

## Modernising Drug Law Enforcement Seminar Report

Wednesday 5<sup>th</sup> & Thursday 6<sup>th</sup> November 2014

The event on Modernising Drug Law Enforcement took place on the 5<sup>th</sup> and 6<sup>th</sup> November 2014 in London, and was organised by the International Drug Policy Consortium (IDPC), and hosted jointly by the International Security Research Department at Chatham House and the International Institute for Strategic Studies (IISS). The event brought together 56 drug policy experts, academics, policy makers and law enforcement practitioners from around the world.

During the course of four sessions over two consecutive days, participants covered four central themes:

- the dynamics of the drugs market in Latin America
- the 'Latin Americanisation' of the debate around drug law enforcement policies
- hidden drug markets and role of the 'Dark Net'
- the metrics and indicators used to assess the effectiveness of policy.

The focus of the event on Latin America reflects the prominence of the region within the debate about drug policy. The complexity and conflict in Latin America as a result of the drugs trade and associated policies highlights some of the fundamental challenges within existing law enforcement measures. Recent experiences in the region have prompted a rethink about how to address problems across the commodity chain.

Each day commenced with introductory remarks to set the context for the day's discussion, and ended with a brief conclusion and reflection on the key points that had been raised. Every session began with introductory remarks and presentations from experts, followed by discussions. In keeping with the spirit of the discussion and in order to facilitate frank and honest debate this event took place under the [Chatham House Rule](#).

This report highlights the main themes and issues covered during the event. The ideas expressed herein are those of the participants in their capacity as experts in the drug policy field, and should not be interpreted as reflecting consensus among the group, or endorsement by the organisers or author.

Support for this event was generously provided by the European Commission, through the [NADPI project](#).

### About the project

The [Modernising Drug Law Enforcement](#) (MDLE) project was launched in 2013 at the UN Commission on Narcotic Drugs meeting in Vienna. The aim of the project is to create a space to stimulate dialogue and discussion around new and more effective strategies for drugs and law enforcement. Over the course of the project there have so far been [six publications](#) and this is the third in a series of events in London, as well as additional events at the United Nations in [New York](#) and in Washington DC. The focus of this event on Latin America reflects the project's next phase.

## Day One

*Hosted by the International Institute for Strategic Studies (IISS)*

### Introduction

The debate on the future of drug policy is evolving. At a global level there are changing perspectives on how to manage the illicit market and the challenges that these markets pose for drug law enforcement. In May 2013, the Organization of American States released two ground-breaking reports – an [analysis](#) of the drug situation in the Americas, and a [scenarios report](#) offering four options for reform. In 2016 the UN General Assembly will hold a [Special Session \(UNGASS\) on drugs](#). The meeting had originally been planned for 2019 but has been brought forward in part as a result of pressure from senior politicians and governments in Latin America.

For Latin America these developments mark an inflection point. Countries in the region have acknowledged that existing policies on drugs control are insufficient and have caused significant insecurity and instability. As a result, there is a move away from security and military approaches to a greater emphasis on law and order and community-based police models, where people are encouraged to be stakeholders in society. However, this is not easy to achieve and in some states affected by instability ‘conflict entrepreneurs’ benefit from, and have strong vested interests in, the continued weakness of the state. This poses a critical challenge for domestic political leaders and international organisations alike.

The shift at the regional and the international level moves the debates towards a focus on health. It could be argued that the Single Convention – the starting point for global counter-narcotics policies – could be reinterpreted in favour of alternative outcomes, such as medical approaches. These evolving debates, the dynamics of the market, and the potential law enforcement responses formed the focus of the discussions.

### Session 1. The drug market and current policing responses in Latin America: Successes and dilemmas

Latin America serves as a fitting example of a region characterised by complexity and conflict as it deals with drugs related problems. Within the market in Colombia, for example, different actors and their processes appear to be moving to other drugs. Businesses like money laundering are becoming more visible, which raises issues about who, and what, should be targeted by law enforcement efforts. This trend is replicated within each country in the region, where various groups are often in charge of specific areas, with varying effects on drug violence.

The supply chain can be broken down into three phases - production/processing, trafficking, and consumption - with varying levels of violence in each phase. Though in the cultivation and processing phase there is not much violence, different groups share territory and exercise their economic and political control. The violence that exists is selective, designed to develop compliance among local populations.

