

## *Introduction*





# Are Barriers to Sustainable Development Endogenous to Drug Control Policies?

*Khalid Tinasti, Julia Buxton and Mary Chinery-Hesse*

## Abstract

This introductory chapter explains the rationale behind the 12<sup>th</sup> thematic volume of *International Development Policy*, which explores the tension between development and drug control goals, both current and historic. The volume of fifteen chapters draws on a broad spectrum of thematic issues to address the following key questions: Are prohibition and development mutually exclusive or complementary international agendas? How do the harms associated with drug policy enforcement undermine development prospects? The diverse group of authors highlight the corrosive effects of criminalisation and prohibition-based approaches on the livelihoods and fundamental rights of those who are vulnerable, including women, children, people who count on drug cultivation and trafficking to make a living, and people who use drugs. They also address the limitations and feasibility of development-focused interventions in drug control strategies within the context of the prohibition paradigm.

Since the ratification in 1961 of the *Single Convention on Narcotic Drugs*, the international drug control regime (UNODC, 2013) has seen the world through the lens of achieving ‘drug free societies’. This ambition of eliminating mind- and mood-altering substances—except in robustly controlled medical and scientific circumstances—is historically rooted and based on a simple premise: that prohibiting access to substances such as opium, morphine, cocaine and cannabis would eliminate demand and ‘evil’ dependence. The progress of prohibition from a US-based nineteenth century political movement (Mennell, 1969) to a global drug strategy was premised on the assumption that state authorities possessed the legitimacy and capacity to enforce prohibition across a neatly defined national territory, and that citizens would accept this policing of their livelihoods and personal behaviours. Criminalisation, stigmatisation and repressive punishment have been the primary tools used by states to enforce prohibition and to prevent the cultivation of drug plants (opium poppy,

coca, cannabis) and the manufacture, distribution and use of their derivatives (Bewley-Taylor, 2012).

The six decades since the 1961 *Convention* have seen immense political and economic change. The experience of decolonisation, Soviet communism, the Cold War and globalisation have reshaped geographical spaces, cultures and identities; epidemics and health emergencies modified the public health architecture by making patients active partners in the response; new technologies have emerged, science has advanced, and fundamental rights and freedoms have been recognised. International drug control policy, by contrast, has ridden waves of seismic change to persist, unchanged and seemingly immune to the uptake of international obligations and scientific evidence (GCDP, 2019). The international commitment to prohibition has been reaffirmed through four political declarations since the 1990s (UN, 1990; UNODC, 2019).

Increasingly repressive (sometimes militarised) efforts to achieve (constantly renewed) international and national level goals of 'drug free societies' have run parallel to a flourishing of illegal markets. These continue to expand and diversify, including through synthetic drug manufacture, crypto-markets and other digital innovations (Aldridge and Décarry-Héту, 2016). Not only have six decades of prohibition failed to eliminate illegal markets, repressive enforcement efforts have created multiple, sharply regressive outcomes (Csete et al., 2016). These have been explored through the lens of race, health and gender outcomes (Nougier, 2018). This volume considers the specific case of development, and how global development goals are impacted by prohibition-based drug strategies (GCDP, 2018).

In 2008, the UN acknowledged the 'unintended' consequences of drug control (UNODC, 2008). These included the 'value added' by criminalisation to otherwise worthless plants, shrubs and chemicals; the generation of an illicit market with an estimated annual turnover of USD 500 billion; the displacement of cultivation, manufacture and trafficking routes following interdiction; the violence and insecurity created by confrontations between law enforcement and criminal actors; ill health and disease spread; and policy and budgetary displacement in national policies. These unintended consequences have major implications for the implementation of programmes that aim to advance the Sustainable Development Goals (SDGs) and for the institutional environment in which development objectives are meant to be achieved.

This volume explores the tension between development and drug control goals, both current and historic. The contributions draw on a broad spectrum of thematic issues to address the following key macro questions: Are prohibition and development mutually exclusive or complementary international agendas? How do the harms associated with drug policy enforcement undermine

development prospects? The volume's opening contribution, from Buxton (Chapter 2), discusses the historical salience of development issues to international drug policy debates. It details the evolution of supply-focused and law-and-order based responses in global- and national-level drug strategies, and how this approach has imposed a disproportionate cost on some of the poorest and most unequal countries of the world. While the shift to development-oriented strategies in the 1990s and the new millennium was to be welcomed, she argues that early expectations have not been met, in part owing to shifts in contemporary development strategy and the failure to address land reform, as well as to the economic incentives created by the persistence of criminalisation. Collins (Chapter 3) then separates out development concerns from drug policy narratives, arguing that 'innovations' such as alternative development (AD) policies have a long historical trajectory and are not a logical extension of the international drug control system. Through a focus on colonial Asia, he argues that local elites and colonial administrations long wrestled with questions of development in drug crop cultivation areas. Continuity is seen to persist in the challenge of containing the 'alienating force' of illicit drug crops and offsetting the advantages that cultivation provides in terms of 'self-sufficiency, capital accumulation, resources for paid access to private health and economic and security services'.

