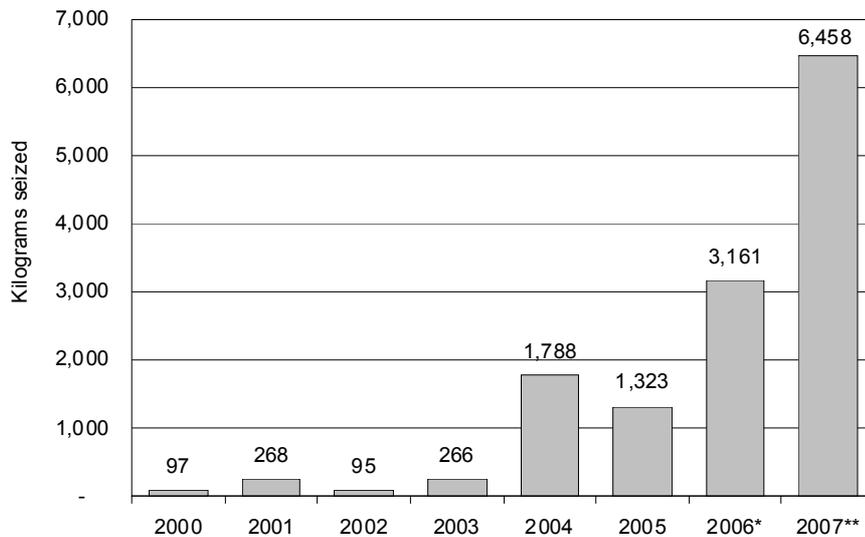
The wholesale market for cocaine represents more than 1/4 of the value of the entire trade. It is not uncommon for multi-ton shipments of cocaine to be seized – and in recent years there have been dozens of such seizures. A ton of cocaine is worth about \$50-70 million dollars wholesale. While each consignment has multiple delivery channels to ultimate users, there are a limited number of people who deal with cocaine at this level. And many of these people belong to mafia families, whose identities are well established – including their operational hierarchy.

A security threat

The drug market is more than just some unsavoury characters making a lot of money: the same people can actually destroy society. As West Africa has recently demonstrated, the effects of drug trafficking on human security is devastating. Drug traffickers use their war-chests to attack vulnerable countries, through business acquisitions, corruption and violence. These processes inevitably converge, as at stake is more than just money-laundering and intimidation: drug cartels buy more than real estate, banks and business. They buy elections, candidates and parties. In a word, they buy power. Here is where the drug business becomes a security threat. Here is also where counter-narcotic measures dove-tail with security initiatives, as underlined during the United Nations Security Council's recent debates on the threat to stability in Africa caused by drug trafficking.

Not only are drugs sourced from conflict-ridden regions of Asia and Latin America: they also fund and thus perpetuate insurgency and related humanitarian disasters. Traffickers have far more resources than states in poor and vulnerable transit areas like the Andes, Central America, the Caribbean, West Africa, the Balkans and Central Asia. These regions are caught in a cross-fire that scares away tourists, business and investors alike, making their socio-economic problems ever more intractable. Either more is done to help these areas cope with the challenges posed by drug trafficking, or drug control will become even more stigmatized for having created gargantuan problems in countries already facing dramatic poverty and health problems of their own.

Figure 3: Annual Cocaine Seizures in West Africa, 2000-2007



Source: UNODC, “Drug trafficking as a security threat in West Africa”, 2008

A three-pronged approach to control both drugs and crime

What to do then? Resources available to national authorities are finite and, particularly in this period of economic difficulties, increases in health and security budgets cannot be expected. Actually, money is not the bottleneck. Implementation of the proposals contained in this paper is less dependent on availability of financial capital, and much more on committing political capital – perhaps the resource in shortest supply these days.

We can start by framing our collective efforts against drugs less like a war, and more like an effort to cure a social illness. By way of metaphor, let us say that the world is afflicted with drug addiction (the disease) and the drug control system (the cure) has had an unintended side effect: a huge criminal drug market. To correct the situation, we need to refine both diagnosis and therapy. This paper proposes a three-pronged approach consisting of:

Prong 1: a control strategy for each market

Prong 2: a resistance platform for each community

Prong 3: a shared commitment among nations

All of this has to be framed, first and foremost, in the respect of human rights. The benefits of increased health and security will be lost if we forget that community well-being can prosper only if individual dignity is protected.

