

Why Does The International Drug-Control System Fail?

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Abstract

The international community has been building a drug-control system for over a century. The UN-led initiatives drafted very detailed conventions, political declarations, and plans of action. International institutions and governments have been allocating vast resources for national, regional, and global counter narcotics initiatives. Law-enforcement agents, judicial officers, diplomats, and demand-reduction experts devote enormous efforts to global drug-control efforts. However, the latest field studies clearly indicate that the global war on drugs has been lost on virtually every front. Drug consumption and drug-related deaths have increased over the past three decades. Every year, many new psychoactive substances appear on the market. Precursor chemicals are not efficiently controlled. The drug supply consistently shifts to areas where law enforcement is weak and corrupt. Drug money has allowed the dark networks to exert an increasing influence on the governments in Latin America, Southwest Asia, Central Asia, Eastern Europe, and West Africa. The drug trade undermines global security by financing terrorism and insurgency. In this context, the United Nations' goal of a "drug-free world" is far from being reached. This paper provides an insight as to why the international efforts to control the drug supply, drug demand, and drug-driven money have failed dramatically.

Keywords: Drug trafficking, global prohibition regime, transnational crime, UNODC, counternarcotics

1. Introduction

Drug trafficking has become a global threat that undermines the security, development, and rule of law in almost every state. Drug networks gain enormous profits through exploiting the price differences between source countries and final markets. This desire for profit sparks massive bloodshed among rival groups in Mexico, Colombia, Afghanistan, West Africa, and many other regions. Globally, drug-related deaths are much higher than the casualties of international terrorism. Narco-trafficking plays a significant role in the financing of terror networks such as the Revolutionary Armed Forces of Colombia (FARC), the Kurdistan Workers Party (PKK), and Los Zetas. Massive profits allow these criminal organizations to prolong violent campaigns against state institutions, rival groups, and civilians.

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After the Cold War, international security scholars increasingly acknowledged the transnational crime challenge, but law-enforcement officers and diplomats have been attempting to forge an international drug control system for over a century. Subsequent to the notorious British–Chinese opium wars, the International Opium Commission in Shanghai in 1909 and The International Opium Convention in The Hague in 1912 laid the grounds for a global prohibitionist regime. However, due mainly to world wars and economic crises, drug control was overshadowed by economic, military, and geopolitical agendas.

After World War II, the Commission on Narcotic Drugs (CND) of the United Nations assumed coordination of the international drug-control system, but there was an urgent need for an all-encompassing convention to provide a legislative framework. Following decade-long, complex bureaucratic and diplomatic deliberations, Economic and Social Council (ECOSOC) members signed the Single Convention on Narcotic Drugs in 1961. The Single Convention brought together all previous international agreements under one umbrella and laid the bedrock of an international prohibitionist regime. The 1971 UN Convention on Psychotropic Substances prohibited the production, trafficking, and consumption of psychotropic substances. The 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances proposed effective measures against money laundering, trafficking of chemical precursors, and the production of drugs. States were encouraged to carry out advanced investigation methods such as international controlled delivery and undercover operations.

In the post-WWII context, there was an urgent need for international institutions to monitor the implementation of the UN conventions, to carry out the secretariat of the Commission on Narcotic Drugs (CND) meetings, and to coordinate global initiatives. The International Narcotics Control Board (INCB) and the United Nations Drug Control Programme (UNDCP) were founded to perform these tasks. The UNDCP also assumed the duties of data collection, strategic analysis, global monitoring, and policy evaluation. The name of the institution was changed to the United Nations Office on Drugs and Crime (UNODC) in 2002. A major achievement of the institution was carrying out the secretariat for the Political Declaration and Plan of Action that was signed at the UN General Assembly Special Session (UNGASS) in 1998. The Political Declaration endorsed the prohibitionist system and laid out the roadmap for global initiatives on reduction of supply and demand, as well as control of illicit money and precursors.

International drug control has evolved into a multifaceted policy arena. Along with the international institutions, it engages the diplomatic, military, intelligence, and law-enforcement machinery of the countries. Countries and international agencies conduct countless bilateral and multilateral meetings to coordinate a myriad of anti-drug initiatives. However, figures of the past three decades indicate that global supply- and demand-reduction efforts have failed dramatically. Despite the massive efforts of the countries and international organizations, drug consumption continues to increase and criminal networks thrive across the world.¹ Prisons are overcrowded with drug criminals, but countless new producers, traffickers, and distributors emerge in the illicit markets. Prices of drugs have been declining in line with increasing availability. In this context, drug scourge seems insurmountable. The failure of the global prohibition regime has instigated calls for the decriminalization of drugs.

¹ According to www.worldometers.info global population increased around 20% between 1998 and 2013. However, global drug abusers increased 37% during the same period. It means that drug consumption grew faster than the world population.

Critics claim that the prohibition regime fosters organized crime and drug violence on an unprecedented scale. Many countries, such as the Netherlands, Canada, and Honduras, are revising their posture towards the global prohibitionist regime.

Every year, participants at the CND convene and issue resolutions with the prospect of tangible progress. Each following year, though, delegates reconvene and do not find any significant improvements in the drug scourge. As a representative of Turkey, I have attended numerous INCB, UNODC, and CND meetings. Over the years, it was disappointing to see no major progress achieved on the main pillars of the Political Declaration. Countries and international organizations keep pronouncing their commitments to a “drug-free world” without delving into the underlying reasons of the dramatic failure.

There is a dearth of critical academic literature on the international drug regime. Existing studies predominantly focus on chronological developments in counternarcotics institutions, the evolution of the UN conventions, and problems in specific regions, such as Afghanistan, West Africa, and Colombia. This paper fills an important gap in security studies through probing into the main reasons for the failure of the international drug-control regime. More specifically, it explores why global supply reduction, demand reduction, and anti-money-laundering initiatives have failed despite the massive efforts of governments and international institutions.

2. Why Do the Attempts at Supply Reduction Fail?

The international drug-control system has been predominantly built upon supply reduction policies. For decades, the bulk of the global counternarcotics budget has been allocated for law-enforcement measures. The 1961 Single Convention on Narcotic Drugs targeted the elimination of opium production in 15 years, as well as that of cocaine and cannabis in 25 years. In 1998, the Political Declaration sought to significantly reduce the global drug problem by 2009. Some 55 years after the Single Convention, the international control regime is nowhere near eliminating the drug problem. Drug markets are flooded with supplies of illicit drugs and psychotropic substances. For instance, drug production in Afghanistan has increased 250 percent from 64,000 hectares to 224,000 hectares between 1998 and 2014.² The global coca cultivation has remained stable, but the number of new psychoactive substances increased from 126 to 450 between 2009 and 2014.³ According to the UNODC there has been a sharp increase in global ATS production, which led to a 158 percent increase in methamphetamine seizures between 2008 and 2013.⁴ Except for various short-term regional scarcity problems, all types of drugs are widely available at lower prices. Skilled international drug networks find astonishing ways to produce, traffic, and market drugs, despite the measures taken by national governments and international organizations. The high availability of drugs indicates a dramatic failure of the global supply-reduction efforts. The reasons for these failures in are analyzed in three pillars: i) eradication of the illicit crops, ii) interdiction of trafficking schemes, and iii) control of precursors.

² UNODC, *Afghanistan Opium Survey 2015* (Vienna: United Nations Publications, 2015).

³ UNODC, *World Drug Report* (Vienna: United Nations Publications, 2015).

⁴ UNODC, 2015.

2.1. Eradication of the illicit crops

Cutting down the flow of narcotics at the production sites is a principal goal of international drug-control efforts. For over a century, Western governments have attempted to stop the illicit substances before their entry into domestic markets. In the aftermath of World War II, the US-led efforts of Western countries and international organizations designed the drug-control system with this purpose in mind. The Single Convention and the Political Declaration lay emphasis on stopping the drugs at the production sites more than interdicting them on the final markets.

It is easier to detect coca and poppy fields than a concealed transportation of manufactured drugs. Current satellite surveillance systems allow governments and international institutions to identify plantations of illicit cannabis, opium, and coca. The UNODC uses this technology to explore poppy crops in Afghanistan and coca harvests in the Andean region. Along with international institutions, the United States, the United Kingdom, Germany, Canada, Russia, and Turkey run various assistance programs to increase eradication of plant-based drugs at the source countries. They deploy economic, technical, and training assistance to capacity-building programs. They provide equipment to law-enforcement agencies of source and transit countries. Only the US government spent over \$6 billion on counternarcotics campaigns in Afghanistan since military intervention in 2001.⁵

However, it became increasingly evident that national and international policies have no defining impact on poppy and coca cultivation. Every insider acknowledges that the governments of the Andean States and Afghanistan have failed to enforce the counter-narcotics strategy due to a complex array of factors, such as prevalent poverty, resistance of warlords, the high profitability of opium and coca, a lack of irrigation systems, massive unemployment, and political instability. Inexperience, insufficient equipment, and the corruption of drug-control agencies further exacerbated the efforts to curb coca and opium cultivation.

Despite the 1971 Convention on Psychotropic Substances, the international community fails to put pressure on the producers of synthetic drugs. Until recently, barbiturates, tranquilizers, lysergic acid diethylamide (LSD), benzodiazepine, ecstasy, and amphetamine-type stimulants (ATS) were mainly produced in the West.⁶ For instance, the Netherlands and Belgium have been the source of ecstasy in Europe, the Middle East, and North America.⁷ The international community neither considered implementing multilateral projects to stop the flood of Dutch ecstasy, nor placed sanctions against the government of the Netherlands. This brings the question of hypocrisy to the implementation of the drug-control regime. Many non-Westerners think that counternarcotics are used as a pretext by major powers to intervene in the domestic affairs of developing countries.⁸

⁵ Benoit Gomis, "Illicit Drugs and International Security: Towards UNGASS 2016," (briefing paper, Chatham House, February 2014).