In a policy comment, Brombacher and David (Chapter 4) of the German Corporation for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) explore the uptake by national governments of development-led approaches to drug crop cultivation. They trace the evolution of AD in drug supply control from the 1970s and the institutionalisation of development-oriented responses in United Nations (UN) drug conventions and political declarations. The *Outcome Document* of the 2016 United Nations General Assembly Special Session on the World Drug Problem (UNGASS) is cited as a particular milestone for its provision of a chapter dedicated to development-oriented drug control. Endorsement and uptake have not, however, translated into an increase in funding for AD initiatives. This has eroded the viability of development-focused responses. For Mansfield (Chapter 5), the ideological, conceptual and programmatic confusions around AD were manifest in Afghanistan, to the detriment of opium poppy reduction and development ambitions. Alternative development 'came to mean different things to different people', with aid used for a variety of purposes and without consistency or clarity of ends. Despite the centrality of Afghanistan to the opium trade, and years of 'best practices' and 'lessons learned' on AD, Mansfield notes the absence of a strategy to transition farmers into licit livelihoods.

International drug policy is at an important turning point. The historic consensus on prohibition is fracturing and giving way to national-level reform initiatives (Hall, 2018). For Bewley-Taylor, Jelsma and Kay (Chapter 6), this opens up new forms of inequality, de-development and market exclusion. The boom in medical cannabis and the legal regulation of adult non-medical cannabis consumption has enabled for-profit cannabis companies in the global North to capture cannabis markets aggressively. Small-scale traditional farmers from the global South are excluded from these hesitant openings. Traditional cultivators are being pushed out of emerging legal markets, despite the economic and development opportunities participation can bring. It is argued that affirmative action, regulation of foreign investment, and well-designed legislative and market strategies are required to ensure 'a more equitable, fair(er) trade cannabis regulation model'.

The second part of this volume comprises a series of commentaries that focus on the wider conditions of development, addressing human development and the interconnections between drug policy, insecurity, participation, politics and institutions. Reitano (Chapter 7) analyses drugs and drug policies as factors driving violence and weakening prospects for conflict resolution and peace processes in conflict-affected states. Linking back to and broadening the earlier critiques of AD, her contribution argues that the drug policy community has significantly failed to 'offer proven alternatives beyond the point of cultivation for actors further along drug supply chains'. Tinasti (Chapter 8) furthers consideration of the detrimental institutional impacts of drug control with the argument that drug policy embeds neo-patrimonial practices in drug producing and transiting countries. For Tinasti, criminalisation enables penetration by organised crime, fuels corruption of state and security officials and exacerbates electorally driven clientelist practices. Moreover, prohibition narratives feed into populist political campaigns and sloganeering that stigmatise minority populations of people who use drugs.

Fordham (Chapter 9) turns her attention to the participatory aspects of drug policy governance. Her commentary considers the important question of stakeholders in drug policy processes and their relative power and influence. She argues that exclusionary practices, including those due to criminalisation, marginalise populations who are most directly and negatively impacted by drug policy enforcement. Despite powerful interests in the persistence of the prohibition paradigm and established patterns of influence lobbying, she notes the attention now given to health, human rights and development concerns as a result of activism by civil society groups. José Ramos-Horta, former President of Timor-Leste, former UN Special Representative, Head of the UN Integrated Peacebuilding Office in Guinea-Bissau, and member of the Global

Commission on Drug Policy, shares his views on prohibition as the guiding principle of drug policy, the vulnerability of politics to illicit financial flows, and his experience as former UN Special Envoy in Guinea-Bissau (Chapter 10).

The third section presents thematic case studies relating to the environment, health and the rights of women and children in order to draw attention to the effects of drug policies on development and human development. Af-sahi (Chapter 11) highlights the environmental impacts of intensive cannabis cultivation using the comparative cases of California and Morocco. This contribution explores the relationship between cannabis cultivation and water use, land, forests and wildlife. Linking back to the earlier issues of fair-trade cannabis raised by Bewley Taylor, Jelmsa and Kay, Af-sahi considers the experiences and vulnerability of cannabis farmers and their communities.

