
COUNTING THE COSTS OF
THE WAR ON DRUGS

The Alternative World Drug Report



2nd edition

Executive summary



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The Count the Costs initiative: aims and activities

Documenting the costs

The Count the Costs initiative aims to highlight the negative impacts of the war on drugs in key policy areas: security, development, human rights, public health, stigma and discrimination, crime, economics, children and young people, and the environment.

Although governments and the UN have failed to systematically evaluate the costs of the war on drugs, there is nonetheless a substantial body of research available to demonstrate their scale and scope. In addition to this report, other resources documenting the costs of current drug policy can be found on the Count the Costs website, www.countthecosts.org, where many materials are available in both Spanish and Russian. You can also follow @CounttheCosts on Twitter and “like” the initiative on Facebook at www.facebook.com/countthecosts.

Reaching out to a wider audience of civil society groups and policy makers

A key aim of the initiative is to encourage wider engagement in the debate on drug policy reform, particularly for organisations and individuals whose work is impacted by the war on drugs but have historically steered clear of the issue. The briefings that comprise the Alternative World Drug Report, 2nd edition are the primary tool for achieving this. An additional element of this outreach is to build up individual and organisational endorsements for the Count the Costs statement, which calls upon world leaders and UN agencies to quantify the negative consequences of the current approach to drugs, and to assess the potential costs and benefits of alternative policies. Over 100 NGOs and civil society groups have already offered their support (check the website for details).

Promoting debate on alternatives based on the best possible evidence and analysis

The call on governments to count the costs of their war on drugs and consider alternative approaches is not an endorsement of any one policy position. Rather, it highlights the need for scrutiny of current policy and exploration of evidence-based alternatives, with a view to putting in place less costly policies. Acknowledging and systematically assessing these costs is the first step to informing the vital debate over future developments of drug policy and law.

Supporters of Count the Costs have a range of often divergent views regarding these alternatives. However, there is consensus on the following:

- That the harms of current approaches can no longer remain un-scrutinised by those responsible for them
- That reform is needed
- That alternatives need to be assessed and debated using the best possible evidence and analysis

Count the Costs initiative sign-on statement

The war on drugs is a policy choice. There are other options that, at the very least, should be debated and explored using the best possible evidence and analysis. We all share the same goals – a safer, healthier and more just world. Therefore, we the undersigned, call upon world leaders and UN agencies to quantify the unintended negative consequences of the current approach to drugs, and assess the potential costs and benefits of alternative approaches.

www.countthecosts.org/take-action/sign-our-statement

Executive summary

Fifty years ago, the 1961 UN Single Convention on Narcotic Drugs cemented an enforcement based approach into an international legal framework that remains largely unchanged to this day. The Count the Costs initiative was launched in 2011 to mark this anniversary, and calls on policy makers to review the costs of maintaining the current regime, and compare it with alternatives that could achieve better outcomes.

The costs of drug misuse itself have been well documented and ever present on the agenda of high level political discourse. In contrast, the serious negative impacts of drug policy enforcement are left largely unevaluated and ignored, despite the fact that the current approach, with its aspirational goal of creating a “drug-free world”, has demonstrably failed on its own terms. This report estimates that enforcing global prohibition costs at least \$100 billion a year, and far from eliminating use, supply and production, up to 246 million people now use drugs worldwide, contributing to a global market with a turnover of \$320 billion a year.

The current global drug control system, administered and overseen by the UN, is predicated upon police and military enforcement against producers, suppliers and users – a “war on drugs” in popular discourse. But, as this report demonstrates, this approach is fatally undermining all of the “three pillars” that underpin the UN’s work – peace and security, development and human rights.

The UN Office on Drugs and Crime (UNODC) has acknowledged that current international drug policy is having a range of negative “unintended consequences”, including: the creation of a huge criminal market; the displacement of production and transit to new areas (the “balloon effect”); the diversion of resources from health to enforcement; the displacement of use to new drugs; and the stigmatisation and marginalisation of people who use drugs.

However, despite acknowledging these problems, neither the UN nor its member states have sought to discover if the *intended* consequences of the current system outweigh the unintended consequences. These costs are not systematically assessed or detailed in the UNODC’s annual “World Drug Report”, which is based primarily on self-reporting from member states via the Annual Report Questionnaires. Despite recent improvements these do not include questions on many key policy impacts, and government self reporting responses are incomplete and biased. These shortcomings reflect the problems implicit in self reporting on a system by those who oversee, enforce and champion it.