⁶ Richard Davenport-Hines, *The Pursuit of Oblivion: A social history of drugs* (London: Phoenix Press, 2012).

⁷ Tom Blichman, "The Ecstasy Industry in the Netherlands in a Global Perspective," in *Organized Crime Economy: Managing Crime Markets in Europe*, ed. Petrus C. Von Duyne, et al. (Postbus: Wolf Legal Publishers, 2005); UNODC, 2015.

⁸ William Aviles, "US Intervention in Colombia: The Role of Transnational Relations," *Bulletin of Latin American Research* 27, no. 3 (2008): 410-29; Michel Chossudovsky, "The Spoils of War: Afghanistan's Multibillion Dollar Heroin Trade, Washington's Hidden Agenda: Restore the Drug Trade," Global Research, May 2005; Gary Webb, *Dark Alliance: the CIA, the Contras, and the Crack Cocaine Epidemic* (New York: Seven Stories Press, 1998).

2.1.1. Ungoverned spaces: Transnational criminal networks and narco terrorists

Evidence indicates that drug production has gravitated towards the countries with lax state authority that have generated large ungoverned spaces.⁹ Currently, the lack of security both in Afghanistan and Colombia is the primary concern of the international community. Large portions of these countries are controlled by non-governmental forces. Afghan warlords, the Taliban, Colombian cartels, and FARC function as a state within a state. In these ungoverned spaces, well-armed anti-state forces resist the eradication campaigns. They clash with the police and military to stop interventions into drug-production sites. They assassinate government officials who are in charge of eradication campaigns. The UN-sponsored international projects have failed to curtail the resistance and influence of anti-government forces and drug lords.

Afghanistan faces enormous challenges from the narco-economy and drug-driven conflicts. Drug production and associated militancy became the primary impediment to governance and capacity building. Despite large-scale capacity-building programs under The UNODC Regional Programme, the Afghan Central Government has limited drug-enforcement capability over vast rural areas. A significant portion of the drug trade is controlled by warlords, who had been the principal allies of the US forces during the military intervention in 2001. Having fought against the Taliban and Al-Qaida, the warlords have gained an immense political influence and prosecution immunity.¹⁰ They have taken over governmental posts such as ministers, governors, military commanders, and police chiefs. The International Security Assistance Force (ISAF), the UNODC, and other international organizations are highly aware of the warlords-turned-drug-lords in this favorable environment. American military commanders took no serious actions against these strongmen, as they are dependent on warlords for intelligence collection and armed encounters with insurgents.¹¹ The Afghan Central Government embraced a similar approach towards these shady figures. Reciprocal interpersonal networking between the warlords and government officials provided protection for trafficking schemes. The protection of these warlords prevents nationwide enforcement of the counternarcotics legislation. In this context, the Kabul administration fails to cope with the prolonged instability, sectarianism, and warlordism.

Similarly, large portions of Colombia had been under the control of massive cocaine cartels such as Medellin and Cali. Even after the dismantling of these notorious networks, smaller networks gained control of many cities and large rural areas. They cooperate with the FARC to maintain coca production.¹² Eradication campaigns aggravate domestic conflicts and undermine the counterinsurgency programs of governments. Some of the drug networks have thousands of assassins and militants ready to kill anyone. The internal war in Colombia is mainly sustained by the narco-economy, which allows the cartels to exert an increasing influence on the government institutions.¹³ Many police and military officers covertly work for cartels, providing protection and sensitive information.¹⁴ Military and police officers resign from official duties due to “job offers” from the cartels that pay generous salaries.

⁹ INCB, *Annual Report 2015* (Vienna: United Nations Publications, 2015).

¹⁰ David Mansfield, *A State Built on Sand* (Oxford University Press, 2016).

¹¹ Ted. G. Carpenter, “How the Drug War in Afghanistan Undermines America’s War on Terror” (Foreign Policy Briefing, No. 84, CATO Institute, 2004).

¹² Belen Benville, *The Cocaine War in Context: Drugs and Politics* (New York: Algora Publishing, 2004).

¹³ Paul Gootenberg, *Andean Cocaine: The Making of a Global Drug* (Chapel Hill: University of North Carolina Press, 2008).

¹⁴ Coletta A. Youngers and Eileen Rosin, *Drugs and Democracy in Latin America* (London: Lynne Rienner Publishers, 2005).

Drug cartels learn classified information from the infiltrated military and law-enforcement officers.¹⁵This undermines the law-enforcement capability of the states.

2.1.2. Shadow of counterterrorism

Since 9/11, counternarcotics have been overshadowed by counterterrorism. The press coverage and academic literature on terrorism have been incomparably more voluminous than that on counternarcotics. In key transit and production states, the bulk of the law-enforcement and intelligence budgets are allocated for fighting terrorism, and the brightest staff members are deployed on terrorism investigations. International donors tend to finance anti-terrorism projects while cutting down the counternarcotics funds. Government-affiliated think tanks devote much higher attention to terrorism. Many of the think-tank analysts perceive counternarcotics as a secondary security issue. Indeed, some think-tank analysts claim that counternarcotics undermine the counterterrorism campaign of the American military against the Taliban.¹⁶They believe that the eradication of drug production increases the anti-government sentiments while contributing to the increased political capital of the Taliban and warlords. This perception has been shared by many American ISAF commanders. The generals argue that the military should primarily be engaged in counterterrorism operations against the Taliban and Al-Qaida rather than those against the drug traffickers.¹⁷They strongly object to the use of American troops for poppy eradication. American generals also claim that carrying out extensive counternarcotics operations will undercut the process of intelligence collection against insurgents.¹⁸

2.1.3. Prevalent corruption

International anti-corruption measures have dramatically failed in hotspots of drug trafficking. The worst-case scenario is a large-scale penetration and compromisation of law-enforcement and intelligence organizations by drug mafia. This has been experienced in Afghanistan, Colombia, Mexico, and West Africa. There is a complex interdependence among the drug producers, corrupt officials, and international mafia. Crooked government officials leak investigative information to shady organized-crime figures. It is very hard to run confidential organized-crime investigations in penetrated states. Government officers at every level protect drug traffickers. In Afghanistan, many ministers, governors, police chiefs, and military commanders have developed shady relations with the drug lords.¹⁹In Colombia, cocaine cartels pay enormous bribes for critical information, and this prevents interception. Underpaid government officials are tempted by the easily won dirty money.

The intermingling of parochial and crooked interests erodes the power of state institutions. Drugs are seized when the traffickers fail to pay enough bribes to the officers on payroll. Transshipments of large networks remain intact, while weaker traffickers are arrested to convince the public that the state is fighting against drugs. Selective drug enforcement and eradication undermines the credibility of state policies. The high perception of state

¹⁵ Luis V. de la Torre, "Drug Trafficking and Police Corruption: A Comparison of Colombia and Mexico," PhD dissertation, Naval Postgraduate School, 2008.

¹⁶ Carpenter, "Drug War"; Vanda Felbab-Brown, "Afghanistan: When Counternarcotics Undermines Counterterrorism," *The Washington Quarterly* 24, no. 8 (Autumn 2005): 55-72.

¹⁷ Carpenter, "Drug War".

¹⁸ Behsat Ekici, "Why International Drug Control Failed in Afghanistan," *OAKA Journal* 22 (forthcoming).

¹⁹ Jonathan Goodhand, "Corruption or Consolidating the Peace? The Drugs Economy and Post-Conflict Peacebuilding in Afghanistan," *International Peace Keeping* 15, no. 3 (2008): 405-423.

penetration and dishonest enforcement erodes the legitimacy of counternarcotics campaigns. Moreover, the corruption hinders the flow of information from the public, and the police have a hard time finding informants.

International organizations and Western governments have implemented various anti-corruption schemes at production sites.²⁰ However, none of these programs were able to curtail the political patronage and favoritism directed towards the drug cartels. The projects fail to break down the complex network of interrelationships between government officials and drug mafia. The UN anti-corruption programs failed to evoke the immunity of local powerbrokers to prosecution. There is a drastic need for a strong investigative capacity and unselective punishment of corrupt officials.

2.1.3.1. Unsustainable eradication campaigns

The UNODC figures indicate that eradication of the coca and poppy fields has failed both in Afghanistan and the Andean region. In the current system, only a fraction of the fields are eradicated before the manufacturing process starts. For instance, only around 1 percent of poppy fields were eradicated in Afghanistan in 2014.²¹ Armed resistance both in Afghanistan and Colombia undermines the eradication efforts. Even if the coca eradication in Colombia has been curtailed in the last decade, cartels explored new methods to augment the total manufactured output.²² The international pressure on Colombian cartels had a short-term effect in curtailing coca production. Multilateral counternarcotics initiatives led to shrinking of the coca fields in Colombia, but the production in Peru and Bolivia increased dramatically.²³ Basically, the cartels moved their operations to less controlled areas in neighboring states.

In Afghanistan the state eradicates poppy fields without inflicting deterrent penalties on the farmers. The benefits of cultivating opium outweigh the cost of eradication. Currently, poppy farmers face no credible or persistent threat of law enforcement. Eradication teams are often compromised or coerced. Even if their fields are eradicated, farmers cultivate opium on other fields in the following year to compensate for their losses. The lack of the government's soft power increases the scale of resistance. Wealthy landowners, tribes, and warlords are not affected by the eradication campaigns, because the levels of corruption provide them with prosecution immunity. Eradication hits the poor farmers who live on the subsistence level. Selective eradication generates increasing hostility towards international institutions and the central government.