Policies to counter this violence have had mixed success, and some alternative development projects have not always been sufficiently comprehensive. Toxic fumigation and manual eradication of coca and the destruction of labs has meant that production has just been diverted to other areas, and mobile labs mean they can move constantly. In Bolivia, for example, licensed coca farmers can legally cultivate certain amounts of coca and then police it locally.

The transport and trafficking states are considered to be the most violent. The border area between Colombia and Venezuela is one example of a violent area where transit routes cross. Many flights leave from the area to multiple regions and the routes change with controls by the governments.

There are varying levels of violence according to whether the region is urban or rural. In rural areas there tends to be lower levels of violence due to less direct confrontation between actors. In urban areas there are high rates of violence due to their location at strategic points on transit routes, their role as critical logistics hubs, and power struggles between different groups. Civilians are often involved, as the regular funeral processions attest, and they can act as drivers or carriers of drug shipments, highlighting interactions between the criminal and civilian worlds.

The relationship between arms and drugs was emphasised as the majority of homicides in South America, Central America, and the Caribbean are committed with a firearm. In addition, more subtle forms of violence exist and have meant people have had to sell their property, or encounter aggression from traders. By focusing too much attention on homicides, targets miss these more discrete problems.

It was suggested that violence-driven policies should be complemented with a focus on supposedly calmer areas, though smarter policies may involve more violence in the short-term. A more holistic approach is needed to incorporate the drug markets and related illegal businesses and generate a greater understanding of how the supply chain is connected to other areas. For instance, the supply chain should be considered in relation to other illegal businesses as it can be embedded within 'precursor' businesses – such as chemicals, cement, gasoline, money laundering, etc. – which logistics centres coordinate. In a dynamic system, it is necessary to look beyond single actors and linear supply chains to have a more interconnected approach.

With regards to law enforcement in the region, existing drugs laws can be disproportionate and fail to discriminate between large and small organisations. Small organisations often suffer the most under the current laws and incentives could be provided for these people to cooperate with the police.

Colombia has transformed its approach to crime. There has been a reduction in cultivation, and production has been displaced to other countries such as Peru and Bolivia. The reduction in capacities was attributed to better control over the chemicals used in production. Some narco-traffickers are now sourcing coca crystal from other countries with more lax controls.

The structure of gangs has also changed with a move away from one dominant boss to a number of people in charge, and these groups are developing alliances with gangs from other countries.

In terms of cocaine, the most important trafficking routes are from Latin America to Europe, with new routes emerging around the Balkan countries. Spain, Holland and Belgium are primary points of entry for drugs from Latin America. There remain big markets in synthetic drugs, which are in many instances more dangerous than the traditional drugs like cocaine and heroin.

Due to international cooperation on law enforcement and the sharing of intelligence and a solid legal framework, there have been growing links and communication between police and politicians in different regions. Such measures have strengthened regional cooperation and capacity and have yielded a number of successes in capturing criminal gang leaders and combating drug trafficking. Although there is emphasis on the drugs trade as a global problem, multilateral efforts should not detract away from efforts at the region level.

Attention was given to Mexico, where the country is divided into 32 'states' – each with their own police forces and municipalities. This has caused confusion and ambiguity in the chain of command and created power vacuums that are filled by illicit activities. Over the past six years, Mexico has created an elite force to address nationwide problems and enable a more hierarchical approach to drug law enforcement. The elite force is seen to combine training in policing, defence, and other areas including human rights and community approaches. The focus is on how police work with communities to improve levels of trust and

public perceptions. In Mexico the army had served some of the policing functions, particularly in areas where the violence was more extreme. The arrival of a more elite police force should mean less need for the military within this domain.

### **Discussion**

A number of so called drug ‘cartels’ have a corporate mentality and in some areas they provide essential services like schools and health care, which the state does not. This could be seen as part of a broader shift away from large drug trafficking organisations to more vertically organised groups. These groups are more integrated into legitimate society, and are often a part of everyday life, involved in business, money laundering, or national level politics. At these levels the actors are often not big leaders of criminal narcotics organisations but involve lower levels of society where figures were more integrated into social structures and communities.

International cooperation is a key part to addressing this phenomenon. Stronger laws in states and agencies to address money laundering and financial transaction related to the trade, as well as more intelligence and information sharing can help address this problem. At an international level Ameripol and the EU have recently signed an agreement on the exchange of information to tackle problems of money laundering and provide capacity for prevention.