“I think it is entirely legitimate to have a conversation about whether the [drug] laws in place are ones that are doing more harm than good in certain places.”¹

Barack Obama
President of the United States
2012

This Alternative World Drug Report has been produced by the Count the Costs initiative to describe these enforcement related costs, and to start to fill the gap left by official government and UN evaluations.

Recent political developments suggest there is a growing demand for a more balanced and comprehensive evaluation of the wider impacts of current drug law enforcement strategies, and also for evidence-based exploration of possible alternative approaches. In particular, the debate on the future of international drug control has moved decisively into the political and media mainstream for the first time. This phenomenon is now reaching critical mass as member states move into a new era following the 2016 UN General Assembly Special Session on the World Drug Problem and into negotiations for the new 2019 global drug strategy.

In keeping with this new era, this report also outlines all the major policy options available to governments, and suggests that countries individually and collectively engage in reviews that scrutinise the effectiveness of the current system, and compare it with alternatives that could achieve better outcomes.

Ultimately, this report represents a call to apply science to an area of policy that has eschewed adequate scrutiny for far too long. The world is increasingly willing and able to count the costs of the war on drugs, explore the alternatives and gradually move towards the shared goal of a healthier, safer world.

1. **Barack Obama**, quoted in Calmes, J. (2012) ‘Obama Says Legalization Is Not the Answer on Drugs’, *The New York Times*, 14.04.14. <http://www.nytimes.com/2012/04/15/world/americas/obama-says-legalization-is-not-the-answer-on-drugs.html>

1. Threatening public health, spreading disease and death

While the war on drugs has primarily been promoted as a way of protecting health, it has in reality achieved the opposite. It has not only failed in its key aim of significantly reducing or eliminating drug use, but has increased risks and created new health harms – while establishing political and practical obstacles to effective public health interventions that might reduce these harms.

- Prevention and harm reduction messages are undermined by the criminalisation of target populations, leading to distrust and stigmatisation
- Criminalisation encourages high-risk drug-using behaviours, such as injecting in unhygienic, unsupervised environments
- Enforcement tilts the market towards more potent but profitable drug products. It can also fuel the emergence of new, high-risk drugs (or novel psychoactive substances – NPS), and domestically manufactured drugs
- Illegally produced and supplied drugs are of unknown strength and purity, increasing the risk of overdose, poisoning and infection
- The emotive politics of the drug war, and stigmatisation of drug users, has created obstacles to the provision of effective harm reduction services, which, despite proven cost-effectiveness, remain unavailable in many parts of the world. This fuels overdose deaths, the spread of HIV/AIDS, hepatitis, and tuberculosis among people who inject drugs
- The growing population of people who use drugs in prisons has created a particularly acute health crisis, as prisons are high-risk environments, inadequately equipped to deal with the health challenges they face
- The development impacts of the war on drugs have had much wider negative impacts on health service provision, with billions diverted from proven health programmes into counterproductive enforcement
- Drug-war politics have had a chilling effect on the provision of opiates for pain relief and palliative care, with over five billion people having little or no access to the medicines they need

There is an absence of evidence that either supply-side or user-level enforcement interventions have dramatically reduced or eliminated use. Instead, drug-related risks are increased and new harms created – with the greatest burden carried by the most vulnerable populations.

2. Undermining peace and security

The UN attempts to promote the security of its member states through implementing a drug control system that treats the use of certain drugs as an “existential threat” to society. But this approach is having the opposite effect: it is undermining peace and security by creating a huge criminal market that enriches criminal organisations to such an extent that in many regions their power threatens the state.

