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## Identifying Common Ground on Development for the United Nations General Assembly Special Session on the World Drug Problem in 2016

*What does a ‘development approach’ to global drug policy mean in practice?*

6 May 2015, United Nations Headquarters  
10.00am - 12.45pm, Conference Room 8

### Concept Note

As the UN General Assembly’s Special Session in New York on the World Drug Problem (UNGASS 2016) approaches, there is a need to consider how global development and drug policy goals can better be aligned within the work of the UN system. On 7 May 2015 the General Assembly will hold a *High Level Thematic Debate in support of the process towards the 2016 Special Session of the General Assembly on the World Drug Problem*. This will, inter alia, consider ‘implementing a multi-dimensional and multi-stakeholder approach in addressing the world drug problem.’

Development is necessarily a key dimension of any effective approach to the world drug problem; yet there is a growing awareness that counter-narcotics efforts may have numerous unintended negative effects on human development, not only in developing countries, but everywhere.<sup>1</sup> UN Secretary-General Ban Ki-Moon has identified illicit drugs and crime as “severe impediments” to achieving sustainable development, while the UN Office on Drugs and Crime (UNODC) has recognized the “vicious cycle” of drug production, trafficking, poverty, and instability, highlighting the right to development in its World Drug Report.<sup>2</sup> The UN Development Programme (UNDP) recently noted a number of ways in which drugs and drugs policies may negatively impact development:

- marginalization of certain communities;
- lost productivity and increased social burdens from excessive incarceration;
- increased public health burdens;
- unexpected environmental externalities, including pollution and deforestation;
- the stimulation of corruption, violence and political instability; and
- the distortion of licit economic development towards illicit economic activity.<sup>3</sup>

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<sup>1</sup> For instance, see, Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, [A/HRC/22/53](#), 1 February 2013. Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, “[Submission to the Committee against Torture regarding drug control laws](#),” 19 October 2012.

<sup>2</sup> United Nations. [Secretary-General’s remarks to the General Assembly’s Thematic Debate on Drugs and Crime as a Threat to Development](#). June 2012; UNODC. *World Drug Report*, 2010, p. 5.

<sup>3</sup> UN Development Programme. *Perspectives on the Development Dimensions of Drug Policy*, March 2015.

But what does a ‘development approach’ to global drug policy mean in practice?

Localized development strategies addressing the effects of illicit crop eradication have gained prominence in the drug policy agenda over the last decade, under the rubric of ‘alternative development’. At the same time, some actors have begun to suggest a need to expand the ‘alternative development’ approach to consider the development impacts of drug control policies on other communities (traffickers, communities hosting traffickers), and on human and sustainable development more broadly at the national and international levels. This may require factoring the broader costs of drug policies – such as impacts on public health, human development, corruption or the environment – into the design and execution not only of drugs policy, but also national-level and international development planning and programming.

As UNDP’s recent intervention in the UNGASS 2016 preparations highlights,<sup>4</sup> there is increasing concern that the development potential of entire communities is impacted by drug-related activity and drug policies, through impacts on human rights (including those related to marginalization, stigmatization, arrest and incarceration, and economic and social outcomes); impacts on local economic development; and impacts on governance, political stability and corruption. A broader ‘development approach’ to drug policy – going beyond ‘alternative development’, and accounting for both individuals involved in the drug trade and the many other communities affected by drugs and drug policies – may deliver more effective policies and practices for ‘putting the human being at the centre of drug policy’.<sup>5</sup>

With CND moving to prepare ‘operational recommendations’ for consideration at UNGASS 2016,<sup>6</sup> a central question for consideration on 7 May 2015 is what ‘operational recommendations’ UNGASS 2016 could realistically make, given the politics of the issues concerned, that would strengthen a development approach to global drug policy? This concept note identifies some areas where common ground might emerge, and asks what steps would need to be taken to make that happen. UN University’s panel on 6 May 2015 will consider the key questions identified in this note, with a view to improving policy coherence across the UN system.

### **Global drug policy’s current approach to ‘development’**

To date much programming under the existing global drug policy regime has focused on supply and demand reduction. International health, environmental, and human rights experts have documented the negative effects of drug crop eradication programming pursued on this basis, and as a result, there has been an effort in recent decades to attempt to create a more humane and sustainable approach to supply reduction, particularly

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<sup>4</sup> Ibid.

<sup>5</sup> Many states advocated at Commission on Narcotic Drugs 2015 special segment on UNGASS 2016 for a people-centred approach to drug policy. Also, see INCB President Dr. Lochan Naidoo, “[Dr Lochan Naidoo – A Frank Conversation about Drugs](#),” Interview with International Doctors for Healthier Drug Policies, 30 March 2015.

<sup>6</sup> CND has indicated it will produce a set of operational recommendations to be adopted at UNGASS 2016. CND, *Draft Resolution submitted by Chair, Special session of the General Assembly on the world drug problem to be held in 2016*, E/CN.7/2015/L.11, 17 March 2015.

through ‘alternative development’ programming providing livelihoods and other forms of development support to communities displaced from illicit drug crop production.

