



GLOBAL
COMMISSION ON
DRUG POLICY

MEDIA KIT

ENFORCEMENT OF DRUG LAWS

REFOCUSING ON ORGANIZED CRIME ELITES

LAUNCHED VIRTUALLY ON 7 MAY 2020



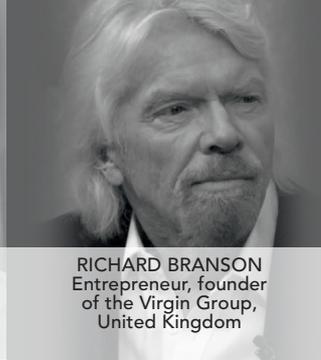
**GLOBAL
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DRUG POLICY**



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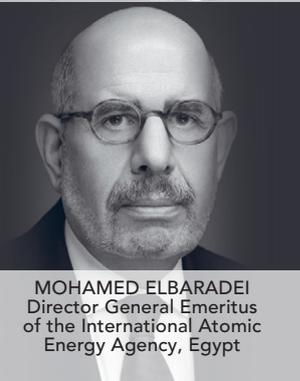
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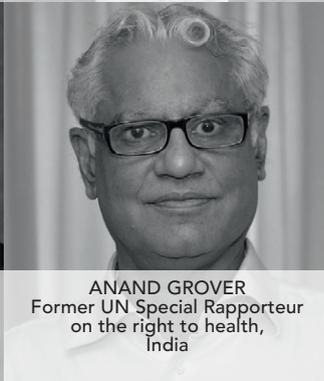
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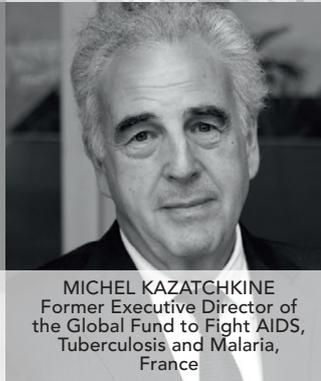
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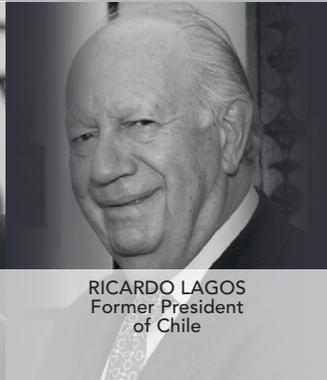
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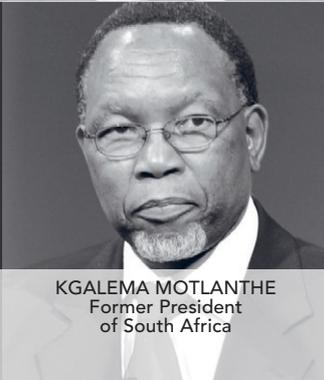
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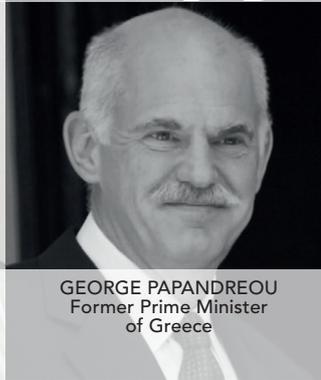
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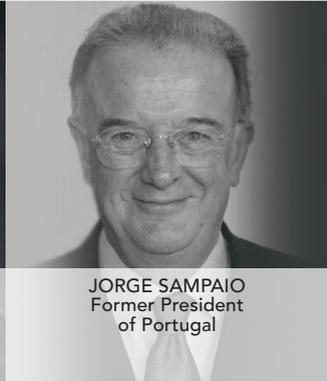
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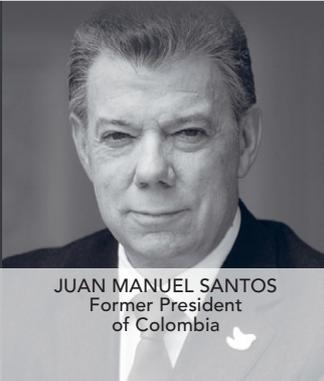
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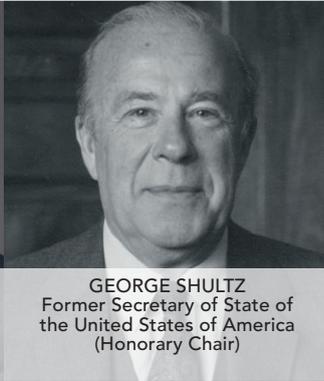
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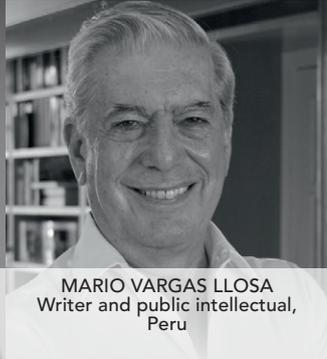
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FOREWORD