- As the UNODC has identified, the collision of rising demand with a prohibitionist global drugs control system has created a “criminal market of staggering proportions” that is undermining governance, stability and the rule of law across the world – but particularly in developing and middle-income countries that are centres of drug production or along key trafficking routes
- To secure and expand their business interests, criminal organisations invest in the intimidation and corruption of police and public officials, undermining civic institutions and fostering a culture of impunity
- In the absence of formal regulation, violence is the default regulatory tool within the illicit drug trade, and is endemic in key producer and transit regions. Supply-side drug law enforcement often increases rather than decreases violence – by internally destabilising criminal organisations or established markets
- Illicit drug profits fund the increasing weaponisation of criminal organisations that are in many cases now able to outgun law enforcers. Drug money can also fuel conflict by providing funding for paramilitary and terrorist organisations. State enforcement itself has become increasingly violent and militarised as the arms race with criminal organisations has evolved
- Expanding domestic enforcement budgets, and aid for militarised drug responses, have serious

opportunity costs, starving health and social development programmes of resources

- The displacement (rather than eradication) of drug production and trafficking following enforcement efforts has only served to exacerbate and disperse negative security impacts more widely

Ironically, the UN, an organisation set up to protect member states from the security threats created by wars, is now overseeing a war on drugs that is itself undermining peace and security across the world.

3. Undermining development

Criminal drug producers and traffickers naturally seek to operate in marginal and underdeveloped regions, where vulnerable populations can be exploited and weak authorities kept at bay. The corruption, violence, conflict and instability that follow undermine social and economic growth and can lock regions into a spiral of underdevelopment.

- Illegal drug markets are characterised by violence between criminal organisations and police or military, or between rival criminal organisations – problems only made worse by the intensification of enforcement efforts. Drug profits also provide a ready supply of income for various insurgent, paramilitary and terrorist organisations
- Criminal organisations seeking to protect and expand their business invest heavily in corrupting – and further weakening – all levels of government, police and judiciary
- Investment is deterred from affected regions, while limited aid budgets are directed into drug law enforcement and away from health and development
- Resulting underdevelopment contributes to the spread of HIV and wider health costs
- Fragile ecosystems are destroyed by producers in order to grow drug crops, and by crop eradications carried out by law enforcement
- Human rights violations carried out in the name of drug control become commonplace

While there are some marginal economic benefits from the illicit drug trade in producer and transit regions, these are hugely outweighed by the wider negative development costs. The development impacts of the global war on drugs have long been overlooked, a situation only now changing beginning to change, as governments, UN agencies and NGOs working on development issues are belatedly waking up to the growing crisis.

4. Undermining human rights

Human rights are only mentioned once in the three UN drug conventions, reflecting their historical marginalisation in drug law politics and enforcement. The war on drugs is severely undermining human rights in every region of the world, through the erosion of civil liberties and fair trial standards, the demonisation of individuals and groups, and the imposition of abusive and inhuman punishments.

- While there is no specific right to use drugs, the criminalisation of consenting adult behaviours engaged in by hundreds of millions of people impacts on a range of human rights, including the right to health, privacy, and freedom of belief and practice
- Punishments for drug possession/use are ineffective, and frequently grossly disproportionate, resulting in incarceration in many countries
- The erosion of due process when dealing with drug offenders is widespread, involving parallel justice systems, the presumption of guilt (reversing the burden of proof), and detention without trial
- Various forms of torture, inhuman or degrading treatment or punishment are widely applied for arrested or suspected drug offenders. These include: beatings, death threats to extract information, extortion of money or confessions, judicial corporal punishment, and various abuses in the name of “treatment” – including denial of access to healthcare, denial of food, sexual abuse, isolation and forced labour
- The death penalty for drug offences is illegal under international law but is still retained by 33 jurisdictions, executing around 1,000 people a year. Illegal extrajudicial targeted killings of drug traffickers also remain common

- Punitive drug law enforcement has led to a dramatic expansion in the prison population, with growing numbers also held in mandatory “drug detention” centres under the banner of “treatment”
- The right to health – in terms of access to healthcare and harm reduction – is frequently denied to people who use drugs, particularly in prison environments
- Attempts to protect children’s rights using drug law enforcement, however well intentioned, have had the opposite effect, putting them in jeopardy on multiple fronts
- Cultural and indigenous rights have been undermined through the criminalisation of traditional practices such as coca chewing by laws formulated without the participation of affected populations
- The criminal justice-led approach has caused an explosion in the prison population of drug and drug-related offenders
- Drugs are now the world’s largest illegal commodity market, enriching organised crime groups and fuelling money laundering and corruption
- Violence is inherent to the illegal drug trade. Aside from conflicts with drug law enforcers, violence is used to enforce the payment of debts and to protect or expand criminal enterprises
- Evidence suggests that more vigorous enforcement exacerbates violence. Drug profits also fuel regional conflict by helping to arm insurgent, paramilitary and terrorist groups
- The war on drugs has provided a smokescreen for various forms of illegal government action, including torture, and the use of the death penalty and judicial corporal punishment for drug offenders
- The costs of proactive drug law enforcement are dwarfed by the reactive costs of dealing with the crime it fuels