In terms of law enforcement, an argument could be made to limit involvement in markets that generate the least violence, as interventions by law enforcement in calm areas might spark violence and cause disruptions in other areas.

Emphasis was placed on the importance of cooperation between law enforcement and social policies. In a number of cases problems in small communities were related more to capacity, infrastructure and resources, where people didn’t have electricity or transport or access to education to help develop economic or social alternatives to the drugs trade. Developing education, awareness, and social values is a critical part of addressing the problem.

Furthermore, in terms of addressing the illicit economy, it is necessary to identify whether there is a clear division between the licit and illicit in some of these areas. In many communities where the state is not very visible, it is uncertain where the boundary lies between the legitimacy of organised crime groups and the legitimacy of the government in local communities.

A new development in the region is the growing rate of consumption and the increases in trafficking as new routes are being used and demand has grown, reflecting a growth in recreational drugs in Latin America.

These are all topics that are likely to inform the UNGASS on drugs in 2016, as well as the UN Summit on the development agenda in September 2015.

## **Session 2. Applying modernising drug law enforcement principles in Latin America: Challenges and opportunities**

Building on the first session, four key challenges were identified (the four-W challenge):

- ‘war on drugs’ assumptions
- wrong goals and indicators
- weak institutions
- worse outcomes.

The assumption it is possible to have a drug free world is erroneous and has distorted the discussion. Moreover, there is little evidence that raising the risk of arrest or incarceration would serve as a deterrent to people or raise prices. The idea that the cost of permitting access to certain illegal goods and services would be greater than the cost of current prohibition-oriented policies was seen to be untrue.

As a result of these perceived false assumptions in the discourse, the wrong indicators and goals have been used to measure policy effectiveness. In Latin America the most common goals – such as arrests, seizures and the destruction of crops and drugs – have increased the use of military force, and deaths in cities like Rio are seen to be higher than in other areas of conflict. Due to the nature of the debate, perverse incentives have evolved and authorities have a greater degree of discretion over how to implement law enforcement. The effects of these have been felt in Latin America, where the punitive approach of the ‘War on Drugs’ has distorted the responsibilities of the political and legal systems. International indicators produced by organisations such as the World Bank and International Monetary Fund (IMF) have highlighted high levels of corruption and murder convictions within the region.

Public opinion matters and it is necessary to be careful about interpretations of indicators. Arguments used to support the ‘war on drugs’ suggest that citizens are demanding harsh measures, although the data do not seem to support this claim.

Existing approaches could be seen to have failed based on rates of consumption of illicit drugs. Although it has decreased in North America (albeit against a back-drop of increased prescription medicine use), it has increased in other areas including Latin America. This is coupled with significant levels of violence in the region that are among the highest in the world.

Nonetheless, there is no simple correlation between organised crime and violence, as criminals can operate with moderate and selective use of violence. Multiple factors can influence the relationship between society and crime. Trafficking is not the major cause of violence in the region, and one estimate states that 48% of violence is a result of organised crime. State intervention could be seen to have played a role in transforming crime from large ‘cartels’ to more predatory micro networks.

In order to address these challenges there is a need for new assumptions that focus on reducing the impact and harms of the markets and criminality to society. This should involve a change in incentives, with reducing violence and crime as priorities, and greater value given to prevention, deterrence, and health and well-being.

Law enforcement is not the only solution to the problem of drugs. Structural and cultural issues drive many of these problems. In Latin America in particular there are high levels of social exclusion, with problems of inequality, the decline of the family compact, changes in identity as people move from rural to urban areas, and high underemployment, which all play a role. There are problems posed by disaffected, underemployed, youths and the prevalence of firearms. Joining gangs may be one way by which youths find their identity.

A further aspect involves the development of good institutions and mechanisms of coordination and information. Many institutions in the region are fragile and there is little trust among the population of the state or the key institutions. Alternatives to incarceration and to drugs usually require a functioning health service or effective institutions, and these are not always in place. This may require a greater role for non-governmental organisations (NGOs) and international organisations in helping to share power and build consensus with the population. As was raised in the first session, in areas where governments have weak coverage, there are more issues of violence.

In recent years there has been a gradual move towards institutional reforms in light of the failure of the militarised approach. Mexico, for example, has one of the highest homicide rates in Latin America. In Mexico

and Honduras governments are taking more modest steps to reform the police forces. Where municipal forces are seen as corrupt it is envisaged that they will receive more training. In Guatemala there has been a more balanced approach with coordinated efforts and task forces are addressing areas where the state cannot reach.