Back in 2009, a group of 17 Latin American personalities, gathered under the leadership of three former presidents (Fernando Henrique Cardoso of Brazil, César Gaviria of Colombia and Ernesto Zedillo of Mexico) and called for fundamental reforms in drug policy. They convened the Latin American Commission on Drugs and Democracy to analyze the dramatic consequences of the “war on drugs” for people in the region, a war imposed by the United States, the world’s largest consumer market of illegal drugs. It raised the alarm on how this repressive approach to drugs was weakening democratic institutions, empowering criminal organizations, spreading corruption, and fueling violence as turf wars intensified between criminals or between criminal organizations and law enforcement. This “war on drugs” became a war on people: coca farmers losing their lands, consumers denied health services, people sentenced to long prison terms – also impacting their loved ones – and bystanders killed or injured in drug-related violence.

The Global Commission on Drug Policy was established two years after the publication of the Latin American Commission’s report, which raised awareness among governments and public opinion about the need to rethink drug policy. The original regional perspective was enriched by the experiences of European leaders, who confronted in the late 20th century a different set of challenges and failures of repressive drug policies: soaring heroin consumption correlated with the highest levels of HIV transmission among people who injected this substance, as well as a large number of overdoses. The public health response to these crises was an important step towards a more comprehensive, evidence-based drug policy reform that was respectful of human rights. African, Asian and Pacific voices joined the Global Commission in the months and years following its establishment - testimony to the fact that production, trafficking and consumption of drugs were to be found everywhere in the world.

In a single decade, hundreds of thousands of people have died, considered collateral victims of prohibition. They represent the price paid for a policy that has only enriched and empowered criminal organizations, fueled corruption and money laundering, and contributed to the increase of trafficking, the number of trafficking routes and networks, as well as the number of failed states semi-controlled by criminal organizations. We, the members of the Global Commission on Drug Policy, therefore committed to develop a coherent and comprehensive approach to the problems caused by drugs and failed drug policies to individuals and societies. We presented five pathways for reforming current repressive and harmful drug policies and enacting effective drug control, which are aimed at supporting healthier and more inclusive communities. We made each pathway the focus of a separate report. With this report we cap our analysis of the different facets of drug control with an emphasis on our call to the international community and individual states to “focus on reducing the power of criminal organizations as well as the violence and insecurity that result from their competition with both one another and the state.”

Since 2011, we have advocated at every opportunity - with policy makers at different levels, in the media and in our reports - for the decriminalization of people who use drugs and for alternatives to punishment for low-level nonviolent stakeholders of the illegal market. We have, with as much energy, advocated for focusing enforcement efforts primarily on the most dangerous and most protected actors of the illegal market, those who directly benefit from the current prohibition paradigm, and who are advantaged in front of the repressive system thanks to their access to wealth, knowledge and legal services. While we believe repression is harmful to the weak, we believe it necessary to confront violent and highly profitable criminal organizations that control an illegal market evaluated at several billions of US dollars annually.