(1) A control strategy for each market

Measures to control drugs must be conceived as part of an integrated strategy, targeted and timed to treat causes, not symptoms, and to achieve maximum impact with

minimal side-effects. Each drug market – understood as the chain that links producers, traffickers and consumers – needs specific interventions. The alternative is a patch-work, with disjointed actions that displace the problem (among countries and/or across substances), address only aspects of it (the crime of drug crops, rather than the poverty of farmers), or use a hammer where a chisel would work better (criminalizing addiction, rather than treating each addict).

The illicit drugs economy consists of many actors, each responding to their own sets of incentives. To design countermeasures, we need to understand each link in the chain, while not forgetting that it is, in fact, a chain that binds together actors across: (i) *regions*, as well as (ii) *markets*, and the response must be (iii) *drug specific* and (iv) *time sensitive*.

(i) *Working across regions*

Drug strategies are usually designed at the national level, but this is not always the most useful frame of work. The most visible manifestations of the problem are, of course, local, but they are deeply connected to what is going on internationally. As is discussed below, interventions can only be effective if they are, at conception, designed across borders. Failure to do so reduces the impact and displaces the problem: an outcome that has become common in global drug control, with large scale opium cultivation migrating from Myanmar to Afghanistan, or coca plantations moving from Peru to Colombia.

Realization that drug problems are a shared responsibility of producers and consumers is not new. This understanding inspired the creation of the international drug control system, which has recently celebrated its 100th birthday in Shanghai. It was reconfirmed in the 1998 UNGASS Political Declaration. Yet, there have been surprisingly few attempts to translate this realization into strategies whose dimensions would match the scale of the problem. Generally speaking, the global drug control effort has been a patchwork of independent national undertakings. International cooperation has primarily consisted in information exchanges among law enforcement officers (for controlled deliveries) and in the provision of technical assistance (to build national interdiction capacity).

Similarly, while multilateral agreements have been made to stem the laundering of drug money, organized crime – favoured by the incoherence of national legislations, the persistence of non-cooperative financial centres, and today's unprecedented financial circumstances – has remained several steps ahead of what financial law enforcement could effectively do. It is worthwhile to recollect recent history in this regard. Following a period of accumulating large cash hoarding (in the 1960s and '70s), organized crime groups (in the '80s) switched to laundering assets via banking institutions. As energetic measures were undertaken to block this misuse of the financial sector (in the '90s and after 9/11 by the Financial Action Task Force, FATF), organized crime switched again (in the current decade) to large cash hoarding and barter trade (with drugs exchanged for real estate, etc). The current financial crisis, and especially the illiquidity of the banking sector, are now offering an extraordinary opportunity to drug cartels to re-access the financial sector – as the *know your client* principle is being honoured more in the breach than in the observance, and certainly not consistently among countries.

The total sum of these individual efforts should not be underestimated. They have helped drug use to levels well below those reached by tobacco and alcohol. But playing defence only is not sufficient to win a match. Disrupting the criminal drug trade requires offensive actions on the scale of the playing field, and that field spans nations and continents. There are new examples of cooperation worth considering.

In May 2003 the G8 Foreign Ministers joined those of other countries to launch a border control initiative proposed by UNODC and meant to stem the flow of Afghan heroin towards Europe. The Paris Pact, as the initiative became known, is based on the recognition that the formidable dimensions of the Afghan heroin drug trade need a commensurate multilateral response. Over time the Pact has provided the strategic framework to counter the threat. While the Paris Pact remains a work in progress, soon supplemented by an anti-crime action plan for the Balkans, more efforts like these are needed to harmonise operations against other drug flows. Something is indeed moving: a more systematic approach to the cocaine trade is now being introduced in West Africa, the Caribbean and, soon Central America. While such efforts are valid, the chances of success would increase if they were integrated to match the scale of this drug trade. Other drug markets (in South East Asia), where the trade in amphetamine-type stimulants (ATS), is still growing, would definitely require the application, if not of the same tool, at least of the same concept.