The main claim for any human rights benefit of 50 years of prohibition-based international drug control, is that while it has not prevented overall drug use from rising, it has kept levels of use lower than they would otherwise have been, so contributing to the right to health. However, this argument is unsustainable given the overwhelming evidence of the significant health harms created and exacerbated by the war on drugs, even before related human rights abuses are considered.

5. Creating crime, enriching criminals

Squeezing the supply of prohibited drugs in the context of high and growing demand inflates prices, providing a lucrative opportunity for criminal entrepreneurs. The war on drugs has created an illegal trade with an annual turnover of more than \$320 billion. The level of criminality associated with the illegal trade is in stark contrast to the parallel legal trade for medical uses of many of the same drugs.

- A significant proportion of street crime is related to the illegal drug trade: rival gangs fighting for control of the market, and robbery committed by people with drug dependencies fundraising to support their habit
- Millions of otherwise law-abiding, consenting people who use drugs are criminalised for their lifestyle choices

There is little evidence of a deterrent effect from drug law enforcement targeted at people who use drugs, or of significant impacts in reducing long-term drug availability from supply-side enforcement – displacement is the best that can be achieved. Using drug-related crime as a justification for the war on drugs is unsustainable given the key role of enforcement in fuelling the illegal trade and related criminality in the first place. Separating the health and social costs created by drug misuse from the crime costs created by drug policy is a vital first step towards improving community safety.

6. Wasting billions, undermining economies

Ever-expanding drug law enforcement budgets often temporarily squeeze drug supply while demand continues to grow. The result is inflated drug prices and the creation of a profit opportunity that has fuelled the emergence of a vast illegal trade controlled by criminal entrepreneurs. This has a range of negative impacts on local and global economies.

- Estimating global spending on drug law enforcement is difficult (due to poor data, inclusion criteria,

- etc.), but is likely to be well in excess of \$100 billion annually
- In terms of achieving the stated aims of enforcement, this spending has been extremely poor value for money, causing displacement, rather than eradication, of illegal activities, falling drug prices, and rising availability
 - Enforcement spending incurs opportunity costs in other areas of public expenditure, including other police priorities, drug-related health interventions and social programmes
 - The illegal trade is estimated to turn over more than \$320 billion annually
 - Profits from this trade undermine the legitimate economy through corruption, money laundering, and the fuelling of regional conflicts – problems most evident in already vulnerable regions where the illicit drug activity is concentrated
 - The illicit drug trade creates a hostile environment for legitimate business interests, deterring investment and tourism, creating sector volatility and unfair competition (associated with money laundering), as well as wider, destabilising macroeconomic distortions
 - There are some localised economic benefits from the illicit trade, although profits are mostly accrued in consumer countries, and by those at the top of the criminal hierarchies. Key beneficiaries of the war on drugs are military, police and prisons budgets, and related technological and infrastructural interests
 - Criminalisation limits employment prospects and reduces access to welfare and healthcare, further reducing life chances and compromising the health and wellbeing of vulnerable populations
 - At its most extreme, the stigma associated with drug crimes can dehumanise and provide justification for serious abuses, including torture
 - Drug law enforcement has frequently become a conduit for discrimination or institutionalised racial prejudice, with certain minorities overrepresented in arrests and prison populations
 - Vulnerable women drawn into trafficking are subject to disproportionately harsh sentencing, while women who use drugs are also frequently subject to abuse, denied access to healthcare, and arbitrarily denied parenting rights
 - Children and young people carry a disproportionate burden of the costs of the war on drugs. As drug users, they are exposed to additional risks and denied access to healthcare, and through involvement in, or contact with, criminal markets, they are subject to violence and abuse from both criminals and law enforcers
 - International law has effectively criminalised entire cultures with longstanding histories of growing and using certain drug crops

Poverty and social deprivation increase the potential negative impact of drug use and the likelihood of both coming into contact with law enforcement and being involved in the illicit trade. Some argue that criminalising and stigmatising drug users sends a useful message of social disapproval, yet there is no evidence for this having any significant deterrent effect, and it is not the role of criminal law to serve as a form of public education.