In this report, we provide our analysis of drug trafficking and its links with organized crime based on the most current evidence and with the support of experts. We expose the failures of current policies in addressing deep-rooted issues that feed organized crime, levels of violence and their impact on different communities. We discuss emerging best practices in law enforcement, which are evidence-based and draw on lessons learned from past failures. We explore and anticipate criminal activity in a legally regulated drug market with the limited evidence we have at hand. Finally, we address the gaps in the international governance of drug control and crime prevention, a siloed governance that provides growth opportunities to transnational criminal organizations.

This tenth report by the Global Commission thereby highlights the need for a coordinated response to transnational organized crime dynamics as it relates to drug markets. The report does not offer definitive solutions but rather provides food-for-thought and is an invitation to consider the multiple connections between drug trafficking and other criminal activity in a globalized world of illegal demand and supply. Through this report, we firmly ask countries to engage in an evidence-based discussion on the most effective ways to reduce the power of transnational organized crime, a power that will continue to flourish rather than diminish as long as law-enforcement strategies favor criminalizing low-level stakeholders such as consumers.

This is the reality of the world we live in, where a market with a steady demand is left in the hands of criminal interests. We feel compelled to continue to share the existing evidence and to provide coherent proposals for reform. International cooperation needs a more comprehensive approach to the shared fight against corruption, money laundering and transnational criminal organizations, which are active in many illegal activities beyond the drug market. Countries need leadership to identify better ways to control drugs, to reduce the size and the violence of the illegal drug market, to loosen the grip of criminal organizations on vulnerable and discriminated communities, and to preserve the health, dignity, fundamental rights and wellbeing of all citizens, including those who choose to use drugs.



Ruth Dreifuss

Chair of the Global Commission on Drug Policy

REPORT SUMMARY

This is the 10th report published by the Global Commission, and the last of a series providing in-depth analysis of the 'five pathways to drug policies that work'. This report specifically focuses to Pathway 4.

The five pathways are:

1. Put people's health and safety first
2. Ensure access to essential medicines and pain control
3. End the criminalization and incarceration of people who use drugs
4. **Refocus enforcement responses to drug trafficking and organized crime**
5. Regulate drug markets to put governments in control.

Together with previous research, this report constitutes serious, responsible and exhaustive policy recommendations. In this report specifically, the Global Commission on Drug Policy advocates for new approaches to law enforcement: target the most harmful and violent criminal elements of the market, and avoid the drastic social and political consequences of the 'war on drugs' approach.



1 HOW PROHIBITION OF DRUGS FEEDS TRANSNATIONAL ORGANIZED CRIME

This report is important because it completes and caps our analysis of the different facets of drug control.

A coordinated response to transnational organized crime dynamics is crucial, including for drug markets. The report provides food-for-thought and considers the **many connections between drug trafficking and other criminal activity** in a globalized world. We urge countries to engage in an evidence-based discussion on effective ways to reduce the power of transnational organized crime.

Governments must focus on reducing:

- the power of criminal organizations;
- violence exerted by criminal organizations in competition with one another;
- violence arising from conflict between criminal organizations and state forces;
- insecurity arising from violence.

As long as law enforcement strategies will favour criminalizing low-level stakeholders such as drug consumers, the power, violence and insecurity associated with organized crime will flourish.

Criminalization, discrimination and stigma have disastrous consequences for anyone targeted by law enforcement for as simple an act as to use an illegal substance: incarceration; lifelong criminal record; loss of income and livelihood; loss of marriage and child custody; poor health care; exposure to physical and psychological violence; and loss of reputation, among others.

Criminalization and discrimination weaken the ability of individuals and communities to protect themselves.

Human rights defenders in the international and national drug control system have to defend and give people the means to empower themselves, to take control over their lives while given the right services based in human rights.

Many other low-level, non-violent actors in the drug trade are criminalized, which is both unnecessary and disproportionate. Individuals can engage in the drug market for a number of reasons, from economic marginalization to a lack of other opportunities to coercion. Yet criminal justice systems rarely take these factors into consideration when prosecuting. Low-level actors face severe punishment, from lengthy custodial sentences to the death penalty.