Known as ‘alternative development,’ this approach has become an integral part of international drug policy, championed by states such as Germany, Thailand, and Peru, among others. Interest in alternative development is widespread among UN Member States, including the Group of 77 and China. However, major obstacles exist to effective, well-monitored implementation. In 2013, the General Assembly adopted *UN Guiding Principles on Alternative Development*, but it is clear that alternative development programming frequently falls short of this best practice, and is even arguably at times at odds with the fundamental concept that development interventions should ‘do no harm’.<sup>7</sup> Efforts to strengthen programming in this field continue: with an eye towards UNGASS 2016, UNODC is developing a chapter on alternative development for its 2015 World Drug Report,<sup>8</sup> and Thailand has proposed to hold a workshop on the implementation of the *Guiding Principles on Alternative Development* later this year.<sup>9</sup>

At the same time, Member State interventions at the special segment on UNGASS 2016 in March 2015 suggested that many Member States are interested in a more expansive development perspective. States expressed interest in broadening the development discussion at UNGASS to address structural drivers of crop cultivation, including poverty, weak government presence, and access to land; and expanding the alternative development approach to ‘integrate’ such issues as infrastructure improvements, health, education, access to markets and water, to name some specific examples.<sup>10</sup> Some Member States also called for the use of human development indicators in the assessment of alternative development programming impacts. Others called for the expansion of the programming approach beyond rural livelihoods to encompass livelihoods support for actors in drug supply chains in urban areas. Some interventions emphasized support for a human-centred approach which involves communities in all phases of project implementation.<sup>11</sup>

Thus, while much of the discussion of how to ensure coherence between drug policy and development remains couched within the discourse of alternative development, the discussion at the special segment indicates that Member States are also beginning to think about whether a wider lens may need to be applied in seeking to ensure coherence between these two policy goals – development and drug control.

*Key questions for discussion:*

- What ‘operational recommendations’ might UNGASS make to strengthen international practice within the framework of ‘alternative development’?
- How could an alternative development approach extend to thinking about alternative livelihoods and development strategies for the larger community living

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<sup>7</sup> Julia Buxton, “Drugs and Development: The Great Disconnect,” Policy Report 2, Global Drug Policy Observatory, Swansea University, January 2015.

<sup>8</sup> Commission on Narcotic Drugs, *Report on the fifty-eighth session (5 December 2014 and 9-17 March 2015)*, Advanced Unedited Version, E/CN.7/2015/15, 2015. p. 60.

<sup>9</sup> Commission on Narcotic Drugs, *Promoting the implementation of the United Nations Guiding Principles on Alternative Development*, E/CN.7/2015/L.7/Rev.1, 12 March 2015.

<sup>10</sup> Commission on Narcotic Drugs, 2015. pp. 59-60.

<sup>11</sup> Ibid.

- in cultivation areas, or for those displaced from other parts of the drug-market value chain, such as those involved in urban trafficking or sales?
- What operational role does the UN development system have to play in ensuring alternative development programming is effective and rights-respecting?
  - How do methods to monitor and evaluate alternative development programs or strategies promote or impede development?

### **Thinking beyond ‘alternative development’**

The interventions at the CND session in March 2015 make clear that many states now consider that the ‘alternative development’ paradigm, as currently applied in practice, does not adequately account for the full range of development impacts of drug policy and programming. Similar views are emerging in other intergovernmental forums, where the disproportionate impacts of drugs and drug control on those living in poverty has received particular attention. Drug policy measures that fail to account for the close relationship between poverty and participation in drugs markets can fuel social exclusion and disconnect people further from their governments and communities, with significant negative long-term effects on development outcomes.<sup>12</sup>

This marginalization and exclusion can have negative implications not only for the directly-affected communities, but also for the economic and political development of whole countries and regions. Marginalization and poverty, especially in rapidly urbanizing contexts, creates fertile conditions for drug trafficking organizations to develop economic wealth and local political power, with knock-on effects for political governance in the broader community, and hence for economic development. Drug production and trafficking are often carried out by criminal groups who commit serious human rights abuses including killings, forced displacement, sexual and physical violence, and extortion, creating environments where development is hindered by instability.<sup>13</sup> The danger is that such communities get stuck in a ‘crime trap’, with drug trafficking organizations siphoning off excess human, physical and financial capital into their own pockets.<sup>14</sup>

Militarized and securitized responses by governments to these trafficking organizations can cause direct harms and foment further alienation and violence in communities already affected by the drug trade. Criminalization of small-scale drug producers and traffickers risks further marginalization of people who use drugs, indigenous and minority communities, and those who live in communities where drugs are cultivated, trafficked, and sold, often reinforcing structural barriers to economic development.<sup>15</sup> Revenue from the drug trade can also ‘distort economies and fuel illicit asset laundering and the blurring of formal and criminal sectors.’<sup>16</sup> As narco-capital distorts local economies, significant environmental externalities can follow. In Central

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<sup>12</sup> Organization of American States, *The Drug Problem in the Americas*, 2013, p 25; Catherine Martin, “Casualties of War: How the War on Drugs is Harming the World’s Poorest,” Health Poverty Action, February 2015.