7. Promoting stigma and discrimination

Criminalisation remains a primary weapon in the war on drugs. But using the criminal justice system as the primary tool to address a public health problem has not only proven ineffective, it is also socially corrosive, promoting stigmatisation and discrimination, the burden of which is carried primarily by already marginalised or vulnerable populations.

- The criminalisation of people who use drugs fuels various forms of discrimination, which is made worse by populist drug-war rhetoric and media stereotyping and misinformation

8. Harming, not protecting, children and young people

Punitive responses to drugs have long been justified on the basis of child protection. But not only have they failed in their central goal of significantly reducing or eradicating drug availability and use, they have also increased the risks faced by children and young people who do use drugs, and created a range of new harms that impact disproportionately on the most vulnerable.

- There is no evidence that increasingly punitive approaches are an effective deterrent – but there is substantial evidence that they can increase risky behaviours, tilt markets towards more risky drug products of unknown strength and purity, and create obstacles to accessing harm reduction and treatment services
- There is evidence that accurate, targeted education and prevention programmes can be effective at reducing some health harms, but even the best interventions will be undermined by the stigma and alienation fostered by punitive enforcement and criminalisation
- Children and young people who use drugs, or who are arrested or suspected of drug offences, are more likely to come into contact with law enforcers than other groups. Once arrested, they are frequently subjected to imprisonment and serious forms of cruel and unusual punishment – including torture, sexual abuse, and denial of access to healthcare
- Punitive “zero tolerance” drug policies in schools and colleges – particularly including random drug testing, sniffer dogs, and harsh punishments such as exclusions, are not only ineffective, but can further undermine the prospects of already vulnerable and marginalised young people
- The unnecessary and disproportionate punishment, criminalisation and incarceration of adults for drug offences (particularly women), or death and illness from avoidable drug harms, can have disastrous implications for children and young people in their care – often drawing them into ineffective, often abusive institutionalised care systems
- Children and young people are invariably on the front line of drug war violence and exploitation – either drawn into organised criminal activities (sometimes trafficked or enslaved), or caught in the crossfire as rival groups fight each other, or state enforcers

If the high-profile narrative of child protection in the drug debate is to be more than empty rhetoric, it is imperative that the impacts of drug law enforcement on children and young people are meaningfully evaluated and factored into future policy developments.

9. Causing deforestation and pollution

The war on drugs has put a heavy emphasis on “upstream” supply-side actions, including drug crop eradication. This has not only proved futile in reducing total drug production – which has more than kept pace with growing demand – but has also had disastrous consequences for the environment.

- Aerial fumigations of drug crops take place in South Africa, and have only recently been suspended in Colombia, the world’s second most biodiverse country, after the chemicals used in the fumigations were identified as a carcinogen by the WHO. The chemicals used kill plant life indiscriminately, destroy habitats of rare and endangered animals, and contaminate waterways
- The unregulated processing of drug crops leads to unsafe disposal of toxic waste, polluting soil, groundwater and waterways
- Drug crop eradication does not eliminate drug production. As long as the profit opportunity remains, production simply moves (the so-called “balloon effect”), which exacerbates deforestation and environmental damage, often in protected national parks

There is an urgent need to meaningfully count these costs and build environmental impact assessments into all drug law enforcement programmes.

10. Options and alternatives

The growing consensus on the need to reform the current global drug control system is fuelling a debate on a range of alternative approaches. Determining which approaches will be most effective at achieving the widely shared goals of drug policy, and reducing the costs outlined in this report, requires a political commitment to research and experimentation – much of which is currently inhibited by the international drug laws. Key alternative approaches include:

- Fighting the war on drugs with increased ferocity – through increasing the level of resources for enforcement and handing down harsher punishments – with the aim of significantly reducing or eliminating drug use