Since 2011, Global Commissioners have been and are unanimous: the criminalization of drug use and possession is at the core of the world drug control policy problem including vast human rights violations; negative impacts on communities, safety and security; the spread of violence; and adverse impacts on public health.

Drug offenses and imprisonment



20% of all of detainees in the world are in jail for a **drug-related offense** (1 in 5 of all detainees)



Source Penal Reform International, Global Prison Trends 2018, and IDPC, Taking Stock: A decade of drug policy

GCDP Recommendation #1

States must acknowledge the negative consequences of repressive law enforcement approaches to drug policies and recognize that prohibition forges and strengthens criminal organizations. Sharing such conclusions with the public must then feed national debates to support bold drug policy reform.

2 DRUGS, ORGANIZED CRIME, AND TRAFFICKING – STATE OF AFFAIRS

Drug markets and criminal groups are in a state of transformation.

Online markets and secure forms of communication allow drugs and other goods to be distributed across locales and to previously unknown groups of customers. Organized crime groups are moving towards looser 'network' structures rather than traditional 'cartels', and increasingly operating across multiple markets.

Modern approaches to law enforcement must encompass corruption and money laundering. Reversely, the connection between drug trafficking and terrorism tends to be overstated.

Drug trafficking and corruption exist symbiotically.

Illicit money can be easily transferred and laundered, allowing criminal actors to benefit from impunity and protection.

Traditional 'war on drugs' responses to drug markets are not equipped to deal with these aspects. Through adopting a comprehensive approach against all illegal activities, governments can reduce violence and money laundering, and better equip themselves to fight against organized crime in emerging crypto-markets.

GCDP Recommendation #2

States must analyze the transnational and trans-sectorial nature of criminal organizations, to review and reform the current exclusive focus on law enforcement.



Canine patrol in full gear
© Shutterstock

3 TOWARDS BETTER RESPONSES TO TRANSNATIONAL ORGANIZED CRIME IN THE ILLEGAL DRUG MARKET

Approaches to drug law enforcement which rely on blanket criminalization and deterrence, and aim to reduce demand by raising drug prices and targeting low-level criminal actors and users, are ineffective, harmful, and no longer aligned to the challenge.

Drug law enforcement must move its objectives from suppressing and eliminating markets to managing them.

Only a few drug markets around the world are characterized by high levels of violence and disruption. Interventions can change market dynamics. These dynamics can be shaped into a more peaceable status quo by strategic policing strategies such as:

- focused deterrence; and
- selective targeting strategies.

Under these approaches, limited policing resources are targeted at the most violent and disruptive organized crime groups or vulnerable areas, reducing violence and shifting behaviour patterns.

A more strategic, targeted approach to street-level enforcement will free up resources to investigate higher-level offenders and criminal groups.

Approaches to drug trafficking must be context-specific, shaped by local needs and available resources. Concerns have been raised including:

- Case studies implementing intelligence-led, focused deterrence and community policing strategies were developed in the global north and cannot be uncritically adapted across different drug market contexts; and
- New techniques of “predictive policing” – e.g. datasets and artificial intelligence – could entrench perceptions and profiling of particular areas and communities and bring them into a fixed cycle of targeted law enforcement.

GCDP Recommendation #3

States must develop targeted and realistic deterrence strategies to counter organized crime, and focus their response on the most dangerous and/or highest profiting elements in the criminal market. States must also reinforce interdepartmental cooperation to address criminal markets in a broad sense, not solely drugs, and develop effective transnational coordination against trans-border criminal groups and international money laundering.

4 ANTICIPATED ORGANIZED CRIME ACTIVITY IN REGULATED DRUG MARKETS

The report provides research on how the global illicit drugs market (with a value up to \$652 billion) would react to legalization that would deprive criminal groups of a crucial resource.

Criminal groups will inevitably respond by aiming to maximize profits elsewhere and maintain power and influence.