Manual eradication of the coca and poppy fields is labor intensive. Despite multilateral assistance programs, both Afghan and Colombian governments have failed to eradicate massive drug fields that are located in a harsh geographic environment. Aerial fumigation has long been discussed at international meetings as an alternative to manual eradication. However, it has never been widely implemented due to grave environmental consequences, political opposition, and legislative barriers. The resistance groups claim that biological control agents easily spread to neighboring fields, destroying forests, farmlands, and plantation.²⁴ It takes decades for the polluted lands to recover. Toxic wastes affect the local

²⁰ Barry Hindess, "Investigating International Anti-Corruption," *Third World Quarterly* 26, no. 8 (2005): 1389-98.

²¹ UNODC, *Afghan Opium Survey 2014* (Vienna: United Nations Publications, 2014).

²² Gootenberg, *Andean Cocaine*.

²³ UNODC, *Colombia Coca Cultivation Survey 2013* (Vienna: United Nations Publications, 2014).

²⁴ U.S. Library of Congress, Congressional Research Service, *International Drug Control Policy Background and US Responses*, by Sun Liana Wyler, RL 34543 (2012).

citizens and animals. Spraying will instigate massive protests and further encourage people to ally with anti-government forces such as FARC, the Taliban, and drug cartels.

In Afghanistan, the myth that strong drug enforcement will drive the farmers into the hands of the Taliban is used as a pretext by the Afghan government, the United Nations, and ISAF.²⁵ Many international experts claim that strong drug enforcement will alienate local communities and pit them against the central government.²⁶ There is a fear that insurgents will be more involved in the drug trade if the government implements stricter law enforcement. It is also believed that strong enforcement will drive up the prices and heroin mafia will make higher profits. However, it has become obvious that without deploying large forces, it is impossible to have a defining eradication success.

2.1.4. Failure of alternative development programs

Various donor countries and international organizations such as the UNODC, the UNDP, the World Bank, and the European Union have implemented alternative development programs in drug-producing countries. Many of these programs are uncoordinated, unsustainable, and insufficient. They can only address a small aspect of alternative development and only for a limited time. As seen in the Nangarhar province of Afghanistan, there are some achievements when the international funds are flooding, but when the donors cut down the funding, the poppy production proliferates in the following season.²⁷ Various studies have shown that alternative livelihood programs have no enduring impact on poppy and coca cultivations.²⁸ The donors cannot subsidize Afghan or Colombian farmers forever. There is a drastic need for home-grown measures to handle the economic needs of the farmers.

The international counternarcotics agenda contradicts the immediate economic imperatives in Afghanistan and Colombia. Both states suffer from over-dependence on the narco-economy, and their extreme reliance on illicit drugs has turned into a development curse. Field surveys indicate that local people have lost their trust in international agencies, coalition forces, and central government officials who failed to keep their promises on providing livelihoods for local people.²⁹ Reasons for the loss of trust are insufficient funds provided to the farmers and violent home searches by coalition forces searching for opium. The Minister of Finance, Ashraf Ghani, confessed that “today, many Afghans believe it is not drugs, but an ill-conceived war on drugs that threatens their economy and nascent democracy.”³⁰

The leniency of the Afghan government is a key reason for the failure of alternative development programs. The government fears that an effective counternarcotics campaign may undercut the economic revival of the country and the parochial interests of the corrupt officials. They claim that highly detested eradication campaigns may create a backlash against the already unpopular government. They believe that the Afghan people will starve

²⁵ Ekici, “Why International Drug Control Failed in Afghanistan”.

²⁶ Mansfield, *A State Built on Sand*; Felhab-Brown, “Afghanistan”; Peter Van Ham and Jorrit Kamminga, “Poppies for Peace: Reforming Afghanistan’s Opium Industry,” *The Washington Quarterly* 30, no. 1 (Winter 2006-2007): 69-81.

²⁷ UNODC, *Afghanistan Opium Survey: Executive Summary* (Vienna: United Nations Publications, 2006).

²⁸ Boville, *The Cocaine War in Context*, Frederic Grare, “Anatomy of a Fallacy: The Senlis Council and Narcotics in Afghanistan” (working paper no. 34, CIGI, 2008); Sayaka Fukumi, *Cocaine Trafficking in Latin America: EU and US Policy Responses* (Burlington: Ashgate Publishing, 2008).

²⁹ Ekici, “Why International Drug Control Failed in Afghanistan”.

³⁰ Jan Koehler, *Conflict Processing and the Opium Poppy Economy in Afghanistan*, PAL Internal Document 5 (Jalalabad, Afghanistan: PAL Management Unit, 2005).

if a draconian poppy eradication campaign is implemented. However, the “starvation” argument is unsubstantiated. The people of Myanmar, Thailand, and Laos did not starve after the eradication of the poppy fields. It is not the starving Afghans who produce the bulk of the opium, but the greedy warlords, large landowners, and corrupt officials who developed a complex interdependence.

There are no effective micro-finance institutions run by state organizations or NGOs. Opium and coca serve as a credit for farmers who have no savings. Farmers turn to drug kingpins for high-interest credits. In case of emergency, farmers can sell their illicit products before the harvest and receive advance payments. Unless the governments and international organizations create efficient credit institutions, the informal system based on illicit drugs will exacerbate the dependency on drug economy.

2.1.5. Challenges of traditional drug use for the 1961 UN Single Convention

Traditional coca and poppy consumption undermines the supply-reduction efforts. Local communities in Latin America have been chewing coca leaves for medical and recreational purposes for centuries. They manufacture shampoos, teas, alcoholic drinks, and medicine from coca leaves. The 1961 Single Convention banned all coca production without differentiating its licit and illicit use. It also sought to abolish the quasi-medical chewing of coca leaves. However, the Convention is perceived as a significant blow to licit consumers. The governments of Bolivia, Colombia, and Peru are expected to deal with the licit consumption. Bolivia, in particular, condemns the 1961 Convention for ruining the livelihood of millions of people. In his address at the 2013 Commission on Narcotic Drugs (CND) meeting, the Bolivian president, Evo Morales, declared that his country would not be a part of the global prohibitionist regime. Despite government assurances on licit production, criminal networks exploit all types of coca cultivation. Many farmers declare licit cultivation but they divert it to illicit channels because they can make much higher profits. The Bolivian government’s protection of coca farmers undermines global supply-reduction efforts.

Due to the prolonged failure of crop eradication, many scholars argue that poppy and coca production should be taken under control by means of certification. For instance, the Senlis Council proposed that the opium production should be certified in Afghanistan.³¹ Certification programs will not work for several reasons. The 1953 UN Opium Conference in New York set the standards of licit production and defined what countries can produce opium for medical purposes. Legal producers in Turkey, India, France, Spain, the United Kingdom, and China supplied 480 tons of morphine in 2011 for global medical markets.³² According to the INCB, the licit production has been able to keep up with the demand in the medical industry. Due to advanced law enforcement, the current producers have been able to control the diversion into illicit channels. The Afghan government does not have the enforcement power on all of its territory. Indeed, many experts argue that the central government does not control any territory outside the capital. Under these circumstances, warlords, corrupt officers, and drug cartels will heavily exploit the licensing system. In an extremely corrupt institutional setting, the distribution of licenses involves favoritism. Wealthier farmers and shady organized-crime figures will get the licenses. Farmers will exploit both licit and illicit trade. Given these

³¹ Senlis Council, *Feasibility of Opium Licensing in Afghanistan* (London: MF Publishing, 2005).

³² INCB, Report 2012, “Comments on the Reported Statistics on Narcotic Drugs,” accessed January 23, 2016, https://www.incb.org/documents/Narcotic-Drugs/Technical-Publications/2012/NDR_2012_Part2_Comments_E.pdf.

concerns, the INCB, the UNODC, and other international organizations do not embrace a licensing system.

2.1.6. Discord of international initiatives

There has been wide array of international counternarcotics initiatives in Afghanistan over the past 15 years. The UNODC, the UNDP, the World Bank, the EU, the Border Management Programme in Central Asia (BOMCA), the Paris Pact, the Economic Cooperation Organization (ECO), the US, the UK, Russia, Germany, France, and Turkey contribute to anti-drug programs. International projects are designed to help Afghan institutions with eradication, interdiction, demand reduction, precursor control, and capacity building. Even though project managers are generally aware of the ongoing initiatives, there is a lack of coordination among the foreign organizations. The US has been a principal contributor to counternarcotics efforts but there is a discord of interests, even among the American agencies. While the Bureau of International Narcotics and Law Enforcement Affairs (INL) and the Drug Enforcement Administration (DEA) give the priority to eradication and interdiction programs, the US military strongly opposes engagement in drug-enforcement operations.³³

International efforts are plagued by a lenient approach towards the poppy farmers. Quite similar to the American approach, the UN agencies embrace an implicit non-interventionist stance against the drug problem. Indeed, the UN offices in Afghanistan cannot challenge the US posture, as their projects are primarily funded by the American government. Even though the UN crop-monitoring surveys systematically report the scaling up of production, these reports hardly instigate an adequate response to the growing opium epidemic. The laissez-faire approach of the coalition forces leaves the Afghan authorities alone in armed encounters with well-organized and well-equipped drug lords.

International efforts on controlling cocaine seem to be more coordinated. Under US leadership, the Plan Colombia is an ambitious, multilateral project that targets the largest cocaine producer in the world. On paper, the plan looks promising, as it deals with every aspect of eradication, interdiction, demand reduction, and harm reduction.³⁴The UNODC introduced control of precursors and anti-money-laundering projects to complement the US-led initiative. The large budget of the project allows for sustainable capacity-building initiatives targeting the Colombian police and the military. The plan seems to have had major success, because coca base production declined from 988 tons in 2005 to 358 tons 2013.³⁵However, the latest research indicates that the plan created a balloon effect. While dispersing the production in Colombia, it increased the coca cultivation in Peru and Bolivia.³⁶The cartels simply moved to remote areas beyond governmental control and compensated for the eradication. Once the concerted state campaign ends, they return to Colombia.