Emphasis is placed on the relationships between local communities and alternative approaches and there are efforts to bring state institutions and services to wider parts of society. One example of this is [the Unidades de Policias Pacificadoras \(UPP\)](#) in Rio, Brazil. It is an original idea focused on community level engagement that has expanded to 39 communities. However, the expansion of this project was more problematic where institutions were weaker. In general there is a need for balance between short-term tailor made policies and the longer-term development of institutions.

### **Discussion**

There are questions about resource allocation in addressing the problems, particularly in reforming institutions and rectifying the imbalance between law enforcement and health provisions. In Colombia, for example, 92% of the drugs policy budget goes to the demand side (production, eradication etc.) with only 8% going into the health system. This poses problems and requires state policies and strategies to change. However, the incentives around drugs can distort the action of institutions and perpetuate the same problems.

Politics can prove a limiting factor as electoral cycles often guide approaches. The cultural construction of society has meant those in power believe citizens want a tough response to drugs, which hinders a change in the debate. In part security and repression are considered short-term visible approaches, whereas focusing on education or health are more discrete and invisible methods, thus are harder to sell to the public. Political consensus is critical to change, but this is likely to be difficult to achieve.

Furthermore, coordination within governments is important. Many drugs offices across the region reside within the Ministry of Justice or Ministry of the Interior but this makes it harder to deal with the health and socio-economic responses needed. It was argued that the state's legitimacy begins with the provision of basic services. Tax and revenue are a key part of providing the resources to develop a functional state that can provide for its citizens. However, it is not clear how to strengthen these functions.

In areas where there are persistently high levels of violence it may be necessary for the state to engage with actors who are responsible for the violence in an attempt to pacify them. One example is El Salvador, where there was a successful high-level engagement that saw a decrease in homicide. However this improvement disappeared when institutions were unable to enforce a long-term truce. In some parts of El Salvador, street gangs have some legitimacy in the neighbourhoods in which they operate. Such approaches did work in other areas such as Baltimore and Boston and should be applied to Latin America. In the case of Colombia, achieving peace there with FARC is about more than the agreements, and includes rebuilding the areas that FARC had controlled and addressing perceptions of marginalisation in certain local communities.

It was argued that funding for law enforcement or alternative approaches should not be seen as an 'either-or' choice. Investment in law enforcement is an embedded investment and is hard to remove as there are some things that may not appear cost effective but may still be important. One area that might be targeted is a move away from mass incarceration, which would free up significant resources.

An additional dimension requiring attention is civil society. There is a lack of institutions that reflect sections of society and can help to build trust within communities. This absence could be seen to contribute to levels of fear of crime and negative perceptions about the government and the problem. When people do not trust one another they will tend not to organise which creates limitations in social cohesion. Youth and women's

groups in particular are not taken seriously at a national level but are an important part of challenging existing discourses and reducing fear among certain groups.

## Conclusions from Day One

Four key elements were identified from the first day's debate. The first was the need for international shared responsibility and a political consensus at multilateral levels. The post-2015 development agenda and the UNGASS on drugs in 2016 provide two opportunities where some form of moderate political consensus could be developed. Secondly, there is a need for new narratives to articulate recent changes and move away from the narratives of the past – notably the supply and demand narrative – which are no longer accurate. Thirdly, there is a need for a comprehensive framework that goes beyond narcotics and attributes greater value to social, educational, health, and economic approaches. The drugs problem requires long-term and comprehensive strategies and not just short-term law enforcement measures. Finally, there is a need to develop targeted law enforcement that avoids violence.

Looking ahead a more complex array of topics should be considered. There needs to be more understanding of the structural and underlying problems of the drugs trade and the engagement of wider sections of society. Tackling institutional strengths and weaknesses, learning lessons from the past, and finding new ways to reduce harms and look at impact beyond violence were all highlighted. Although there were positive examples of change across Latin America that should inform future approaches, indicators need to be reassessed to go beyond eradication, cultivation and law enforcement as determinants of good policy. Finally, it is essential to increase the legitimacy of the state so that organised criminal groups do not fill the gaps.