Shifts in illicit economies are a risk but would unarguably be taking place within a landscape of reduced opportunities with less profitable, less desirable options for organized crime. Many criminal groups also lack the requisite skills, connections, capacity or inclination to make the transition to new forms of drugs markets and other criminal activity.

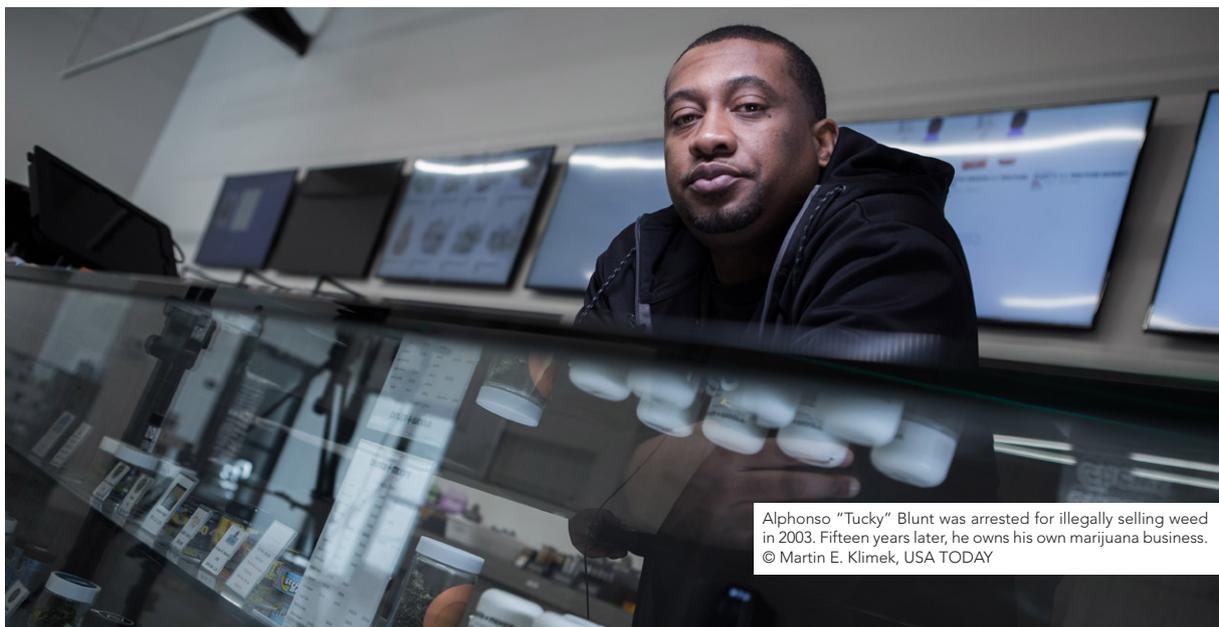
The way organized crime groups may respond to regulation will be shaped by:

- the type and nature of criminal organizations present and
- the way new regulations are implemented and the market is structured.

While more localized gangs might, for example, shift more into extortion within communities, higher-level and more politically connected trafficking groups might capitalize on other forms of trafficking and exploitation of corrupt links.

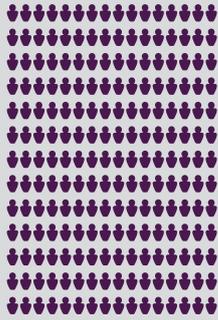
Research shows that strategic law enforcement responses and wide-ranging development strategies can:

- counter the structural vulnerabilities that enable all forms of organized crime to operate,
- support the establishment of regulated drugs markets, and
- pre-empt the displacement of criminal groups into new areas.