2.1.7. Challenges related to intrinsic qualities of drugs

Cannabis has been the most widely used drug across the globe. For several reasons, controlling this substance is one of the most complicated issues in supply reduction. First, unlike heroin

³³ Carpenter, "Drug War"; Wyler, "Drug Control"; Ekici, "International Drug".

³⁴ U.S. Library of Congress, Congressional Research Service, *Plan Colombia: A Progress Report*, by Connie Veilleta, RL 32774 (2005).

³⁵ UNODC, *World Drug Report* (Vienna: United Nations Publications, 2014).

³⁶ UNODC, *The Transatlantic Cocaine Market* (Vienna: United Nations Publications, 2011).

and cocaine, cannabis can be grown almost anywhere in the world. The UNODC surveys demonstrate cannabis production in most countries.³⁷ Second, users can grow the substance in pots, attics, or basements without being spotted by law-enforcement agencies for decades. Growing marijuana does not require any skills or chemical processing. Basic agricultural know-how is enough for cannabis farming. Third, wild cannabis is grown without any agricultural efforts. It spreads quickly in favorable circumstances. Users and traffickers collect the wild cannabis in harvesting season. Fourth, trafficking of cannabis can be from any country to any other. It is really hard to make risk analysis and profiling of international cannabis trafficking. Fifth, many countries, such as Canada and the Netherlands, embrace a laissez-faire approach to cannabis consumption. Users and street dealers are hardly punished. This creates a favorable environment for drug networks while undermining the supply-reduction efforts. Thus, it is very difficult to implement international projects on cannabis control. The vast cannabis production in Afghanistan is hardly recognized by the international community. It has been overshadowed by control of opiates, cocaine, and amphetamine-type stimulants (ATS). There is no substantial project to deal with the increasing cannabis supply.

One of the most complicated issues in global supply reduction is controlling the manufacture and distribution of the amphetamine-type stimulants (ATS). Law-enforcement agencies face multilayered difficulties. First, the ATS can be produced anywhere in the world without reliance on a certain plant. Second, production know-how is widely available on the internet. There is no need for a special education, a chemistry background, or an advanced laboratory. Simple heating, boiling, and distilling equipment is enough for small-scale production. Large drug networks, however, produce the substances in very advanced laboratories to increase purity and overall output. Fourth, a wide range of chemical precursors can be used in manufacturing. Phenyl 2 propanone (P2P), alpha-phenylacetone nitrile (APAAN), ephedrine, pseudoephedrine, and many other substances have been found in ATS labs. Drug networks hire skilled chemists to produce the substances from alternate precursors when conventional materials are subject to international control.

2.2. Interdiction of trafficking schemes

Drug traffickers are highly aware of the vulnerabilities in the international drug-control system. Especially the larger networks develop highly sophisticated counterintelligence against drug-enforcement agencies. Cartels know almost every law-enforcement officer very well. They explore weak points, technical capabilities, vehicles, surveillance methods, and potential informants. They pay generous bribes to collect information on law-enforcement agencies and staff. Transnational drug networks respond to law-enforcement strategies by changing their routes and their concealment and transportation methods, and by recruiting couriers with different profiles.

Drug networks also exploit improved transportation infrastructure. Better roads mean easier access to production sites and warehouses. Transnational organized crime (TOC) groups constantly seek cheaper transportation methods as well as alternative routes and markets. They conceal drugs in numerous import and export goods in a creative manner. It is really difficult for law-enforcement agencies to control all trade schemes. The powerful business community wants an incessant flow of goods, and law-enforcement agencies need to

³⁷ UNODC, *World Drug Report 2015*.

have reasonable doubt and a court order to intervene into licit trade schemes. The disruption of trade supply lines without a legal basis has negative consequences for government officials. Screening does not help with finding illicit products that are skillfully concealed in commercial products.

The international drug trade is under the control of large-scale criminal networks. Even if the supply-reduction efforts of one state achieve the curbing of production, cartels move their operations to another location. As the UNODC World Drug Report put it, efficient supply reduction in China diverted opium production to the Golden Triangle.³⁸ Similarly, Turkish, Iranian, and Pakistani success in stemming illicit production relocated the poppy farming to Afghanistan. The dismantling of the Cali and Medellin cartels led to a rise of Mexican networks and a myriad of smaller drug trafficking organizations in Latin America.

Many drug-enforcement agencies in the developing world are underfunded, understaffed, and underequipped. Tajikistan constitutes the major transit corridor for Afghan heroin headed from Afghanistan to Russia, but the Drug Control Agency has only around 300 staff.³⁹ The number of drug traffickers is much higher than the number of drug-control officers. In many states, drug networks are far better equipped than the state institutions. For instance, in Africa, drug cartels own private jets, speedboats, luxury vehicles, and satellite phones, while law-enforcement agencies often fail to allocate funds for fuel.⁴⁰ Throughout the international operational cooperation projects, I witnessed that drug-control agencies in Central Asia, Africa, and Eastern Europe do not have the technology to intercept satellite phones. This asymmetry of resources often leads to corruption among the law-enforcement officers.

Since 2000, I have been interacting with drug-enforcement agencies from every corner of the world. I have consistently observed that counternarcotics agencies in Central Asian, Eastern European, and African countries have evidencing problems against the upper echelons of cartels. They seize drugs from drivers, couriers, and warehouse guards. These people rarely give testimony about their relations with the key figures in drug networks. Unless there is professional physical and electronic surveillance, law-enforcement agencies fail to prove covert connections and end up jailing insignificant actors. Moreover, most of the national agencies do not give priority to carrying out international investigations that would lead to the dismantling of large networks. Law-enforcement executives are not always trained and experienced in interagency cooperation beyond borders. Western law-enforcement executives suspect that their counterparts in Latin America, Mexico, Africa, Central Asia, and Eastern Europe will leak information to criminal networks. On some occasions, courts ban the sharing of information on certain files with other states.

During international meetings, I have observed that most states designed their electronic surveillance capabilities to intercept phone conversations. Drug-enforcement agencies face difficulties in intercepting satellite phones, Voice over Internet Protocols (VoIPs) and internet-based communications. It is extremely hard to intercept messages on “darknets” such as Freenet, I2P, and Tor. Western governments were alerted to the Silk Road website operated by the Tor network. Drug dealers freely marketed drugs through this alternative

³⁸ UNODC, *World Drug Report* (Vienna: United Nations Publications, 2008).

³⁹ DCA, *Review of the Situation with Narcotic Drugs in the Republic of Tajikistan in 2014* (Dushanbe: The Drug Control Agency, 2014).

⁴⁰ Mark Shaw, “West African Criminal Networks in South and Southern Africa,” *African Affairs-Royal African Society* 101 (2002): 291-316; Behsat Ekici, “The African Transnational Threat to Turkey” *African Security Review* 22, no. 3 (2013): 123-44.

internet site. The substances were shipped via cargo, and payments were made via bitcoins. Drug syndicates were able to eliminate physical traces of the drug distribution. Even though the FBI arrested the operators of the website, it is always possible that similar websites can pop up in other parts of the world.

Imprisoning major drug cartel leaders has been problematic in most developing states. Even if the *mafiosos* are captured, corrupt correction officers make prison conditions more than favorable for them. They hire the most expensive lawyers and find loopholes in the legislation. They coerce or bribe the judges to change the verdict in federal courts. They kill many judges, prosecutors, and investigators to discourage further probing of their network. Moreover, they only serve a symbolic time period in prison, or they escape with the assistance of network members. This is especially true for Latin America and Mexico. For instance, Mexican cartel leader “El Chapo” Guzman escaped from prison three times. Extradition to the US is one option to deal with this problem. However, extradition of fellow citizens to foreign states is an unacceptable tool for many governments due to sovereignty concerns. Cartels strongly object to extradition due to unfavorable prison circumstances in the United States. As in the case of Medellin cartel, they terrorize the entire country to prevent the enacting of extradition laws.

Despite the various UNODC, INL, UNDP, and BOMCA projects, drug traffickers skillfully exploit the weak points of border-control agencies in Afghanistan and Central Asia. Large coastal lines of Colombia, Peru, Venezuela, and Ecuador have been used by Latin American drug cartels. Private jets, submarines, semisubmersibles, and speedboats are loaded with tons of cocaine. Border-control agencies are mostly understaffed, underequipped, and undertrained. They are hardly trained or equipped for advanced risk analysis. Prevalent corruption makes it easier to transport illicit drugs across the borders. Generous payments to customs and border-control officers ensure smooth transactions at border gates. The UNODC has developed the Container Control Programme (CCP) to enhance the interdiction level at seaports. However, only a limited number of states have joined this program. Strategically and operationally, important states such as Pakistan, Iran, Colombia, Peru, Venezuela, and Mexico have not joined the program. Thus, the CCP can make only an insignificant contribution to global drug seizures on maritime vessels.

International supply reduction involves several key institutions. The UNODC, the Central Asian Regional Information and Coordination Centre (CARICC), the Interpol, the Europol, and the Southeast European Law Enforcement Center (SELEC) seek to coordinate the anti-drug crusade. Given their dramatic failures, however, it has become evident that none of these institutions has a recipe for effective drug control. There are several reasons for the inadequacy of these international institutions. First, the communication channels are much slower than those of national agencies. The clumsiness of the international organizations (IO) cannot handle the speed of transnational drug traffickers who transport the substances by the fastest means. Second, there are many diplomatic and bureaucratic procedures to engage IOs in international investigations. Third, there are millions of international drug cases every year. A limited number of staff at IO headquarters means that they can only deal with less than 1 percent of the cases. Fourth, national counternarcotics agencies do not trust IOs, especially in sensitive investigations. Advanced institutions prefer direct contact with their foreign counterparts to make sure that the intelligence is delivered without any leaks.