The drug trade and enforcement practices are sharply gendered. Illicit market structures, law-and-order responses and generic drug ‘violence’ affects men and women differently. Giacomello (Chapter 12) unpacks these gendered dynamics through the lens of women incarcerated and detained for drug-related offences. While highlighting the over-incarceration of women as one of the crudest manifestations of contemporary drug policy failings, the chapter demonstrates how this draconian policy approach reproduces violence towards women and exacerbates their vulnerability and marginalisation. Giacomello addresses drug control as a driver of rights violations, and as a ‘silo’ area of global governance that frequently violates and contradicts other international bodies and priorities. Similarly, Barrett and Lohman (Chapter 13) focus on children to emphasise the recurrent clash of treaty and rights obligations in the international system, which they cite as corrosive for development. They highlight that young people are frequently at the centre of policy debates, with prohibition justified as a means of protecting future generations from harm. The reality, for Barrett and Lohman, is one of superficial discourse that is particularly weak in addressing the risks and harms caused to children by supply-side control activities (crop eradication, interdiction). Their contribution focuses on commitments made through the Sustainable Development Goals (SDGs) (indicator 3.8, access to essential medicines, and indicator 8.7, addressing the worst forms of child labour) and how these are undermined by the process of scheduling drugs under international control, in turn speaking to SDG indicator 16.6 on accountable institutions and the arguments put forward by Fordham.

Our final two contributions address the health dimension of drug policies—an integral element of both rights- and development-based agendas, which is regularly undermined by criminalisation. Csete’s policy comment (Chapter 14) argues that health—understood as both a precondition and an outcome of

development—can be positively influenced by the reform of drug policy approaches, for people who use drugs and their communities, as well as with regard to general access to pain relief and essential controlled medicines for patients in need. Under current criminalisation approaches, however, drug policy inflicts a high toll ‘on the health of people and communities touched by drug consumption, drug crop cultivation and drug law enforcement’.

Scheibe, Versfeld and Shelly (Chapter 15) conclude this volume with a contribution that focuses on South Africa and draws on their experience as researchers and medical practitioners. They argue that criminalisation policies and the stigmatisation of people who use drugs in South Africa have had negative effects on health outcomes, but that the country is locked into existing approaches as a result of local conservatism and international aid conditionality. Reinforcing this volume’s emphasis on accountability in drug policy processes, their contribution calls for mechanisms to better hold officials and policymakers responsible for the health and human rights of all people.

This volume is a call to the development community to better engage with the impacts of drug policy on development objectives. It highlights the corrosive effects of criminalisation and prohibition-based approaches on the livelihoods and fundamental rights of vulnerable women, men and children. It aims to address the limitations and feasibility of development-focused interventions in drug control strategies within the context of the prohibition paradigm. It also highlights the fact that criminalisation and draconian enforcement strategies have impacts that undermine progress towards the SDGs, while reform initiatives such as cannabis legalisation risk reproducing new forms of formal market exclusion.

## References

- Aldridge, J. and D. Décary-Héту (2016) ‘Cryptomarkets and the Future of Illicit Drug Markets’, in EMCDDA, *The Internet And Drug Markets* (Luxembourg: European Union).
- Bewley-Taylor, D. (2012) *International Drug Control: Consensus Fractured* (Cambridge: Cambridge University Press).
- Csete, J., A. Kamarulzaman, M. Kazatchkine, F. Altice, M. Balicki, J. Buxton, J. Cepeda, M. Comfort, E. Goosby, J. Goulão, C. Hart, R. Horton, T. Kerr, A. Madrazo Lajous, S. Lewis, N. Martin, D. Mejía, D. Mathiesson, I. Obot, A. Ogunrombi, S. Sherman, J. Stone, N. Vallath, P. Vickerman, T. Zábanský, and C. Beyrer (2016) ‘Public health and international drug policy’, *Lancet*, 387 (10026): pp. 1427–1480.
- GCDP (Global Commission on Drug Policy) (2019) *Classification of Psychoactive Substances: When science was left behind* (Geneva: GCDP).



- GCDP (2018) *Drug Policy and the Sustainable Development Agenda* (Geneva: GCDP).
- Hall, W. (2018) 'The future of the international drug control system and national drug prohibitions', *Addiction*, 113(7), pp. 1210–1223.
- Mennell, S. (1969) 'Prohibition: A Sociological View', *Journal of American Studies*, 3(2), pp. 159–175.
- Nougier, M. (2018) *Taking stock: A decade of drug policy—a civil society shadow report* (London: International Drug Policy Consortium).
- UN (United Nations) (1990) *Political Declaration and Global Programme of Action*, Resolution S-17/2 (New York: United Nations).
- UNODC (United Nations Office on Drugs and Crime) (2019) *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, Ministerial Declaration* (Vienna: United Nations).
- UNODC (2013) *The International Drug Control Conventions* (Vienna: United Nations).
- UNODC (2008) 'Achievements and unintended consequences of the international drug control system', in UNODC, *World Drug Report 2008*, pp. 212–218 (Vienna: United Nations).