Further challenges come from a diversifying market with a range of new substances and a different people involved. Though there is a sense of nostalgia for the days when the drugs trade was much simpler to map, there has been a proliferation in markets, routes, and actors adding new dimensions to the problem.

The political commitment to reduce violence and not just drug flows is welcome, though it was recognised that this should not be to the detriment of other social goods. The framing of the debate would determine the objectives and directions of policy. This poses further questions: does the current debate have the correct frame to address the challenges from the drugs markets? How can politicians articulate drug policy and the rationale behind it more effectively? If the revised assumption is that the global drug market cannot be eradicated, then to convey more complex messages requires a discussion about what kinds of markets society is willing to tolerate.

## Day Two

*Hosted by the Royal Institute of International Affairs, Chatham House*

### Introduction

The final two sessions focused on the 'Dark Net' and the requirement for better metrics and indicators for measuring the effectiveness of policy. These sessions asked: If markets cannot be eradicated, then what might people be willing to tolerate within the drugs market? Might hidden markets help reduce harms to society? If the core assumptions of the 'war on drugs' are wrong, and it is not possible to reach a drug free world, then what changes can be made to the incentives and indicators used?

### Session 1. The 'Dark Net': Challenges of the adaptive market

The 'Dark Net' has grown out of hidden channels. Although clear web sites are found on Google, hidden sites are found on Tor browsers (with the ending .onion). In 2002, the Tor browser was launched, and in 2009 drug stores such as 'A Figment of Your Imagination' and 'Binary Blue Stars' started to appear online. On these sites ratings would vouch for the credibility of the vendor and for the levels of trust in the product. These sites eventually merged into the Open Vendor Data Base and in February 2011 the 'Silk Road' was opened. It differed from the Open Vendor Data Base as it offered a more simple point of access and rating system.

An advantage of Silk Road was argued to be that the virtual location of sale meant that opportunities are removed for violence and that features associated with the site reduce direct conflict. Moreover, because people would not shy away from expressing dislike for a product, and would not buy from vendors with less than a 98% (approx.) approval rating (as suggested by vendors in the discussion forum), there was an element of quality control. Some suggested that Silk Road vendors offer higher quality products than are available on the street.

On the one hand, the online nature of drug distribution, where supply goes direct from producers to consumers, might lead to a reduced role for the middlemen in the drugs supply chain – with a greater role for individuals involved at the lower levels of the supply chain; a shorter chain also might in itself reduce opportunities for violence. On the other hand, the site itself could be seen as the location of the middle men, bringing together brokers, wholesalers and drug dealers, particularly as the high levels of stock that changes hands online implies buyers may be dealers themselves.

In terms of the drugs on Silk Road, research suggests that the majority of drugs were recreational drugs. Recreational drug users mainly want to minimise harm and maximise pleasure and are seen to be open to the information and advice available on the online forums. This is an interesting dimension to the online drug market, and discussion forums and sources of knowledge, include information on drug safety, optimal dosing, and harm reduction. This harm reduction ethos was considered by some to be a positive step in informing people in their drug use.

In 2013, Silk Road was brought [down](#). As a result people shared their information through public keys to maintain the transactions they had online. Some of the vendors and buyers went further underground. In September 2013, more sites closed including Atlantis. In November, Silk Road was returned and now in 2014 the market has expanded rapidly with many more sites (since this event took place Silk Road has again been taken [down](#)). A new search engine, Grams, allows people to search different Dark Net markets. In addition, there are two decentralised marketplaces emerging, where there is no central server, and which can be used for both legal and illegal trade involving no commission and no fees.

In terms of the challenges to law enforcement, these markets have dispersed and adapted to the changes in policy, which makes the ongoing surveillance and policing of online markets more complex. Furthermore, the Bitcoin currency is becoming more internationalised and is becoming a feature of larger legitimate companies. Public web sites also offer more information for people looking to buy drugs on the Dark Net, which raises issues of whether more people will use these markets who would not normally otherwise access drugs. These changes pose questions about how these markets will affect street dealing in terms of quality, pricing, and visibility and the implications for the levels of drugs-related violence. What are the longer-term implications for governments and law enforcement agencies in terms of reducing harms to society?

The online market has brought other changes. It seems likely that at least some vendors buy directly from farmers rather than through 'cartels'. Though the extent of this change is hard to determine and requires further research and analysis and it is assumed that traditional markets are still bigger.