Elsewhere, regionally coordinated drug-control efforts, again inspired and supported by UNODC, should provide some relief once implemented. For example, the Central Asian countries and Russia are in the process of establishing a regional crime information bureau (CARICC, headquartered in Almaty, Kazakhstan) meant to adopt the best intelligence sharing experience of Interpol and Europol. The same type of institution is under development among the six Gulf countries (GCCI, headquartered in Doha, Qatar). Given the limited resources required by these endeavours, this model could be considered elsewhere, especially in the regions most exposed to drug trafficking. South-East Asia and the Andes again come to mind. What is most needed is not financial capital, but political commitment – a very scarce commodity. These institutions could become crucial building blocks for the intelligence sharing networks needed to tackle drug markets on the scale of Afghanistan's heroin, Colombia's cocaine, or Myanmar's supply of amphetamines.

The legal instruments needed to give these regional institutions, and the world at large, the ability to deliver crime-control results already exist. There is no need to reinvent the wheel. The UN Convention against Transnational Organized Crime (UNTOC) and especially its Protocol against the Illicit Manufacturing/Trafficking in Firearms provide a platform for joint action. Yet, Member States have so far failed to implement them in a way that would have impacted forcefully on the drug trade. The Firearms Protocol is an orphan in the community of nations. It has entered into force but, boycotted by big arms-producing countries, it has not lived up to the expectations it generated when it was negotiated in Vienna in early 2000. As a result, *a number of countries now face a crime situation of their own making*. This is bad enough. Worse is the fact that, often *vulnerable neighbours – caught in the cross-fire – pay an even greater price*.

(ii) *Working across sectors*

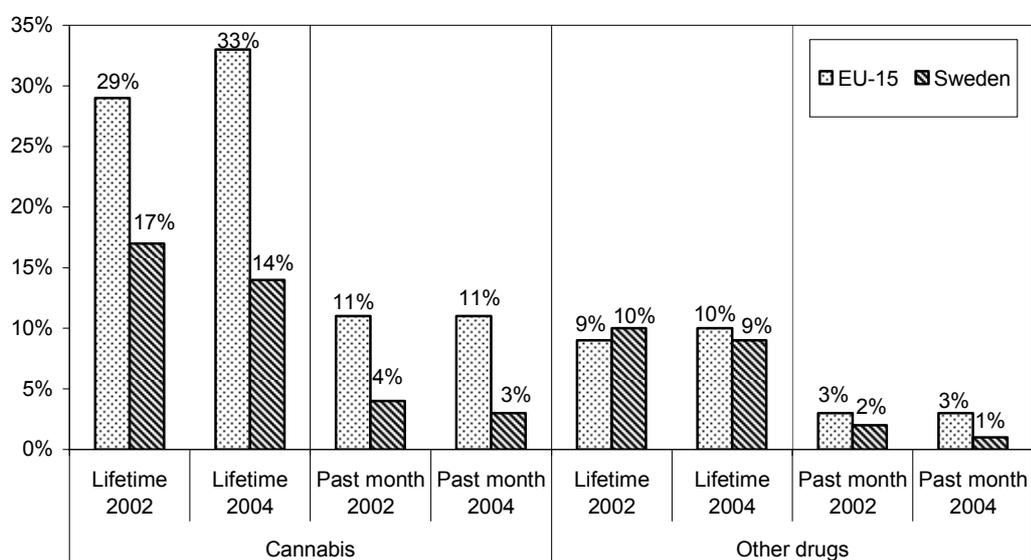
A balanced approach between supply- and demand-side interventions has been a fundamental principle of drug control. It has done little, however, to indicate how resources should be distributed among the different sectors of drug policies and how to coordinate efforts against the various segments of the drug market.

Each segment of a drug market is linked to others and could not operate independently. Yet, from both a strategic and an operational point of view, our responses so far have remained largely compartmentalized. In a nutshell, demand reduction experts work hard to reduce demand, development specialists attempt to curb supply, and law enforcement goes after the traffickers and dealers. Although these actors interact with each other at times, their respective work is seldom articulated within a joint strategy designed to take down the illegal drug economy and deal with the underlying vulnerabilities.

Sweden represents a good case study of a national approach to supply and demand reduction, coordinating prevention, treatment, and law enforcement. Sweden's drug budget is three times larger in size and its components are many-fold more interdependent than the EU average. The results are clearly positive: high drug prices, low drug availability, high awareness of drug risks, and low and declining use rates. HIV levels are very low. Prisons are not used to house users, but to deal with trafficking and the crimes attendant to the black market. Streamlined criminal procedure has greatly improved the performance and reduced the cost of taking traffickers out of the equation. Thanks to these efforts, teamed with a positive economic climate during the past decade, Sweden can now boast annual drug use rates less than half the average in West and Central Europe.

