

4.1

A development-oriented approach to drug control

Key recommendations

- A thorough review of drug laws and policies should be conducted in the context of the SDGs to ensure that drug control addresses the underlying social and economic drivers of engagement in the drug trade. This should include an analysis of how drug policies affect the capacity of communities, territories and countries to reach the SDG targets
- Drug policies should no longer aim at reducing the overall scale of the drug market but aspire to reduce the harms associated with these markets – including insecurity, corruption, violence, health harms, etc.
- Drug laws and policies should be reviewed to ensure access to essential medicines, as well as to harm reduction and treatment services
- Policies and practices in illicit crop cultivation areas should be revised to move away from forced eradication towards a long-term development approach focused on sustainable livelihoods
- Criminal sanctions should be removed for people who use drugs and small-scale farmers engaged in illicit crop cultivation, and proportionality of sentencing should be ensured for all drug offences
- A gender-sensitive approach to drug control should be adopted to address the specific vulnerabilities of women engaged in the drug trade
- Mechanisms to protect and promote human rights, as well as end impunity for human rights abuses, should be established and strengthened
- A new set of development-oriented metrics and indicators should be adopted to measure the success of drug control based on human development.

Introduction

Until recently, the connection between drugs, drug policy and development has been largely ignored by both development agencies and UN drug control bodies. Yet, the relationship between drug control and development goals is undeniable, albeit a complex and multifaceted one. The sheer scale of the illicit drug market – estimated at between US\$449 to US\$674 billion a year, using the World Bank ranking table for 2014¹ – can affect many aspects of the world economy, such as shaping the creation of jobs, determining access to land and markets, swaying trends in banking, driving cross-border financial flows, affecting public services, as well as influencing political decisions.²

Today, millions of people survive because of the illicit drug trade – a context that development agencies and drugs agencies alike can no longer afford to ignore. In some areas of the world, such as in Afghanistan, Mali or Colombia, the division between licit and illicit economies has become blurred, with organised criminals providing the jobs, investment, stability and security that the state is unable to provide, while drug lords get elected onto local and national governments.³ This can significantly impact upon the credibility and long-term stability of states, the provision of security and the creation of a strong licit economy.

Development-sensitive drug policies have generally been limited to alternative development programmes, while most drug control strategies have focused on law enforcement efforts that have tended to exacerbate poverty and marginalisation, and impede sustainable development.

In drug cultivation areas, crop eradication campaigns have led to the destruction of farmers' only means of subsistence, as well as of legal crops cultivated near coca and opium poppy fields. The use of chemical spraying has had a severe impact on the health of affected communities, as well as on the environment and fragile ecosystems, affecting food security, contaminating water supplies and causing



Ethnic Wa children in an opium field, Myanmar

long-term degradation of land and further deforestation to plant new crops.⁴ Affected farmers, their families and sometimes entire communities are often left with no other choice but to move to more remote areas, where access to schools, employment and other health and social services may be unavailable – leading conflict and supply reduction efforts to spread to other territories and communities. Indigenous and ethnic communities are particularly affected by these policies.

Even when alternative development programmes have been established, they have focused on crop reduction rather than sustainable development as a primary goal, and as a result have failed to offer long-term investments, or to ensure local ownership, access to markets and infrastructure, or the meaningful engagement of farmers and indigenous groups as partners in development.⁵

Drug trafficking hubs usually emerge in fragile, conflict-affected and under-developed regions, where governance is weak, and organised crime groups are in a position to corrupt, influence or elude state institutions. In these areas, drug traffickers are in a position of power, offering the basic health, security and social services the local population needs, including employment in the illicit economy in exchange for free lodgings, transportation, information and a form of local cooperation that protects traffickers from law enforcement actions. In such contexts, the illicit drug trade is strongly woven into the very

fabric of communities.⁶ A law enforcement-oriented approach that disregards this situation often ends up fuelling more violence (for example, in Mexico and Brazil), corruption, prison overcrowding, and exacerbating the poverty and social marginalisation of vulnerable communities.

Women are particularly vulnerable to engaging in illicit drug activities due to the gender inequality that continues to mark societies across the world, as well as gender discrimination in access to education and employment.⁷ Their incarceration for lengthy periods of time for minor, non-violent drug offences (often as drug mules or micro-traffickers) has a significant impact on their lives, but also on that of their children and other dependents who are then left in a situation of dire poverty – with no other choice but to go to prison with their mother or to end up in the street.⁸

Drug use is a global phenomenon, yet drug-related harms are often concentrated in poor and marginalised areas, where access to harm reduction and drug dependence treatment services may be limited. The criminalisation of people who use drugs has led to significant stigma and discrimination, as well as widespread human rights abuses. Women who use drugs suffer an additional level of stigma in many regions of the world as they are seen as contravening the 'natural' roles of women in society as mothers and caretakers.⁹ They also face heightened levels of violence. Tough drug law enforcement practices



A client speaking with a healthcare professional at an NSP at the Humanitarian Action Fund's mobile clinic in St. Petersburg, Russia, where the government remains strongly opposed to harm reduction

deter people from accessing the harm reduction, treatment and other healthcare that they need, affecting their health and well-being, but also leading to significant preventable health and social costs.