It was argued that these drug markets could be seen as better for buyers because the quality was higher, and may serve as a way to reduce harms to drug dealers and users. However, it is still necessary to be wary of online markets and anything involving criminal activity. Reviews, though seen as a way to regulate quality, could be easily faked and research is required to verify the credibility of such claims (there is, for example, commonplace fraud on common review-based websites such as eBay).

Limited resources for law enforcement poses further challenges, particularly with regards to what policy-makers and practitioners should prioritise online and the metrics that might guide success. There have been successes in tackling crime online, in part due to the role of anonymity that means criminals do not know who is a policeman or a fellow criminal enabling police to infiltrate and destabilise businesses. However, what is society's tolerance for this kind of crime?

## **Discussion**

There are questions regarding whether the ease of entry to online markets might make people who would not normally be interested in drugs attracted to it. Yet there is a need for further profiling of those who use these websites to yield evidence of this. It is also unclear to what extent these online sites reflect the enhanced technical ability of criminals, or the role cyber experts.

In terms of measuring violence, there are clear differences between the levels in the UK and Europe, which are already low, and those in Latin America and other regions around the world. The same is true for the effects on levels of addiction and social harms. Again, time and further research is required to determine whether online markets affect violence and harm levels in different regions. At present, the majority of sellers are based in the US, the UK, Canada, Australia, the rest of Europe, and then India as a major vendor internationally of prescription drugs which are increasingly a part of the traffic on the Dark Web.

For the most part, it seems likely that the online market may cater predominantly for middle class, educated, technologically competent individuals who plan their drug use and organise their supply in advance. Generally, people who use drugs more 'chaotically' and/or are homeless would not use it in the same way, and it is among this group that most of the drug use harms exist.

In the development of responses to online markets, it remains uncertain whether the focus of law enforcement should be on reducing violence, reducing access to the market, or reducing the harms to individuals through their drug use. There are interesting questions to address regarding whether this signals the move of illicit markets to resemble licit markets, and how the two markets interact.

## Session 2. Towards new metrics and indicators

A more honest discourse has emerged around illicit markets in recent years, and more organisations and authorities seem open to engaging with the debate. Within the debate over drug control there has been a dominance of quantitative data to support policy, which is a blunt approach within a conceptual framework focused on eliminating the drug market altogether. Existing metrics focused on arrests, seizures and crop eradication. Such metrics give the impression that something is being done, yet do not necessarily translate into impacts on drug availability, drug use or drug-related harms – hence these indicators can distort the perceived effectiveness of existing approaches.

Given the emerging dynamics of markets, it is important to move towards indicators that support efforts at market management, rather than elimination, and that focus on harm reduction and the outcomes of policies for health, citizens and communities. A present mismatch exists between objectives and traditional indicators, something NGOs and other organisations have pointed out for a while.

Law enforcement might be refocused to include new indicators, such as the outcomes of operations, the availability of drugs, the levels of crime, the profit power and reach of organised crime, and the levels of violence associated with drugs markets. Indicators such as the patterns of use and dependency, rates of deaths, overdoses, and HIV and hepatitis transmission might also prove more instructive. In particular, such indicators would reveal how law enforcement activities have affected communities and their socio-economic environments.

A recurring theme is the difference in measuring metrics between regions around the world. Certain metrics might be more appropriate to the 'global north', and there could be different approaches for different countries (while also ensuring enough global consistency to measure international trends and progress). At a general level, however, approaches should go beyond law enforcement to focus on well-being, quality of life, human development and human security – to reflect the inherent complexity of the problem and a more comprehensive understanding.

A lot of the data needed for new metrics has already been collected. The challenge is to mine and reframe them. It might be beneficial to look at non-drug related data that relate to drug policy in a broader sense, including human rights indexes, corruption, and perception of well-being. The UNDP [Development Index](#) in particular might be useful. However, such a shift in data collection would be costly and resources would have to be found. Moreover, no data collection process is truly value-free, and all will be subjective and have certain political dimensions – particularly in terms of how indicators are chosen.

With a focus on Latin America, work has been done that looks at the daily challenges for countries with problems rooted in the drugs trade – including prisons, criminal justice systems, police, violence and all that is related to illegal markets. For many of the regions experiencing difficulties associated with drugs, many people only know the law enforcement dimensions of the state as it is absent from broader social provisions such as health and development. This poses a challenge.