The integrated approach developed by Sweden provides an example of a good practice that can inspire other countries, as well as be replicated on a larger scale when designing the new transnational counter-market strategies that we need.

Figure 4: Annual prevalence of drug use among the population 15-24 in Sweden and Europe



Source: European Commission, Eurobarometer, Young People and Drugs, June 2004

To maximise the impact and reduce the cost of economic policies, economists and governments go to great lengths to identify the right mix of interventions in the different segments and at the different levels of licit markets. The time has now come for drug control specialists to do the same for drug control policies and illicit markets.

(iii) *Drug specific responses*

Different substances are associated with black markets that have different characteristics. Starting with the (a) *cultivation of drugs*, for example crops like opium are labour intensive, displacing other forms of agriculture. In contrast, cannabis requires very little attention and grows virtually anywhere, cultivated in parallel to other crops where land is plentiful. As a result, cannabis farmers can be difficult to deter since they invest so little in its cultivation.

Differences can also be found all along the (b) *wholesale trade*. While cannabis supply represents a major source of income for organised crime in Canada, Mexico, Morocco, Paraguay, and Afghanistan, in other parts of the world domestic cannabis production is too decentralised and the product too cheap to be of interest to high-level criminals. Ecstasy production is more complicated, so transnational trafficking is commonly involved. It is also generally more structured on the distribution end of the market chain, since it is often associated with a particular subculture, as opposed to the more general appeal of cannabis.

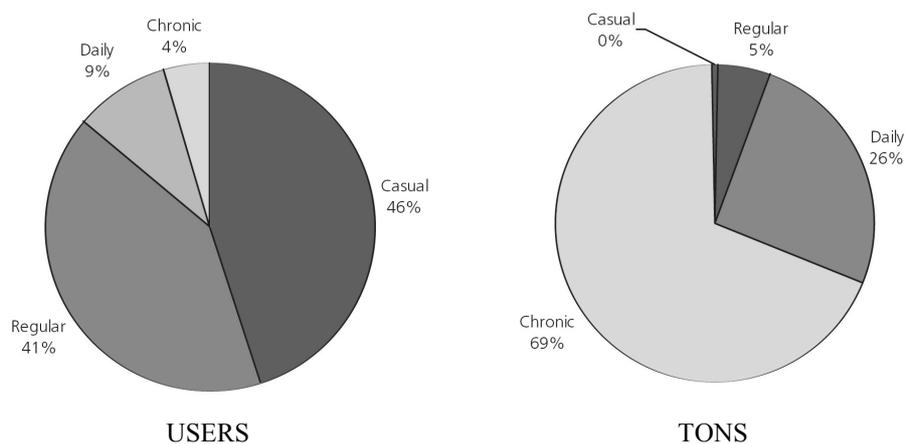
Stimulants produce different sorts of (c) *retail markets* than dope (opiates). Drugs that foster violence in users produce particularly violent markets. Not so for heroin: it is a long-acting narcotic, consumed by addicts at fairly predictable intervals. Crack users, in contrast, consume in binges and want more drugs immediately: are they violent! Drugs such as ecstasy, and to some extent cocaine, are often consumed in a particular spatial area, such as a living room, a dance club or an event: those who control these situations control the drug trade, and their marketing is usually an organised affair.

These differences have implications for interventions. It is important to understand them, and to use this knowledge to tailor countermeasures to each criminal drug market. This has not happened: a costly missed opportunity.

(iv) *Time sensitive interventions*

Drug problems are not static. Different types of intervention are appropriate at different stages of a drug epidemic. We generally focus on tracking the national rate of drug prevalence, or the number of people who have used the drug in the last year. But as significant from a market perspective is the number and location of addicts. Research suggests that the bulk of drugs are consumed by people who use them every day. For example, over 2/3 of world supply of cannabis is consumed by people who are continuously intoxicated. Focusing on the volume of the flow, rather than the number of users, may be a more effective way of tackling drug trafficking.

Figure 5: Breakdown of annual cannabis users and tons of cannabis consumed globally by frequency of use in 2006



Source: *Bulletin on Narcotics, "Review of the world cannabis situation", 2006*

The ratio between all drug users and the number of (problem) addicts varies according to where the given market is in the epidemiological cycle of the drug. Once a drug epidemic reaches maturity, the proportion of core users tends to increase relative to the number of casual users. In such a situation, in order to disrupt the black market for that drug, governments need to prioritize interventions against the retail markets catering to the addicts, rather than the casual users.