Legislative/policy issues involved

A development-oriented approach to drug control requires moving beyond a drug law enforcement-focused approach, with the objective of addressing the root causes of engagement in the illicit drug trade, such as poverty, inequality and weak governance. Although there are no simple solutions, below are some suggestions on how to address some of these underlying issues.

Improving governance

Strengthening democratic governance and accountability, legislative oversight, transparency of public accounts, improving public spending on health and social services, promoting participatory processes for citizens (including for communities affected by drug policies),¹⁰ and building the capacities of local authorities to deliver basic services are important steps towards reducing corruption and infiltration of government institutions by organised crime.¹¹

Such policies should eventually aim at reinforcing the rule of law, improving citizen security, and ensuring adequate access to justice.¹² The latter should include revising the laws and policies which have led

to the mass incarceration of people who use drugs, subsistence farmers and low-level, non-violent drug offenders, to ensure proportionality of sentencing and promote alternatives to imprisonment (see Chapters 3.3 and 3.4 for more information). Improving governance also entails putting an end to impunity by building solid mechanisms to ensure that victims of human rights abuses resulting from drug control have adequate access to justice.

Initiatives resulting in higher levels of employment and income, more equitable access to land and other resources, and better protection against economic crises can also build resilience among vulnerable communities to limit their involvement in illicit activities.¹³

Sometimes, however, improving governance in the short term may only be guaranteed by granting organised criminals and traffickers concessions and compromises in order to reduce levels of violence and public disorder – this is sometimes the only way to strengthen governance mechanisms in the longer term.¹⁴

Improving security

Development is simply impossible in a context of violence and insecurity. This is particularly the case in zones affected by, or coming out of, armed conflicts. In some instances, drug law enforcement efforts – especially where the military gets involved as a repressive tool against drug cultivators and traffickers – have tended to exacerbate insecurity and drug market-related violence. In areas where



Nor Yungas (Bolivia) coca leaf farmer sweeps up freshly picked leaves for taking to the legal market after being sun-dried on a slate patio, called a kachi in Aymara

state presence is only seen as a repressive machinery against the local population, the government can lose credibility in the face of organised crime groups which are often better able to provide safety and protection to the communities within which they operate. Improving human security in areas strongly affected by illicit drug production and trafficking should therefore be a top priority of a development-centred approach to drug control.¹⁵

Evidence clearly indicates that illicit drug markets are not inherently violent.¹⁶ A number of strategies have led to a decrease in drug-related violence – a modernised drug law enforcement strategy can help shape the illicit markets in a way that is the least harmful for the local population, and most beneficial for supporting development efforts (see Chapter 3.5 for more details).

Protecting health

Lack of access to health services can seriously hamper people's ability to access education and employment, and therefore to participate in a country's economy. The spread of infections such as HIV and hepatitis can also create a significant burden on a country's healthcare system and economy. Ensuring adequate access to harm reduction and evidence-based drug dependence treatment programmes is therefore an important component of a development-oriented approach to drug control (for more information, see Chapters 2.5 and 2.6). This also implies the removal of legislative and political barriers to accessing harm reduction and treatment

services – in particular the criminalisation of people who use drugs (see Chapter 3.1).

Providing sustainable livelihoods

There is ample evidence to show the severe impacts of forced eradication campaigns on local populations. Laws and regulations should be urgently reviewed to ensure adequate access to natural resources and to a fair and equitable distribution of benefits arising from the sustainable use of biodiversity by local communities, including indigenous groups.

Fumigation campaigns should be immediately halted considering the lack of success achieved so far in reducing the scale of crops cultivated and the long-term impact of the use of chemicals on lands and communities, the displacement of affected groups as a result of the campaigns, and the deforestation of new areas (sometimes natural parks or other protected lands) to re-grow crops destined for the illicit drug market.

Finally, it is essential to recognise that in drug cultivation areas, people are currently only able to survive, not because they are targeted by development programmes, but because they have become part of the illicit drug economy. Alternative development programmes should be enshrined in a comprehensive development policy which includes protecting the environment, developing strong infrastructure and adequate access to legal markets, and engaging local communities as equal partners (see Chapter 4.2 for more information).