Alphonso "Tucky" Blunt was arrested for illegally selling weed in 2003. Fifteen years later, he owns his own marijuana business.
© Martin E. Klimek, USA TODAY

A decade ago

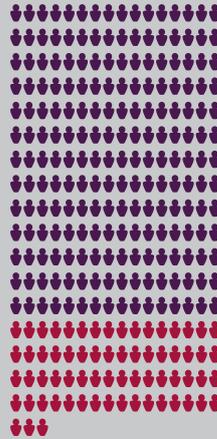


208 million
people use
drugs worldwide



\$320 billion
market turnover
(estimate)

in 2016



275 million
people use
drugs worldwide



Up to \$652 billion
market turnover
(estimate)

GCDP Recommendation #4

States must consider the legal regulation of drugs as the responsible pathway to undermine organized crime.



5 MOVING AWAY FROM A SILOED INTERNATIONAL RESPONSE TO TRANSNATIONAL ORGANIZED CRIME

The Members of the Global Commission are calling on Member States of the United Nations:

- to consider the merger of the 1961 and 1971 Conventions,
- to review the schedules* of these Conventions based on scientific evidence, and
- to complement them with the control of precursors.

A unique convention on psychoactive substances would provide governments and WHO with better tools to address addiction, implement health standards and reduce drug-related mortality.

Current instruments have raised a number of unanswered questions such as:

- Why do international fora separate drug trafficking from other trafficking matters?
- Why do UN Member States hermetically separate their debates on drug trafficking and related organized crime at the Commission on Narcotic Drugs and their debates on any other criminal matter at the Commission on Crime Prevention and Criminal Justice?
- Why hasn't the 1988 Convention been terminated when the Convention against Transnational Organized Crime came into force in the 2000s?

The modernization of legal tools is not only necessary and smart to keep up with the world constant changes; it is an obligation in a contemporary world where policies are interconnected.

In 1997, the late Kofi Annan, Nobel Prize winner, UN Secretary-General and a fellow Global Commissioner, called for the merger of Commissions above, in these terms: "that the functions of the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs be consolidated into a single Commission under arrangements that will fully preserve the treaty-based functions entrusted to the latter."

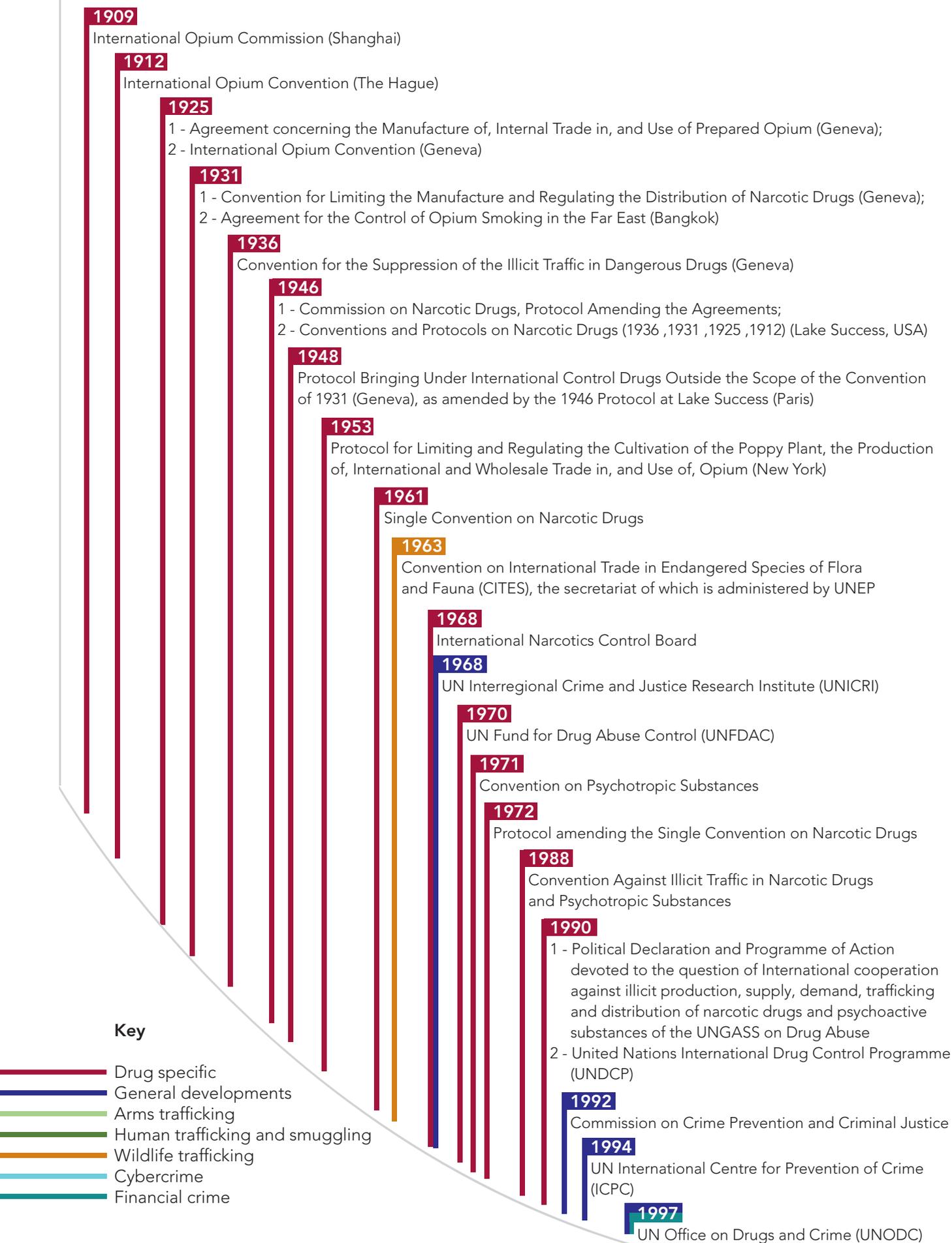
The debate of modernizing the drug control system is dated, and attempts to make it more fit-for-purpose have failed thus far.