In the early days of a drug epidemic, strong law enforcement is successful. Later, when a large body of addicts have become entrenched, treatment provides the most return on investment. By focusing on the high volume flows – the flows to the addicts – we have the best chance of impacting on the bottom line of the traffickers.

Again, the point is to look at drug control as a series of inter-related factors where each intervention has an impact on others. Performance indicators need to be long-term and holistic – not merely following the annual gyrations of illicit crop hectares and tons, or the ups and downs of drug prices, or politically-affected shifts in prevalence rates. Drug control has proved successful where policies are evidence-based, cross-cutting, long-term and resourced.

(2) A resistance platform for communities

The drug trade tends to infect societies through open wounds: derelict neighbourhoods and out-of-control regions run by war/drug-lords. *Situational crime prevention* instruments can heal these wounds and make them inhospitable to the drug barons. The emphasis in each case is to regain control over marginalized areas, to draw them in, rather than push them out of society.

Arrests and seizures are necessary, but insufficient. The principle behind them is to incapacitate offenders and to deter potential ones. But this is fruitless when social conditions continue to generate whole new classes of people with strong incentives to offend. Those willing to risk death by ingesting a kilogram of condom-wrapped cocaine pellets (for a few thousands dollars), are not put off by the risk of jail. While the threat of arrest must remain in place to dissuade those who value their future, those who have given up hope are not frightened.

There is a law enforcement corollary to this. While mafia families capable of mobilizing hundreds of millions of dollars of assets are well protected by thick walls, electronic surveillance and heavily armed thugs, they can mobilize legions of recruits to do the dirty work of moving the drugs across borders, storing it in safe houses, gathering the proceeds from retailers, as well as acting as killers to stop the competition. Life expectancy of these, mostly young recruits may be short – but “*what’s the alternative?*” they retort, keeping in mind their miserable background in city ghettos or poor villages – often orphans, illiterate and certainly unemployed.

In poor as much as in rich countries (think of the vivid description of crime in the Neapolitan inter-land by Roberto Saviano’s *Gomorra*), drug control policies must recognize that degradation, underdevelopment and joblessness create a condition of vulnerability to both the drug use and the drug trade that requires unmitigated attention – or law enforcement will perpetually chase its own tail around the globe. Gang members, whose whole life revolves around conflict with the police, value prison as an expected part of the life cycle, and see death as a price to be paid for posthumous respect. Arrests and seizures do not have a lasting impact on them: as an economist would say, the supply of such foot-soldiers is totally elastic. Therefore, governments have to try something else – and new.

In crime prevention theory, a false dichotomy is often presented between solutions involving law enforcement, which are viewed as short-term correctives, and crime prevention, which is portrayed as a long term project. In the world of short political time horizons, the latter often gets neglected in favour of the former. But there is a third way, at least in the specific area of drug control: interventions aimed at changing social conditions, to impact the context under which drug markets thrive.

(i) *Applying the experience learned on the ground*

Social interventions – as a support to law enforcement – have proven particularly effective at the beginning of the drug cycle, namely close to the farmers, as well as at the end, close to the addicts.

On the supply side, most the world's drugs come from a few countries and, within them, from a handful of areas. Changing the environment that has enabled drug production to take hold has maximized the impact of direct police interventions against drug labs, markets or convoys. It has also helped prevent the recurrence of the problem. Law enforcement can only succeed if it works along fundamental trends, not against the grain of the socio-economic context. From the Andes to South East Asia this has been done with drug farmers, who have switched to licit economic activity only when development conditions (and not only law enforcement actions) were adequate.

The same can be said regarding drug demand. A large share of the world's drug consumption can be traced back to a number of major urban centres around the world, to a few neighbourhoods within those cities, and to a few blocks within those neighbourhoods. In these areas, law enforcement can succeed if it operates with social reintegration. From Europe to Australia and North America this has been done with addicts, helped to opt for personally viable alternatives. Alternative life options must be offered in the heart of ghettos and in cities out of control, to rescue unemployed, often illiterate youth supplying and consuming drugs, youngsters that face no other chance than *a day of money, notoriety and death* as foot-soldiers – often acting under intoxication – in criminal rag-tag armies of mafias and rebels.