Several strong states make significant contributions to the international supply reduction. The United States is the most prominent actor in global drug control, and American institutions provide training and technical assistance to 70 countries to enhance interdiction capabilities.⁴¹The INL and the DEA are major contributors to counternarcotics capacity-building programs in Latin America, Afghanistan, and Central Asia. The main assistance of the American government has been directed towards the Caribbean and Central American states. Under the Merida Initiative, the American government rendered \$1.5 billion in aid to Mexico, Central American, Haiti, and the Dominican Republic to build counternarcotics capacity.⁴²Critics, however, argue that the US exploits the drug wars and sells large sums of arms in Mexico and Latin America. They attest that American companies sell weapons and ammunition to both government agencies and drug cartels. On the other hand, Mexican and Colombian cartels invest into the American economy with drug money. Thus, the end of the drug war will undercut American economic interests.

International organizations and developed states provide training programs to the drug-enforcement agencies of source and transit states. As a lecturer at the Turkish International Academy against Drugs and Organized Crime (TADOC), I have been observing that international training-assistance programs are not significantly contributing to capacity building for several reasons. First, training and capacity-building programs by different international organizations overlap and this wastes enormous amounts of resources. When the same staff receives the same training for the second time, participant attention and marginal utility of such assistance get eroded. Second, most developing countries select the trainees with favoritism and donors have no oversight mechanism. Many governments do not keep a systematic record of the officers who underwent training programs. A small group of favored officers may attend the training programs all over the world, while the vast majority of them remain undertrained.

2.3. Control of precursors

There is a need for a chemical precursor for every manufactured drug and psychotropic substance. Heroin needs acetic anhydride and cocaine requires potassium permanganate. ATS can be manufactured from a wide array of substances such as ephedrine, pseudoephedrine, P2P, APAAN, and amphetamine. Theoretically, psychotropic substances can be manufactured from thousands of variations of chemical reactions. Production, consumption, and diversification patterns are significantly different for each precursor. This complicates the international control system.

The bedrock of the international precursor control system was laid by the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The convention requested setting up state institutions and enacting national legislations to monitor the precursor trade. The INCB assumed the role of coordinator of the global precursor control initiatives. The UN Political Declaration and Plan of Action followed the footsteps of the 1988 UN Convention and recommended enacting effective legislations, building the capacity of state institutions on precursor control, collaborating closely with the industry, exchanging information via the PEN Online (Pre-Export Notification) system, and developing an early-warning system about the new precursors.

⁴¹ U.S. Library of Congress Congressional Research Service, *International Drug Trade and US Foreign Policy*, by Raphael F. Perl, RL 33582 (2006).

⁴² Wyler, "Drug Control".

The INCB and the UNODC run various projects such as the Prism surveillance program, Project Cohesion, and Operation TARCET. The main goal of the UNODC-coordinated Container Control Programme (CCP) is assisting state institutions with risk analysis and interdiction of chemical precursors. The INCB conducts many multi-agency coordination meetings to enhance operational information exchange. Despite massive investments into precursor control, only a limited amount of precursors is seized each year. For instance, a total of 175 tons of acetic anhydride and 57 tons of potassium permanganate were seized in 2013.⁴³ A total of 526 tons of heroin and 662–902 tons of cocaine were produced in the same year.⁴⁴ This means that the bulk of the precursor trafficking schemes are able to deliver the substance to the final destination. There are several reasons for this failure.

First, precursors are widely used in the licit industry. Acetic anhydride (AA) is employed in the painting, textile, and medical industries. Every industrialized and developing state consumes enormous amounts of precursors. According to Research and Markets, global demand for AA was 12.14 million metric tons (MMT) in 2014 and it is expected to reach 16.03 MMT by 2020.⁴⁵ Thousands of small and large companies buy and sell AA internationally. For the states and international organizations, it is extremely difficult to control and run risk analysis on the voluminous licit trade.

Second, most states do not have efficient precursor control systems. In counternarcotics agencies only a limited number of staff is deployed in precursor control units. For instance, the Turkish Anti-Smuggling and Organized Crime Department (KOM) had only three people in charge of precursor controls at the headquarters. For drug-enforcement agencies, precursor control is of secondary importance. Because the operational award system is geared towards hard drugs, skilled drug investigators do not want to work in precursor units. In many states, these units do not have online access to import and export schemes of companies. They even don't have a working registry system of company profiles and trade flows. Thus, they fail to run risk analysis on the ongoing imports and exports of precursors. The units start working if there is intelligence about diversion or drug production. Law-enforcement units rarely get insider information from the business communities, who rarely report to police due to a lack of trust.

Third, intensive control of precursor trade necessitates a political devotion. Law-enforcement agencies cannot develop an effective oversight mechanism over powerful multinational corporations without political support. Companies do not willingly cooperate with the state institutions in reporting precursor trade. There should be an effective i) institution, ii) legislation, and iii) political commitment. However, governments mostly favor the large companies that pay taxes and employ the workforce. Politicians do not want to have a conflict with the business community. Unless there is strong evidence, governments do not want to intervene into trade schemes. Even if the companies fail to report precursor imports and exports, governments rarely opt for penalization. In corrupt states, companies easily buy out government officials with generous bribes.

Fourth, both states and international organizations face many problems with the implementation of the 1988 UN Convention and the recommendations of the Political

⁴³ INCB, *Precursors* (New York: United Nations, 2014).

⁴⁴ UNODC, 2015.

⁴⁵ Research and Markets, "Global Acetic Acid Market," accessed January 24, 2016, http://www.researchandmarkets.com/research/b8qsf3/global_acetic.

Declaration. Many of the chemical precursors of psychotropic substances are out of the control of the 1988 UN Convention. Drug cartels hire highly skillful chemists to manufacture the substances from a wide array of alternative precursors. It takes long deliberations for the INCB and the CND to take certain precursors under international control. Liberal economies and large companies object to the global control initiatives. They hire professionals to lobby against the INCB listing efforts.

The INCB developed the PEN Online (Pre-Import Notification) system to run risk analysis on suspicious shipments. The INCB delegates have been introducing the system at international meetings since its inception. PEN Online requires data entry from state institutions about every precursor import and export. The states are required to enter company names, representatives, the volume of the substance, and the area of use. The INCB officials run risk analysis on the ongoing shipments and carry out background investigations. They have the authority to stop suspicious shipments in cooperation with the state governments. The INCB authorized 150 states for data entry into the PEN Online system.⁴⁶In practice, however, only a limited number of states regularly enter precursor trade information. According to the INCB, 40 percent of the countries never input data into the system.⁴⁷Most other states provide information about some shipments while overlooking large portions of trade details. Another common mistake is a late entry of the information. Once the substance is delivered, it is very difficult to run a backtracking investigation on diversion schemes.

Project Prism was launched by the INCB to coordinate international efforts against acetic anhydride destined for the heroin labs in Afghanistan. The project aims to identify suspicious orders and diversification schemes and stop transshipment of the substance before it reaches the final manufacturing sites. Project participants use the PEN Online and Precursors Incident Communication (PICS) systems to coordinate their efforts. When states seize illicit AA, the INCB makes contact with the competent national authority to obtain information. The seizure information may provide enlightening clues in the follow-up backtracking investigation. The INCB helps national governments to explore where the AA is diverted and where it is destined for. The INCB brings relevant institutions and investigators from different countries to facilitate intelligence exchange.

Project Cohesion targets the trafficking of potassium permanganate, the main precursor used in cocaine manufacturing. Cohesion exerts an operational methodology similar to the Project Prism. It exploits the PEN Online and PICS systems to identify suspicious transactions and carry out post-seizure investigations. The INCB reported seizure of 58 tons of potassium permanganate in 2013.⁴⁸ Most of the seizures were the result of investigations by Colombian (22 tons), Brazilian (15 tons), Spanish (5.9 tons), Paraguayan (3.7 tons), Chinese (3.5 tons), Bolivian (3.1 tons), and Peruvian (2.8 tons) governments. The INCB-coordinated projects had an insignificant impact on global potassium permanganate seizures.

Controlling the precursors of psychotropic substances is the most difficult task, both for national governments and international institutions. Transnational drug networks produce these substances from a wide array of chemical substances, such as *alpha*-Phenylacetone (APAAN), 1-phenyl-2-propanone (P-2-P), ephedrine, and pseudoephedrine. Most of these precursors are widely available on licit markets. Often, the larger drug networks run front

⁴⁶ INCB, *Report of the International Narcotics Control Board for 2014* (New York: United Nations, 2014).

⁴⁷ INCB, *International Narcotics*.

⁴⁸ INCB, *International Narcotics*.

companies that produce licit products such as cleaning materials, paints, and medicine. They use official documents to import or purchase necessary precursors.

3. Why Do the Attempts at Demand Reduction Fail?

Since the Shanghai opium conventions, the international drug-control system has been predominantly built upon supply reduction.⁴⁹ The 1961, 1971, and 1988 conventions also predominantly dealt with supply reduction issues. As Martin Jelsma put it succinctly, “the whole system built around the conventions was directed at suppressing illicit supply, while demand side policies were basically seen as a domestic issue.”⁵⁰ The INCB recommended that demand-reduction programs should be implemented at national and local levels instead of creating an international system.⁵¹ Even though the Political Declaration and the Plan of Action called for a “balanced approach,” demand reduction has been overshadowed by supply reduction in international drug control. Indeed, the international institutions do not seek to promote a global demand-reduction regime. The UNODC and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) seek to assist capacity building in developing states. The international cooperation is limited to training, strategy development, and capacity building. Each state is anticipated to deal with its own drug addicts.