GCDP Recommendation #5

UN member states must revisit the global governance of the international drug control regime in order to achieve better outcomes in public health, public safety, justice, and greater impact on transnational organized crime.

* Tables that classify psychoactive substances according to their addictiveness. See the Global Commission's 2019 report. Precursor control is currently devoted to the INCB by the 1988 Convention.

Key developments in the international response to organized crime



1998

Political Declaration of the UNGASS on the World Drug Problem

2000

UNTOC convention along with the two first protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air

2001

- 1- Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition (Firearms Protocol);
- 2- UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA)

2003

United Nations Convention Against Corruption

2005

International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITI)

2009

Political Declaration and Plan of Action on International Cooperation Towards an Integrated and Balanced Strategy to Counter the World Drug Problem

2010

Global Plan of Action to Combat Trafficking in Persons

2010

International Consortium on Combating Wildlife Crime (UN Interagency working group)

2011

Intergovernmental Expert Group on Cybercrime

2013

Arms Trade Treaty

2014

Joint Ministerial Statement, High-Level Review by the Commission on Narcotic Drugs of the Implementation by Member States of the Political Declaration and Plan of Action on International Cooperation Towards an Integrated and Balanced Strategy to Counter the World Drug Problem

2015

SDG target 16.4: 'By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime'

SDG target 3.5: 'Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol'

2016

Outcome Document of the UNGASS on the World Drug Problem
'Our joint commitment to effectively addressing and countering the world drug problem'

2017

High-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons

2018

Global Compact for Safe, Orderly and Regular Migration, which includes the objective to 'prevent, combat and eradicate trafficking in persons in the context of international migration'

2019

Ministerial Declaration on strengthening our actions at the national, regional and international levels to accelerate the implementation of our joint commitments to address and counter the world drug problem



GLOBAL COMMISSION ON DRUG POLICY

The purpose of the Global Commission on Drug Policy is to bring to the international level an informed, science based discussion about humane and effective ways to reduce the harm caused by drugs and drug control policies to people and societies.

GOALS

- Review the base assumptions, effectiveness and consequences of the punitive drug policies
- Evaluate the risks and benefits of different national responses to the drug problem
- Develop actionable, evidence-based recommendations for constructive legal and policy reform.

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