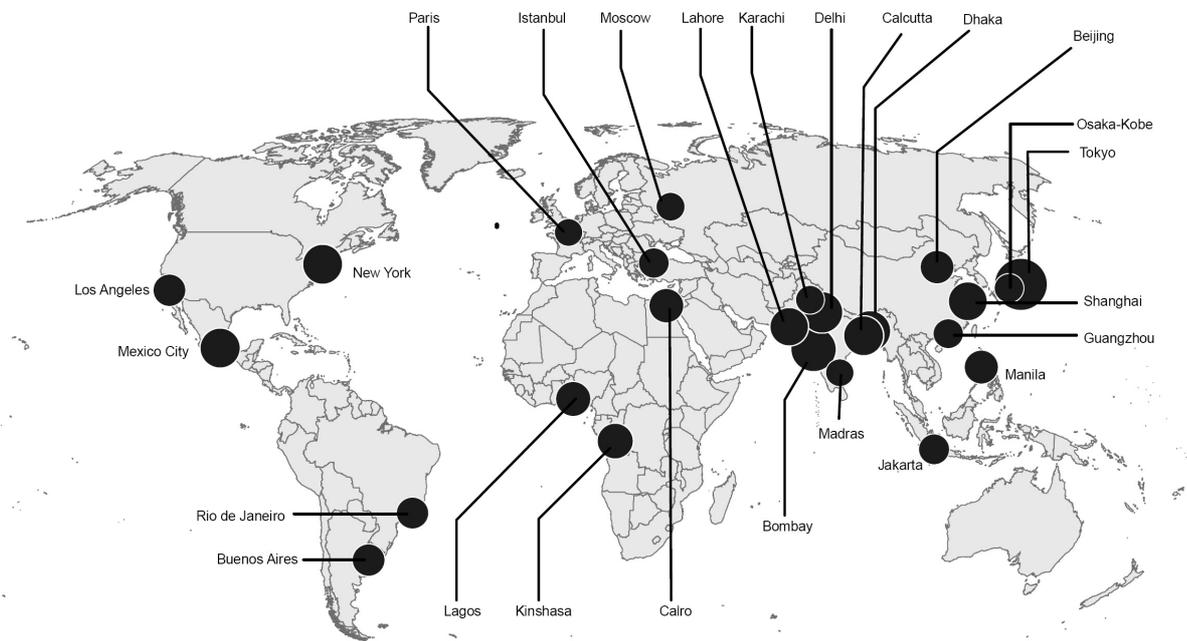
What about the drug trade? Many open drug retail markets are found in neglected urban spaces, free-for-all zones that can also harbour fugitives from the law, sex slaves, runaways and illegal immigrants. These areas are growing in a rapidly urbanising world, especially in developing countries (hosting about one billion people). Unable to accommodate the rapid inflow of people, these urban sprawls acquire slums beyond the capacity of authorities to control. Hopelessness allows drugs and crime to germinate. In some parts of the world, there are whole regions where drugs and contraband prosper, profiting from free-trade conditions, breakaway status, and conflict zones.

Figure 6: Urban agglomerations with more than 10 million inhabitants in 1975

(Source: UN DESA – *Urban agglomerations 2007*)



Figure 7: Urban agglomerations with more than 10 million inhabitants in 2025



Street drug markets do not exist in a vacuum. The property in these areas is owned by someone who allows illicit activity to continue. Surprisingly, run-down urban properties are often prized among slum real-estate lords for the incomes they generate, since marginal people will pay a premium to avoid attention, or because they have no choice. Legislation that requires owners to take responsibility for what goes on in their establishments, even at the cost of forfeiting the asset, could go a long way toward restoring order. The time has come to reclaim urban waste-lands: drug control will be won, or lost, in the cities.

(ii) *Applying the experience learned from tobacco*

These interventions need not have great resource implications. Some forms of regulation are essentially self-enforcing. For example, laws limiting tobacco smoking in public places would be a failure if they relied on the state for enforcement – there are simply too many smokers to control. Instead, anti-smoking laws rely on two non-state sources for compliance. The first are the owners of the public establishments themselves, who are motivated to obey the law. The second are the non-smokers who, as health conscious individuals, object to smoking in public places.

The paradigm shift in the anti-tobacco campaign came when the issue ceased to be framed as a matter of personal choice and began to be seen as an issue of public health. Drug markets are no less hazardous: think of the week-end car accidents (true massacres) caused by intoxicated drivers. This is the equivalent of second-hand smoke. Similar mechanisms must be designed to empower the vast majority of people (95%) who want no part in drug abuse.