The latest UNODC and INCB figures clearly indicate that worldwide demand-reduction efforts have failed dramatically. According to the UN sources, globally 246 million people consumed drugs in 2013.⁵² This indicates a 37 percent increase over 1998, when the Political Declaration put a strong emphasis on the necessity of enhancing demand-reduction efforts.⁵³ Apart from the conventional drugs listed in the 1961, 1971, and 1988 conventions, the consumption of new psychoactive substances (NPS) has proliferated over the last decade. Every year a significant number of new NPS appears on the global drug markets. In 2012 alone, the EMCDDA Early Warning System detected 73 new substances.⁵⁴

Despite global investments in demand reduction, the drug consumption in major markets such as the United States, the European Union, and the Russian Federation has not declined. The UNODC acknowledges that “the overall magnitude of drug demand has not substantially changed at the global level.”⁵⁵ The control of plant-based substances leads to consumption of alternative synthetic drugs that have similar effects. Even though there were some declines in cocaine consumption in the US and a downward trend in heroin consumption in the EU, the number of global ATS and NPS users has grown significantly. The number of drug-related deaths has been steadily increasing in all three markets. The World Health Organization (WHO) estimated that 197,383 deaths were attributed to drugs in 2000.⁵⁶ The number of drug-related deaths increased to 231,400 in 2013.⁵⁷ The sharpest rise in dangerous drug

⁴⁹ William McAllister, *Drug Diplomacy In the Twentieth Century* (London: Routledge, 2000).

⁵⁰ Martin Jelsma, “Drugs in the UN System: The unwritten history of the 1988 United Nations General Assembly Special Session on Drugs,” *International Journal of Drug Policy* 14, no. 2 (2003): 183.

⁵¹ Jelsma, “Drugs in the UN System”.

⁵² UNODC, 2015.

⁵³ UNODCCP, *World Drug Report 2000* (New York: Oxford University Press, 2000).

⁵⁴ Gomis, “Illicit Drugs”.

⁵⁵ International Drug Policy Consortium, “UNODC’s Shifting Position on Drug Policy: Progress and challenges,” Advocacy Note February 2014, accessed January 24, 2016, http://www.undrugcontrol.info/images/stories/documents/IDPC-Advocacy-Note_UNODC-contributions-HI.S.pdf, 1.

⁵⁶ Louisa Degenhart and Wayne Hall, “Illicit Drug Use,” in *Comparative Quantification of Health Risks: Global and regional burden of disease attributable to selected major risk factors*, ed. Majid Ezzati, Alan D. Lopez, Anthony Rodgers and Christopher J.L. Murray (Geneva: World Health Organization, 2004), 1109-76.

⁵⁷ Statista, “Estimated Global Number of Drug Related Deaths by Region 2013,” accessed January 24, 2016, <http://www>.

addiction has been observed in Russia. According to the UNODC, Russia consumes as much heroin as the entire European Union.⁵⁸

At the international meetings, it is observed that Western officials and delegates present Latin America and Afghanistan as the source of the global drug problem. They ignore the fact that Andean cocaine or Afghan heroin would not flourish without the massive demand in Western markets. They disregard the demand side of the international drug markets. In reality, however, demand constitutes the origins of the problem. Supply-and-demand dimensions are inextricably intertwined. Poor farmers in Afghanistan and Colombia will not cultivate drugs without the prospect of profits that is mainly driven by the demand in major consumption markets. Producer states rightfully anticipate sharing the burden with consumer states. The existing global demand compels massive scales of drug production and trafficking. The international crusade against drugs will be meaningless unless consumer states run effective prevention and demand-reduction programs.

The 1988 UN Convention asserts that possession, purchase, or cultivation for “personal consumption” should be criminalized. The UN conventions are legally binding. Indeed, many states enacted the 1961, 1971, and 1988 conventions with national legislations. For instance, the US enacted the Controlled Substances Act to meet the standards of the Single Convention.⁵⁹ In practice, however, there is a growing tendency not to penalize the consumers, and possession of less than five grams of cannabis has been decriminalized. In reality this policy has been widely abused by street dealers. An increasing number of professionals tend to perceive drug users as “patients” or “victims.” They believe that addicts have to be treated rather than imprisoned. Even if the law-enforcement agencies arrest drug users, courts rarely give penalties due to this lenient approach. In practice, however, most drug consumers are also dealers and sell drugs to maintain their addiction. When police arrest the dealers with small amounts of drugs, they claim possession of the substance for their own addiction. If police do not have extra evidence from electronic or physical surveillance, the judges are predisposed to release the dealers. After they leave the court, they act more professionally, because they have learned about police investigation and surveillance methods.

There is a wide variety of opinions about the global drug-control regime. The prohibitionist regime is often confronted with calls for decriminalization. Many advocates claim that global prohibition exacerbates the global drug scourge.⁶⁰ They believe that the prohibitionist regime sparks massive clashes in Mexico, Latin America, Afghanistan, Iran, Africa, and many other parts of the world. The anti-prohibitionist states have legalized the use of marihuana. Liberal marihuana laws in Denmark, the UK, Spain, Uruguay, and the Netherlands have stimulated consumption, and cannabis is widely used in these countries. The legalization of medical marihuana is followed by defacto legalization of consumption of all drugs. States with a laissez-faire approach to drug use constitute a grave challenge to the global prohibitionist regime. According to many experts, cannabis is a gateway drug towards more serious substances such as heroin, cocaine, and methamphetamine.⁶¹ The defacto legalization of marihuana contributes to the spread of all narcotic drugs and psychotropic substances.

statista.com/statistics/443506/estimated-number-of-drug-related-deaths-globally-by-region/.

⁵⁸ UNODC, *Global Afghan Opium Trade: A Threat Assessment* (Vienna: United Nations Publications, 2011).

⁵⁹ New York City Bar, Committee on Drugs & The Law, “International Drug Control Treaties: How Important Are They to US Drug Reform,” August 2012, accessed January 18, 2016, http://www2.nycbar.org/pdf/report/uploads/3_20072283-InternationalDrugControlTreaties.pdf.

⁶⁰ A.R. Mark Kleiman, *When Brute Force Fails* (New Jersey: Princeton University Press, 2009); Davenport-Hines, *Pursuit of Oblivion*.

⁶¹ Wayne Hall and Lynskey Michael, “Is Cannabis a gateway drug? Testing hypothesis about the relationship between cannabis use and other illicit drugs,” *Drug and Alcohol Review* 24 (2005): 39-48.

International meetings on demand reduction often fail to produce action plans. In most meetings, states and international organizations discuss the latest developments, trends, and best practices and finally agree to cooperate on demand-related matters. In the aftermath of the meetings, states are left to their own destiny. Because drug addicts constitute no transnational problems, foreign governments are hardly compelled to take action. There are, however, some exemptions to this phenomenon. The UNODC, the EMCDDA, and the WHO run several capacity-building programs. The UNODC organizes training programs for national demand-reduction experts in developing regions such as Cambodia, Myanmar, Vietnam, Central Asia, Indonesia, and Malaysia. The UNODC consults with the donor governments and defines the targets of the training programs.

Despite the inefficiency of the global demand-reduction system, several organizations have attempted to overturn this grim scenario. The American INL is a major contributor to capacity-building projects on demand reduction. The INL assists and funds the UNODC training programs on demand reduction. In addition to these multilateral efforts, the INL runs capacity-building programs in Mexico, Latin America, Asia, Africa, and Afghanistan.⁶² These programs consist of prevention, treatment, rehabilitation, and raising awareness. Most of these states, however, do not perceive demand reduction as a priority. Their counternarcotics policy is designed to tackle large criminal networks that control massive trafficking schemes and challenge the state authority. Trained demand-reduction experts are often appointed to irrelevant positions.

The EMCDDA runs various programs to increase the capacity of member states and EU candidates on demand reduction. National Contact Points (NCPs) collect data on countrywide drug-consumption patterns. The EMCDDA releases an annual report based on the annual questionnaires received from the competent state institutions. The EMCDDA runs specialized training programs on demand reduction, prevention, treatment, harm reduction, and rehabilitation.⁶³ These programs are designed to enhance the capacities of NCPs. For instance, the EMCDDA assisted the Turkish government to establish the Turkish Monitoring Centre for Drugs and Drug Addiction (TUBIM). The new institution made a significant contribution to the increased national capacity on demand-related matters. The EMCDDA also runs an effective Early Warning System on new drugs. When a member state discovers a new substance, it reports to the EMCDDA headquarters. If there are consistent reports on the availability of a particular substance on the European markets, the institution starts the process of taking it under control.⁶⁴ However, due to the highly bureaucratic nature of the European policy-making process, the listing of new substances is time consuming. Drug networks develop other NPS before the previous substances are taken under control. Most EU states do not have the interdiction capacity to enforce new substance controls.

4. Why Does the Drug Money Remain Intact?

The drug trade generates enormous amounts of income for transnational criminal groups. The high profits of trans-border trade have been the catalyst for the salience of trafficking ventures and bloody clashes among the cartels. The UNODC estimates that the global annual

⁶² U.S. State Department, Bureau of International Narcotics and Law Enforcement Affairs, "Fiscal year 2007 Budget Congressional Justification," accessed January 24, 2016, <http://www.state.gov/documents/organization/71984.pdf>.

⁶³ EMCDDA, *European Drug Report 2014: Trends and Developments* (Luxembourg: Publication Office of European Union, 2014).