In developing indicators there are three typical areas: production, trafficking and consumption (in reality these divisions are not clear-cut, but they are a useful framework nonetheless). These all form part of the process and require different sets of indicators. Production is associated in many areas with social, economic, and cultural factors. The cultivation and production of the coca leaf, poppy, khat or marijuana, for example, have deep roots in the economies and histories of certain regions. In these areas there are usually limited options for people to diversify their livelihoods. Bolivia provides one good example, as it adopted a more community-based approach eight years ago that encouraged the voluntary participation of farmers to reduce cultivation. The coca growing federations were involved and approaches recognised the cultural dimensions and ancestral tradition of chewing coca leaf in the country. As an approach it was more

respectful of the community and had better results than the traditional methods of crop eradication and punitive law enforcement.

In terms of trafficking, indicators should be connected more to violence and corruption – as current metrics do not tell the whole story. In the case of [Rosario](#) there has been big scandal about trafficking and it is clear that the violence came to the area as a result of fights between two groups for territory. This reflects a broader issue in Latin America: that sudden explosions of violence are often due to a breach in agreements between groups or the police.

Moreover, it is wrong to assume only ‘bad guys’ are involved in illegal markets – many actors are engaged in it simply for survival or subsistence, with high risks and little reward. In areas where there is no violence but there is organised crime, there can be complicity and corruption of the police forces and justice institutions. Some reports suggest police may act tough on lower level crimes to cover complicity in higher-level criminal groups. This reduces access to justice in the general population (as witnessed in instances of gender violence and exploitation that go un-investigated), and this is important.

With a focus on the UK, the main aims of law enforcement engagements overseas are to reduce serious organised crime threats to the UK, and budgets have been reduced significantly. Demonstrating value for money is not easy as often the most effective interventions are costly and take a long time to realise results. There are different ‘baskets’ to help identify the indicators needed at different phases. The first basket looks upstream at the ability to deal with organised crime, such as how governments address perceptions, capacity and context. The second basket is about intervention, and includes the number of disruptions along the supply chain. The third basket looks at how serious organised crime threats from other countries affect the UK. The idea for UK law enforcement would then be to look across these baskets to have a more effective and comprehensive viewpoint of the work done by law enforcement.

The idea of changing indicators is seen not only as a matter of methodology but as a point of political change. New indicators should be a first step towards a new approach and should inform policy discourses and implementation. Until now, indicators have reinforced old assumptions and measures. Moreover, there are often tensions within the policy community about the role of metrics, with some people concerned that they might drive the policy rather than serve it, and others keen to see metrics as a fundamental part of new approaches to change how the debate was viewed. Once metrics become targets (like numbers of arrests), they become a part of the problem – ensuring a focus on what should be measured rather than the outcome it should have.

Areas for new metrics might include opportunities for former drug offenders for rehabilitation, how public health measures might reduce consumption, and how sentencing might be more proportional so that dealers, drug mules, producers and people who use drugs received sentences in accordance with the severity of their crimes. A final area might be to combat money laundering and crime.

## **Discussion**

Any measurements and the figures used will have a political function and politicians have to consider how they can sell the findings to the general public. In addition, definitions remain problematic as government departments and agencies struggle to find common agreements, even on concepts such as ‘disrupt’ and ‘dismantle’.

There are distortions in current metrics, as metrics regarding seizures show very little about the effectiveness of policy. Although they show that police are in the right place at the right time, they do not stop consumption. In developing metrics, a baseline might be needed to draw comparisons between very different countries such as Guatemala and Colombia.

## Conclusions from Day Two

A linear response to eradicate the 'Dark Net' is unlikely to be sufficient, but more research is needed into the impact the market will have and what it means for broader drug markets and the risks to those involved. Questions to address include what the Dark Net means for middlemen, for production and for new markets, and whether it or not it should be a focus for effective and cost-effective law enforcement intervention.

In looking at metrics, it is hard to move policy and data in a new direction, yet new metrics should be found that move away from process indicators and a focus on arrests, seizures and crop destruction. Existing metrics lead to poor analysis of the impact and therefore result in, and then defend and prolong, poor policy choices. A key part of any change lies in understanding the harms and how they might best be reduced. Drug control should not be seen as an end in itself, but should be a part of wider social objectives – with opportunities found in health, education, socio-economic and development metrics. A key impediment to the success of drugs control lies in how it is currently framed and debated in the public domain.

Rapporteur: Claire Yorke

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