Of course, closing an open retail drug market does not mean the problem has been solved. Addicts need their drugs, and will continue to source them through networks. But this kind of disruption can have several benefits. It removes the territorial element on which so much drug related violence is based. In fact, it could undermine the street gangs, for whom territorial control is key. It would also cut off a supply of new addicts: the runaways and the sex slaves who seek refuge in these state-less areas. In general, it would make sourcing drugs more difficult than just showing up at a street corner, and impede dealers to expand their markets.

This sort of local focus may seem a bit out of line with the interests of the international community, but in a globalized world, international problems are often the sum of many interlinked local problems. If these micro-problems are addressed in a coordinated manner, it could prove difficult for high level traffickers to find outlets.

(3) Resistance mechanisms shared among nations

Just as we must build community resistance, we must help states to share efforts against the incursion of drug traffickers on an institutional level. We have made great progress in reducing the number of safe havens for transnational criminals, but more needs to be done, especially in supporting fragile states.

The United Nations Convention against Transnational Organised Crime (UNTOC) has established the legislative framework to address the crime business, and build the mechanisms for international cooperation. But there are large gaps in its ratification and in the implementation of its provisions. The international community does not seem to be taking its own instrument seriously. Many countries have passed legislation of sort, but rarely use it. This may be one reason why several UNTOC Conferences of the Parties could not agree to peer monitoring. Countries cannot even agree to providing (and sharing)

basic data on these issues, so great is the fear of dropping the fig leaf; when delegates from Member States meet to discuss the world crime situation, they have little idea if the problem is getting better or worse, where and why: this is decision-making in a permanent, thick fog. And of course drug control gets a bad reputation, for having caused an unintended consequence – transnational crime – that few countries seem to recognize as actually their own doing.

The collective inability to make progress in this area, and the ineptitude in promoting implementation of the UNTOC, are threatening to undermine the effectiveness of the drug Conventions for sure, but also belittle the ultimate sacrifice of so many brave law enforcement officers, and the humanitarian contributions by civil society. The UNTOC was created in part to deal with the criminal black market that developed as one of the unintended consequences of drug control. And yet, while ghettos burn, lawlessness threatens West Africa, drug cartels challenge Central America and drug money penetrates (ex) blue-chip banks, negotiators at the Conferences of the Parties keep arguing on processes and procedures.

The lack of concerted work on money laundering represents another lost opportunity. The global financial crisis has rolled back many of the gains made during the 1990s. Why? Because banks need liquidity and ask fewer questions now about where money originates. Again, many instruments are in place. Others, designed to prevent money-laundering that takes place in the real economy, are badly needed. Above all what is needed is the political will and the corporate responsibility to use them. The size of the criminal economy is as much a product of our collective inaction to identify/seize the assets of drug barons as a side effect of drug control. The end result is growing frustration among honest citizens, who see the expensive cars, yachts and mansions of untouchable mafias and their cronies, and wonder why these illicit proceeds are not seized – at a time when the growing economic depression bites away honest jobs and hard-won assets.

The same is true in the area of corruption. By providing criminals with virtual immunity from prosecution, corruption can nullify the deterrence effect stemming from drug enforcement. In adopting the United Convention against Corruption, Member States have equipped themselves with a powerful instrument to remove an essential lubricant of criminal markets. But, despite the fact that the Convention entered into force four years ago and has already been ratified by more than 120 countries, efforts have fallen short of potentials when it comes to concrete actions. A modest (pilot) monitoring process was launched in 2006 after much controversy. So far the Conferences of the States Parties have been, as with the sister convention (UNTOC), a disappointment – with negotiators once again lost in debating processes at a time when the criminals prosper because of corruption in public places, and the financial system is penetrated by white-collar (bourgeois) mafias. And yet, so much could be accomplished by imposing – as a start – financial disclosure of incomes and assets by ministers, law makers, senior officials and law enforcement personnel to spot illicit proceeds in their portfolios. Anti-corruption stings should become common and well publicised, especially in those countries where the life style of so many officials cannot be explained by their paltry salary.