⁶⁴ EMCDDA, *Drug Report 2014*.

turnover of the drug trade is around \$320 billion.⁶⁵ Some researchers estimate the volume of illicit drug money to be as high as \$1 trillion.⁶⁶ This money is used by shady figures such as terrorists, organized crime groups, assassins, and corrupt government officers, who pose enormous challenges to global peace and prosperity.

There is a reverse money flow for every drug shipment. Transferring money is much easier and faster than drug transportation. It takes around a year for Afghan heroin to reach end users in West Europe. Similarly, from coca fields to street deliveries in the US or Europe, the journey of cocaine may take over a year. However, money can be transferred in a few seconds via contemporary online banking systems. Internet users do not even need to go to the bank offices. This lack of necessity for physical presence at bank offices reduces the likelihood of arrest by law-enforcement agencies.

The confiscation of the financial proceeds of drugs is a *sine qua non* for concrete results in counternarcotics campaigns. Even if a law-enforcement agency seizes significant amounts of drugs, drug cartels reimburse the money with consistent shipments to profitable final markets. According to UN experts, only 10 percent of the drugs are seized globally, and 90 percent of the drugs reach the users. Drug networks make more than 10 times the profit for each transshipment. Thus, seizures do not really hurt the criminals unless their properties are confiscated.

Fighting against drug money is one of the thorniest issues in the global counternarcotics system. States face enormous difficulties in the investigation of the financial proceeds of the drug trade, as the burden of proof is rendered to the state for freezing and forfeiture of the proceeds of trafficking schemes. Drug cartels make investments in many countries that have favorable conditions for illicit money-laundering schemes. They register the properties using other people's names. This complicates the evidencing process. Organized crime groups dynamically respond to law-enforcement measures. They hire money-laundering and investment specialists to spend the money wisely. Lawyers of crime networks constantly explore the gaps in national legislation. They invest in hotels, casinos, gas stations, exchange offices, car dealerships, and many other businesses.

It is impossible to dismantle these large networks unless drug investigations go hand in hand with scrutiny of financial proceeds. The 1988 UN Convention enabled confiscations of the properties of the drug networks. The UN Convention against Transnational Organized Crime calls on states to establish financial intelligence units, enact effective legislations, and enhance international cooperation against money-laundering states. The Political Declaration and the Plan of Action devoted a special chapter to global anti-money-laundering efforts. It called on the states to build the capacity of national institutions, establish specialized units, enact strong legislations concerning the banking systems, and allow extradition of money launderers. However, the Financial Action Task Force (FATF) recommendations laid the real working standards for the global anti-money-laundering regime.

The UN conventions, the UN declarations, and the FATF recommendations seem to be perfect blueprints for the global anti-money-laundering regime. In practice, however, there are no effective penalties for non-compliant states. The FATF initially embraced a blacklisting policy and announced a list of problematic states in 1999. However, due to

⁶⁵ UNODC, *Afghan Opium*.

⁶⁶ Friedrich Schneider, "Turnover of Organized Crime and Money Laundering: Some Preliminary Empirical Findings," *Public Choice* 144, no. 3-4 (2008): 473-86.

strong opposition from the IMF and the World Bank, the FATF had to give up the “name and shame” campaign. Currently, there is no system that actually sanctions the money-laundering heavens. The Clinton Administration proposed to create a blacklist of states that engage in money-laundering schemes. This proposal has been implemented for individuals under the Kingpin Act. However, blacklisting countries has never been implemented by Washington.

At the international meetings, representatives of the Western states appear to be strong advocates of global anti-money-laundering initiatives. They criticize Afghanistan, Colombia, and offshore countries as the hotspots of drug money. In reality, however, the bulk of the money goes into American and European banks. According to Bagley, drug cartels launder over \$150 billion in the United States, which is much higher than in Afghanistan, Colombia, or any offshore countries.⁶⁷ The US Federal Bureau of Investigation (FBI) reported that almost half of the global drug money enters the American economy.⁶⁸ It is undeniable that every state and bank wants more money regardless of the source. Almost all states, including the major Western powers, do not want to interrupt the inflow of money. There is no problem as long as the traffickers invest in their markets and deposit money into their banks. Drug money functions as a lifesaver to stagnant American, Dutch, and English economies. The scrutiny begins when the drug networks transfer large sums of money out of the financial system.

The notorious Afghanistan gets only a small fraction of the drug money. According to the UNODC, only \$2–3 billion remains in Afghanistan.⁶⁹ This money is distributed among the drug barons, corrupt government officers, the Taliban, warlords, and farmers. Afghan people live at bare subsistence level while cartel leaders in Europe and America live the most luxurious lifestyle. Organized crime leaders do not invest in Afghanistan. The country has poor banking systems and financial institutions. Local people use traditional transfer methods instead of regular banking systems. The warlords and drug traffickers take advantage of this unregistered and uncontrolled money-transfer system, which provides immunity to money-laundering investigations.

Despite the recommendations of the FATF and the UN, banks rarely cooperate with the law-enforcement agencies and financial intelligence units about drug money. Bank managers do not voluntarily engage in anti-money-laundering schemes. In reality, banks want neither a diminishing drug market nor a loss of wealthy customers. Due to constant cash deposits, drug barons become “respected customers” for bankers. The privacy of these “businessmen” is carefully protected. At official meetings, representatives of the banks promise close cooperation with the state institutions, but in practice, they rarely report the suspicious transactions of drug traffickers.⁷⁰ Bank managers are well aware that other shady customers will withdraw their money if they cooperate with the state. Even though the governments are highly aware of this fact, they fail to penalize bank administrations for failing to cooperate on money-laundering schemes.

Drug cartels exploit alternative money-transmitting methods. Apart from the regular banks, drug money is transferred through the *havala* system. The unregistered nature of the

⁶⁷ Bruce Bagley, *Drug Trafficking and Organized Crime in the Americas: Major Trends in the Twenty-First Century* (Washington D.C.: Woodrow Wilson International Center for Scholars, 2012).

⁶⁸ Daniel Mitchell, “US Government Agencies Confirm that Low-tax Jurisdictions are not Money Laundering Havens,” *Journal of Financial Crime* 11, no. 2 (2004): 127-33.

⁶⁹ UNODC, *Afghan Opium*.

⁷⁰ Moises Naim, *Illicit: How Smugglers, Traffickers, and Copycats are Hijacking the Global Economy* (New York: Anchorbooks, 2005).

havalas makes it extremely difficult to trace the financial flows. *Havaladars* mostly do not use computerized registry systems and they record the transfers on notebooks. Law-enforcement agencies have to carry out intensive electronic surveillance and access the physical records of *havaladars* to explore the money transfers. Even in this case it is really hard to prove the identities of senders and receivers of the financial transactions. Drug traffickers use nicknames and their real identities are not known to the *havaladars*.

The real challenge today is the money transfers by electronic means. Bitcoin, Altcoins, Zerocoin, and Zerocash are popular types of cryptocurrencies. PayPal is another method of payment used by drug traffickers, dealers, and users. Most of the states do not have the interception capability for both crypto currencies and PayPal-type electronic money remittance systems. It is really hard to find sound evidence of the encrypted electronic transfers.

5. Policy Implications

The international drug-control system was promoted by the West throughout the Cold War. The UN institutions were developed under the leadership of the American government. It is obvious that the international drug-control system is in crisis five decades after the signature of the UN Single Convention. The drug trade persists as an international security conundrum because current policies have been ineffective and counterproductive. The system is not coherent and international policy is fragmented. International efforts are plagued with a lack of sustainability and coordination. Eliminating drugs seems to be an unrealistic goal within the existing international system. There are serious attempts to dismantle the entire prohibitionist regime.

The global fight against drugs is a lengthy and quixotic process. The global community needs effective measures to turn the tide. Rather than giving up the battle against this apparently insurmountable conundrum, states and international organizations should scale up their commitments. The states should engage in a rigorous and concerted battle instead of a blame shifting approach.

5.1. International system

The states implement the UN drug-control conventions in a flexible manner. There are no serious consequences for deviations from the fundamental tenets of the regime. The punitive power of the system is limited, especially when major powers do not reach consensus on the sanctions. In the current international political system, it is highly unlikely to implement effective economic sanctions against drug-producing states. Even if the West agrees upon cutting down aid, Russia, China, or other non-Western states may contradict these sanctions. The US may withdraw counternarcotics assistance but this will not be a significant blow against the noncompliant states. Sanctioning the misbehaving states in a coherent manner is *sine qua non* for an effective drug-control system. There should be stiffer sanctions for uncooperative countries that covertly facilitate drug production, trafficking, and money laundering.

The drug-control machinery lacks the supranational coercive power to enforce the UN conventions. Cooperation on international investigations utterly depends on the willingness of the states. International drug-control agencies are granted neither operational nor

executive powers. They are totally dependent on host governments to run operations. The INCB cannot compel the national governments to implement certain policies in line with the UN conventions. The institution can launch a “name and shame” campaign if states disregard the conventions. The INCB functions as a “guardian” rather than an “enforcer” of the international drug-control treaties. The UNODC and other international drug-control institutions are under heavy influence of donors, mainly the United States, Russia, and the European Union. The international system should be reinforced via stronger institutions, a larger budget, and better coordination.

Every year the CND participants issue several resolutions. Before each meeting, the CND secretariat sends a questionnaire to national governments about implementation of the previous resolutions. Most states fill in these questionnaires without presenting any evidence to substantiate their arguments. Execution of the CND recommendations necessitates better monitoring and evaluation. Self-reporting by the states on CND questionnaires may be misleading. Monitoring of the CND resolutions needs a broader institution.