- Incremental reforms to enforcement and public health and treatment interventions (within the existing prohibitionist legal framework) to improve policy outcomes. Adequate investment in evidence-based prevention, treatment and harm reduction should form a key pillar of drug policy under any legal framework. However, current enforcement approaches can undermine, rather than support, effective health interventions. Reforms to enforcement practices can also target some of the most harmful elements of the criminal market to reduce key crime costs, such as violence, from their current levels
- A reorientation to a health-based approach and decriminalisation of personal possession and use (civil or administrative sanctions only). Evidence suggests that if implemented intelligently, as part of a wider health reorientation, decriminalisation can deliver criminal justice savings, and positive outcomes on a range of health indicators, without increasing drug use
- The legal regulation of drug markets offers the potential to dramatically reduce the costs associated with the illegal trade outlined in this report, but requires negotiating the obstacle of the inflexible UN drug conventions, and managing the risks of over-commercialisation. Drawing on experiences from alcohol, tobacco and pharmaceutical regulation, increasingly sophisticated models have now been proposed for regulating different aspects of the market – such as production, vendors, outlets, marketing and promotion, and availability – for a range of products in different environments
- Cannabis social clubs in Spain: legalisation without commercialisation
- Cannabis regulation in Colorado: early evidence defies the critics
- Cannabis legalisation in Uruguay: public health and safety over private profit
- Heroin-assisted therapy in Switzerland: successfully regulating the supply and use of a high-risk injectable drug
- Turkey's opium trade: successfully transitioning from illicit production to a legally regulated market

The full-length version of the updated Alternative World Drug Report also includes a series of new case studies that explore the impacts of different drug policy models. The focus is on models of reform – in Portugal, Uruguay, Colorado, Switzerland, Spain, the Netherlands and Turkey – but there is also a review of Sweden's more traditional, enforcement-oriented drug policy.

- Drug policy in Sweden: a repressive approach that increases harm
- Drug decriminalisation in Portugal: setting the record straight
- Cannabis policy in the Netherlands: moving forwards not backwards

Conclusions

It is now clear that the global prohibitionist consensus has broken, and cannot be fixed. Alternative drug policy approaches, including decriminalisation and legal regulation, are a growing reality as the global drug control system adapts to a world dramatically different from when the current approach to drugs was established more than half a century ago.

It is now time for UN agencies, supported by other regional and multilateral bodies, to provide real leadership to shape this change. Civil society groups in fields beyond the drug policy sector should also play their part – a process that is already gathering momentum.

While bringing science and evidence-based scrutiny to bear on this issue will ensure a more objective and balanced debate, evaluating the global drug control system is not easy, or free. But the real problem is one of political will. That is where member states have a crucial role to play: raising the issue in multilateral and domestic policy forums, providing resources, and working together with civil society to drive review and reform. It is also important for member states to lead by example through assessing and reforming drug policy domestically too.

In short, as more and more jurisdictions and UN bodies take an approach to drugs based on the UN's three pillars of peace and security, development and human rights – rather than the punishment, discrimination and violence that has characterised drug policy for far too long – the time has come to count the costs of the war on drugs, and explore the alternatives.

The current enforcement-based, UN-led drug control system is coming under unparalleled scrutiny over its failure to deliver a promised “drug-free world”, and for what the UN Office on Drugs and Crime (UNODC) describes as its negative “unintended consequences”. It is unacceptable that despite acknowledging these negative impacts, the UNODC does not include them in its flagship World Drug Report, and neither the UN nor its member states have meaningfully assessed whether

these unintended consequences outweigh the intended consequences.

This report fills this gap by detailing the full range of these negative impacts of the drug war. It demonstrates that the current approach is creating crime, harming health and fatally undermining all “three pillars” of the UN’s work – peace and security, development, and human rights. Globally, alternative drug policy approaches are a

growing reality, and this report also details the options for reform that could deliver better outcomes, including exploring decriminalisation and legal regulation.

The global prohibitionist consensus has broken, and cannot be fixed. Ultimately, this Alternative World Drug Report is intended to help policymakers shape what succeeds it.

The Alternative World Drug Report —

The Count the Costs initiative, backed by over 100 NGOs worldwide, is calling on governments and the UN to count the costs of the war on drugs, and explore the alternatives based on the best possible evidence. It is coordinated by the Transform Drug Policy Foundation.
www.countthecosts.org

TRANSFORM
Getting drugs under control