<sup>13</sup> UN Development Programme. *Perspectives on the Development Dimensions of Drug Policy*, March 2015. p. 8.

<sup>14</sup> James Cockayne, ‘[Breaking the Crime Trap: Factoring Crime into Development Policy](#)’, *Global Observatory*, 13 February 2014.

<sup>15</sup> West Africa Commission on Drugs, *Not Just in Transit: Drugs, the State, and Society*, June 2014. pp 22, 32.

<sup>16</sup> Buxton. 2015, p. 15.

America, for example, research suggests that there are connections between heavy-handed drug control policies, the criminalization of local political economies, and deforestation leading to vulnerability to flooding and extreme weather events.<sup>17</sup>

UNODC has identified a number of negative “unintended consequences” of current international drug control policies which interact with development aims, including:

- the creation of a lucrative and violent criminal black market for drugs of macroeconomic proportions;
- policy displacement from health to law enforcement, drawing funds and political attention from public health to law enforcement and security;
- the “balloon effect,” displacing production and transit, and with it, crime, violence, and destabilization to new geographic areas, to meet demand;
- substance displacement, or switching to a drug with similar effects with less stringent controls, creating new patterns of drug use and markets;
- and the criminalization and marginalization of people who use drugs, often amplified through the use of the criminal justice system to address drug use and minor possession.<sup>18</sup>

Drug production, trafficking and drug control are consequently likely to have significant implications for the achievement of many of the proposed Sustainable Development Goals (SDG), such as:

- Goal 1. End poverty in all its forms everywhere;
- Goal 3. Ensure healthy lives and promote well-being for all at all ages;
- Goal 5. Achieve Gender Equality and Empower All Women and Girls;
- Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all;
- Goal 10. Reduce inequality within and among countries;
- Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable;
- Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss; and, especially,
- Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.<sup>19</sup>

Many of the targets within SDG Goal 16 in particular are impacted by the drug trade and drug policies. High revenues from drug trafficking can promote corruption within government agencies and the security sector, inhibiting efforts to ‘substantially reduce corruption and bribery’ and ‘develop effective, accountable and transparent institutions’. Cycles of violence among organized criminal groups, as well between

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<sup>17</sup> Kendra McSweeney et al., ‘Drug Policy as Conservation Policy: Narco-Deforestation’, *Science*, vol. 343, January 2014, pp. 489-490.

<sup>18</sup> UN Office on Drugs and Crime. *World Drug Report*, 2008.

<sup>19</sup> [Open Working Group Proposal for Sustainable Development Goals](#)

criminal groups and state security apparatuses, directly challenge efforts to ‘significantly reduce all forms of violence and related death rates everywhere.’<sup>20</sup> As observed by some, a “failure to account for and address fundamental aspects of organised crime will directly impede and perhaps threaten existing gains in social and economic development.”<sup>21</sup>

### **Towards a Human Development paradigm?**

Yet there are also signs that efforts to factor the social and human impacts of drug policies into programming design and implementation can have very positive results. For instance, since Portugal has taken a public health-oriented approach to drug use, rather than criminalization, it has seen a steady decrease in the percentage of people who use drugs as a proportion of the total HIV caseload.<sup>22</sup> At CND’s March 2015 special segment on UNGASS 2016, many Member States from the Latin American and Caribbean Group and the Western Europe and Others Group emphasized the need for a people-centred approach to drug policy that aligns with human rights. And the UNDP contribution to the preparations for UNGASS 2016 outlines the broad range of ways drug policy and drug activity interact with development objectives. The paper considers how drug policies affect development objectives, but also, how drug policies impact development programming, for example by “redirecting foreign and domestic investment in social and economic projects to funding for military and law enforcement efforts to address drug trafficking and production.”<sup>23</sup> Some UN entities view UNGASS 2016 as an opportunity to facilitate discussions towards a more comprehensive UN system-wide response and coherence between their mandates and drug policy programming.

The question for Member States, both on 7 May 2015, and in the year-long run up to UNGASS 2016, is first, whether adopting a human development paradigm in the design and implementation of drug policies and programmes will help to align development and drug control objectives; and second, how this will change drug policy programming in practice.

#### *Key questions for discussion:*

- How does a development approach factor in the broader costs of drug policies – such as impacts on public health, human development, corruption or the environment – into development and drug policy design and execution?
- How might Member States use UNGASS 2016 to promote human development objectives in drug policy? How would that be achieved at UNGASS 2016?
- How would adopting a ‘human development’ approach to drugs policy and programming alter the operational role of the UN Development System?
- What metrics could be developed to measure the impact of drug control policies on development, human rights, and security issues?

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April 2015

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<sup>20</sup> [Ibid.](#)

<sup>21</sup> The Global Initiative Against Transnational Organized Crime, “[Organized Crime: A Cross-Cutting Threat to Sustainable Development](#),” January 2015, p. 4.

<sup>22</sup> Open Society Foundation, “[Drug Policy in Portugal: The Benefits of Decriminalizing Drug Use](#),” June 2011, p. 40.

<sup>23</sup> UN Development Programme. *Perspectives on the Development Dimensions of Drug Policy*, March 2015.