Box 1 A drug policy enshrined in the Sustainable Development Goals¹⁷

In September 2015, governments met in New York to adopt the Sustainable Development Goals (SDGs).¹⁸ These goals replace the Millennium Development Goals, which came to an end in 2015. The SDGs set out 17 ambitious goals that will frame the development agenda until 2030. Although internationally controlled substances are only mentioned once within these goals – as Target 3.5 to ‘Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol’ – there is ample room to link drug control policies with the SDG targets.¹⁹ However, there are a number of contradictions between the targets established by the SDGs and current drug policies.²⁰ The SDGs cannot be achieved unless drug control policies and strategies are subjected to thorough review:

Goal 1: ‘End poverty in all its forms everywhere’: Ending poverty will only be achieved if governments address the underlying social and economic factors that lead people to engage in the drug trade, instead of exacerbating cycles of poverty and marginalisation by destroying crops and incarcerating large segments of society for low-level and non-violent drug offences.

Goal 2: ‘End hunger, achieve food security and improved nutrition and promote sustainable agriculture’: Sustainable agriculture and food security will only be achieved when alternative development programmes are fully enshrined within a comprehensive and long-term development strategy in areas of concentrated illicit crop production, involving small-scale farmers and indigenous groups as equal partners in the design and implementation of these policies.

Goal 3: ‘Ensure healthy lives and promote well-being for all at all ages’: Ensuring ‘healthy lives and promoting the well-being for all at all ages’ will only be achieved when drug laws and policies are revised to ensure adequate and affordable access to internationally controlled substances, such as morphine for pain relief and palliative care. Similarly, universal health coverage will only be achieved if people who use drugs are able to access the harm reduction, treatment and other health services they need without fear of arrest or discrimination.

Goal 5: ‘Achieve gender equality and empower all women and girls’: Gender equality will only



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be achieved if governments recognise the many factors of vulnerability that push women to engage in the drug trade.

Goal 15: ‘Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss’: Halting land degradation will only be achieved if governments permanently put an end to aerial and manual fumigation campaigns. Protecting the homes of the indigenous population will not be achieved unless governments establish strong laws that protect the rights of indigenous groups to grow and use plants such as coca and opium for traditional and ancestral purposes.

Goal 16: ‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective,

accountable and inclusive institutions at all levels’: The provision of access to justice for all and the building of effective, accountable institutions will only be achieved when impunity for human rights violations related to drug law enforcement (such as extra-judicial killings, disappearances, etc.) comes to an end.

Goal 17: ‘Strengthen the means of implementation and revitalize the global partnership for sustainable development’: A global partnership for development will only be achieved when affected communities – including people who use drugs and small-scale farmers engaged in illicit crop production – are considered by governments as equal partners in the design and implementation of drug laws and policies at all levels of government. This goal underscores the necessity to remove criminal penalties for people who use drugs and small-scale farmers.

Implementation issues involved

One of the main issues to consider for the implementation of a development-oriented approach to drug control is how success will be measured and evaluated. Traditionally, metrics and indicators used to measure success in drug control focused on *process* indicators such as numbers of seizures, hectares of illicit crops eradicated, numbers of people arrested and/or incarcerated. These indicators have done little to measure the real impact of drug control on development outcomes.

We propose the development of a new set of metrics and indicators that can truly measure the full spectrum of drug-related health issues, as well as the impact of drug policy on human rights, security and development. These could include:

- **Goals** that address the root causes of engagement in illicit drug production, distribution and consumption – for example:²¹
 - Reducing poverty
 - Improving food security and access to licit markets
 - Addressing land tenure issues
 - Improving security
 - Increasing gender equality
 - Reducing corruption and impunity
 - Improving community well-being via better

access to healthcare, education and employment, etc.

- **Indicators** based on the Human Development index²² – which offers a useful set of tools that could be adapted on drug control. New indicators could include:²³
 - % of people living above the poverty line in communities affected by the drug trade
 - % of people having access to land tenure in areas vulnerable to, or affected by, the drug trade
 - % of people having access to stable housing in communities affected by the drug trade
 - % of people having access to primary, secondary and higher education
 - % of people working in the licit economy
 - Number of people having access to healthcare information and services – including harm reduction and drug dependence treatment
 - Number of women who use drugs accessing harm reduction and drug dependence treatment services
 - Number of deaths by drug overdose
 - Incidence of HIV, hepatitis, tuberculosis among people who use drugs – and % of infection among people who use drugs compared to the general population
 - % of people suffering from moderate to severe

pain who have access to pain relief

- % of victims of human rights abuses initiating judicial proceedings against their perpetrators
- Number of people (disaggregated by gender) incarcerated for drug offences – and % of inmates (disaggregated by gender) condemned for drug offences within the overall prison population
- % of drug offenders who benefited from alternatives to incarceration and/or punishment
- Reduction in levels violence and corruption in areas affected by production and trafficking
- Reduction in the number of people displaced from their land due to crop eradication activities and other drug law enforcement efforts
- Mechanism(s) established for the participation of affected communities in policy making and implementation.

Key resources

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