As McAllister put it succinctly, the CND embraced double standards in the handling of drugs and psychotropic substances.⁷¹ The Commission adopted a harsher control mechanism for plant-based drugs, while approaching the psychotropic substances with a laissez-faire posture. Pharmaceutical companies in Western states created roadblocks to international control efforts. The INCB and the CND should pay equal attention to control of psychotropic substances along with the concerted actions on Afghanistan and Colombia.

5.2. Supply reduction

It is time for a zero-tolerance approach both in Afghanistan and the Andean region. Governments should demonstrate their commitment to massive eradication and interdiction. In the absence of viable economic activity, farmers will strongly oppose massive eradication, but governments and international organizations should adamantly pursue this policy. Counternarcotics law should be implemented throughout the country without exemptions and tolerance for warlords, tribal leaders, and other strongmen. The defacto immunity of the rich and powerful traffickers should be evoked.

In Afghanistan and Colombia there is a need for a stronger policy that combines capacity building, intelligence collection, planned investigations, interdiction, and effective prosecution. The primary goal of international campaigns should be building the capacity of state institutions to carry out these tasks. A functioning state that has enforcement power in all provinces is the key element of viable counternarcotics. The state needs to control national territories. Instead of spending money on ostentatious projects, the international community should coordinate efforts to build effective institutions. Capacity building in Afghanistan and Latin America should focus on the development of human capital in counternarcotics institutions. These countries are in drastic need of uncorrupt officers who do their job with professionalism. Police officers, prosecutors, and judges working on drug cases should be carefully selected. They should undergo rigorous training programs. These officials should specialize in drug crimes and remain in the counternarcotics units. They should be well protected to prevent coercion and assassination. Donors should promote a performance-based reward system. Individuals should receive monetary rewards and bonuses in accordance with the investigations they have participated in.

⁷¹ McAllister, *Drug Diplomacy*.

It is obvious that foreign governments and international organizations cannot train every single police and military officer in Afghanistan or Colombia. International training programs should be designed to increase the effectiveness of the law-enforcement elite. These elite groups should also undergo “training of the trainers” programs. This will allow them to access all individuals in national police forces and armies. The international trainers should be sent to Afghanistan or Colombia for at least one year of field observation to gain a deep understanding of the investigation environment.

Currently, police agencies are overwhelmed by the armed resistance of drug cartels and warlords in both Afghanistan and the Andean region. The firepower of the law-enforcement agencies is not sufficient enough to confront the rich drug networks that have thousands of armed assassins. The military should assume a greater role in counternarcotics in Afghanistan, Colombia, Mexico, and West Africa. Eradication programs should be backed up by strong military battalions. Counternarcotics should be the backbone of military counterinsurgency programs.

Rather than giving the money to farmers, governments and international institutions should directly invest in irrigation and transportation infrastructure projects. Chronic poverty of the local people should be eliminated through integrated long-term alternative development programs. Unfair distribution of foreign aid should be prevented by means of an effective monitoring system. The international community should assist the Afghan government with the launch of micro-credit institutions that provide long-term and low-interest credit.

Currently, drug kingpins are rarely prosecuted and sentenced in problematic regions such as Mexico and Colombia. Even if convicted, they either escape or bribe state officials to have favorable conditions inside the prisons. Extradition and trial of major drug criminals in the US is an option but most states reject this idea due to political concerns. Thus, states need to develop effective correctional systems for major drug criminals. Special high-security prison facilities should be built on islands or in remote locations to prevent escape. The UN should appoint monitoring officials to oversee the correctional systems in critical regions.

Drug traffickers heavily exploit the porous borders. In most countries there are no specialized border security institutions. The military is in charge of controlling thousands of kilometers. The UNODC, the WCO, and the BOMCA run various projects to enhance the capacities of border-control institutions. However, most border-control units do not have modern surveillance equipment or trained professional staff. International projects fail to cover all regions. There should be better coordination of international initiatives to identify the priority areas. The projects should target the most problematic borders, such as Afghanistan–Iran, Afghanistan–Tajikistan, and Mexico–United States. After the implementation of the projects, international experts should keep in touch with the national border authorities regarding maintenance of the modern equipment and training of the staff.

Counternarcotics agencies in Afghanistan, Central Asia, Africa, and the Middle East lack the experience and capacity to find incriminating evidence on the masterminds of trafficking schemes. They basically arrest the drivers and couriers, who will never testify against their employers. The burden of proof is on the drug-enforcement agencies. To overcome this challenge, drug-enforcement agents should undergo rigorous training based on best practices in advanced countries. They should receive training on electronic surveillance, physical surveillance, the handling of undercovers/informants, interrogation, and investigation administration from advanced international institutions such as the DEA,

the Bundeskriminalamt (BKA), the National Crime Agency (NCA), and the Anti-Smuggling and Organized Crime Department (KOM). Intelligence collection and data entry should be professionalized. Investigators, surveillance teams, and analysts should work in close collaboration while targeting the trafficking syndicates.

5.3. Precursor control

Despite the 1988 UN Convention, the Political Declaration, and the INCB campaigns, precursor control has never been a priority for the counternarcotics agencies. An abundant supply of chemical precursors arrives in drug labs across the world. Precursor seizures remain limited in comparison with the manufactured drugs. The rapid increase in the number of precursor exporting countries and companies complicates the international precursor control. The main responsibility of precursor control should be assumed by the developed nations that produce precursors. Governments of exporting countries should implement a more effective monitoring system against diversion of chemical precursors into illicit trade. The PEN Online system should be effectively used by drug-control agencies. State agencies should report the details of seizures to the INCB analysts via the PICS system to explore the bigger picture in precursor trafficking schemes. State institutions and the INCB should carry out rigorous backtracking investigations to find out the organizations involved in diversification, trafficking, and manufacturing.

5.4. Demand reduction

Despite the diplomatic rhetoric of a “balanced approach” in the CND meetings, the international system hardly deals with the demand side of the problem. Predominant portions of international drug-control budgets have been allocated to the supply-reduction programs. This creates underinvestment into the source of the problem. There is a pressing demand for an effective demand-reduction system. Developed states should collaborate to build up the best practices of prevention, treatment, and rehabilitation. They should exchange experts to share experience on the existing programs. The best practices should be applied to developing states under the auspices of the UN organizations. The UNODC should devote more staff and more of their budget to coordinate the sharing of experiences on demand reduction on a global scale.

States should adamantly resist legalization campaigns. Anti-control advocates will undercut the commitment to international counternarcotics partnerships. Legalization violates the decrees of international treaties. Legalization is especially dangerous while we are experiencing an onslaught of new psychoactive substances. There is no way to control “legal” consumption while drugs are widely available on the market. The international community should start sanctioning states with a *laissez-faire* approach to drug consumption.

5.5. Control of money laundering

Anti-money laundering is the weakest point in international drug control and poses a grave challenge for the states and international organizations. Most states do not have the institutions, legislation, and expert staff to run money-laundering investigations. Money-laundering investigators are often held back by legislative and bureaucratic barriers. There is a vast asymmetry between the global annual turnover of drugs and properties confiscated

from drug traffickers. States drastically need to run money- laundering investigations along with drug prosecutions. The UNODC should devote more attention to the capacity building of organized-crime units in money-laundering investigations. The states should enhance cooperation without hiding behind political and economic pretexts. They should establish efficient institutions and contact points to respond to the demands of foreign counterparts.

6. Conclusion

Implementing effective counternarcotics policy is a prerequisite for stability and development in the world. At this point, the international community should seriously think about the reasons for its failure. There is a strong need for integrating the international, regional, and provincial counternarcotics initiatives. Capacity building should be the centerpiece of international programs targeting problematic areas. Coherence of the efforts of national drug-enforcement agencies, donors, and international agencies is *sine qua non* for a more efficient international system.

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Hard Power versus Soft Power or a Balance between the Two?*

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Abstract

Many things have changed in Turkey within the last decade, but also in Brussels as to the political practises. This commentary seeks to answer whether Turkey and the EU can find and maintain a sensible balance between toughness and empathy, between considerations of hard power and soft power. Turkey is obviously an essential, regional player both economically and militarily. Geopolitics may not appear high on the agenda of the EU, but the situation in the Middle-East simply could not and cannot be ignored as a geopolitical challenge, one that might beg for acting in concert with Turkey. On the other side, Europe represents an attraction and example based on a long history and struggle for material wealth, technological and scientific progress as well as for the accomplished degree of democracy and the rule of law. More recently, however, EU soft power suffers a number of setbacks. We disown our most basic values of soft power and will lose impact in promoting a just, democratic order in the world. If the EU and its member states fail to recover from this set-back, we risk to fall back in the hard power game, also with potential and aspiring states.

Keywords: Turkey, European Union, soft power, hard power, European enlargement

Just over ten years ago my Centre for European Security Studies started a programme in Turkey concerning democratisation of security and defence policy. The Dutch government hold the Presidency of the European Union and considered such a programme a positive contribution to the Turkish efforts to become a member state and a positive response to the reforms of the ruling and, indeed, stable government. The Hague sponsored us and we ran the programme nine years trying to further democratic decision-making in defence matters, political oversight by the ministry of Defence and parliament, defence budgeting and auditing and the role of the military in politics was supposed to change. The message from Brussels was that civil-military relations in Turkey needed to be further aligned to practises in the EU.

Well, since then many things have changed in Turkey including the role of the military, but also in Brussels as to the political practises. Ten years later one might ask and even doubt whether the relations between Turkey and the EU have changed for the better as envisaged by, for example, the Dutch government and Ankara at the time. Some – individuals of governments - argued that Turkey could join the EU somewhere during the 2020s and the Turkish government enjoyed the support of a vast majority of the people. Over the years this kind of optimistic mood has not been maintained. Relations became more complex; the tone

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