A missing link across all the above is the lack of regulation of cyber-space: another situation that organized crime and drug traffickers are profiting from. The internet is of course one of humanity's biggest assets: communication has been transformed, learning and research has gone global, business has never been the same since the web's inception. Yet, as with other inventions, the web can be, and is being, used also for deadly purposes. Internet suppliers provide drugs, arms, even people on-line. They recruit on-line characters vulnerable to radical behaviours, train them in the deadly business of explosive-handling and turn them into suicide-bombers. This notwithstanding, calls for international

agreements to regulate the internet and reduce its use as a weapon in the hands of criminals and terrorists go un-answered.

In parallel, and as a consequence, there are parts of the world where the rule of law has collapsed. Big crime comes with periodic upheavals, so peacekeeping and peace-building efforts should plan accordingly. Their object is the same: the provision of security until affected areas/countries are able to cope with the challenges confronting them, be they armed insurgencies or organised crime. West Africa is under attack: it has emerged as a drug trafficking hub in recent years. Given the political instability in the region and the growing demand for drugs in Europe, this development cannot be surprising, and most certainly needs to be addressed. The re-establishment of the law should be a priority in affected countries (Guinea-Bissau), alongside electrification and democracy. Current UNODC work with the UN Departments for Peace Keeping Operations (DPKO) and of Political Affairs (DPA) have started to produce results in those theatres where drug trafficking and organized crime are the result of civil upheavals, or have caused such upheavals.

Don't roll back progress towards human rights

Drug and crime control must be based on the respect for human rights. They must actually contribute to their advancement. There is no better protection against uncivil behaviours than a respect for human beings. And there is no better way to promote civil society than by advancing this cause.

Drug users, who are already on the margins of society, should not be criminalized. Because of their health condition, they should go to rehab, not to jail. If removed from life-saving health and social services, they will hurt themselves and society via crime and blood-borne diseases.

Drug criminals are different. They should be brought to justice. But extra-judicial killings of suspected traffickers and capital punishment for drug offenders are not right. *Although drugs and crime kill, governments should not kill because of them.* Yet, modern society is running into two different, converging trends.

First, the effort to control drugs and the violence they sow have been misused to roll back civil rights gains. Second, desperate for security, citizens have relented to relinquishing a growing share of their rights: *eye for an eye* seems to be the refrain. It is up to states to show restraint, finding alternative ways to address the drug and crime problems. Political and administrative incompetence cannot be mistakenly used to justify human right violations: above all, governments must oppose this frightening cycle.

In conclusion

The international drug control regime has restricted the spread of illicit drugs. Arrests and seizures, combined with controls on precursors and money movements, have made business difficult for the traffickers, even as artificial scarcity has boosted their profits. But it is incumbent on governments to make the life of drug mafias more difficult by undermining the market itself.

The approach adopted at the time of the UNGASS (1998) relied on a series of global drug control plans that laid down broad principles and goals. In 2009, statistics speak loud and clear: the world drug situation has been stabilized over the past 10 years. We call this *containment*, which is, of course, unsatisfactory given the UNGASS objective of reducing

the problem. Yet, since states need to make further progress in controlling both the narcotic and the criminal markets and, more broadly, to foster safe and healthy societies, future multilateral efforts need to be strategically more integrated and operationally more specific.

The global body politic is infected with the disease of addiction, and the regime of drug control has produced violent and corrupting crime markets. To address these, the following is prescribed:

A strategy for each market. Countermeasures against the drug problem must be conceived as part of integrated measures, targeted and timed to treat causes, not symptoms, and to achieve maximum impact with minimal side-effects.

A community resistance. The drug trade tends to infect societies through open wounds. Situational crime prevention can heal these (mostly urban) wounds and make them inhospitable to the drug trade. The emphasis must be to mainstream marginalized areas, to draw in affected people (whether addicts or retail traders) rather than push them down, or out.

A coordinated resistance. States should resist the incursion of criminals at an institutional level by using the UN Conventions against Crime and Corruption. Urgent attention must be given to fragile states where the law no longer rules.

And of course, although drugs and crime kill, government interventions must be based on the full respect for human rights. There is no better protection against uncivil behaviours than the rule of law, itself a way of promoting human rights.

The UNGASS process was laudable in setting global goals for drug reduction, but it was short on the specifics of how these goals were to be attained. Above all, it failed to appreciate the severity of the associated crime problem, though unintended. Member States must stay the course in preserving the recent health gains, through drug control. They must especially face the task of containing its dramatic crime-related consequences. Policy change is required against crime, not in favour of drugs.

Vienna, 1 March 2009