COUNT THE COSTS
50 YEARS OF THE WAR ON DRUGS

The War on Drugs: Creating crime, enriching criminals

The global war on drugs has been fought for over 50 years, to achieve its stated goal of a "drug-free world". Yet despite the ever increasing resources spent on police and military efforts to suppress the illicit drug trade, supply has more than kept pace with rising global demand. Indeed, most indicators suggest drugs are cheaper and more available than ever before.

But beyond this striking failure, the drug war's punitive, enforcement-based approach has had a series of disastrous "unintended consequences", as identified by the Executive Director of the United Nations Office on Drugs and Crime[1] (UNODC), the very UN agency that oversees the global drug control system. He noted that:

> *"The first unintended consequence [of the drug control system] is a huge criminal black market that now thrives in order to get prohibited substances from producers to consumers. Whether driven by a 'supply push' or a 'demand pull,' the financial incentives to enter this market are enormous. There is no shortage of criminals competing to claw out a share of a market in which hundred fold increases in price from production to retail are not uncommon."*

This briefing summarises the crime-related costs stemming from the war on drugs, which include:

- Organised crime arising from the illicit drug trade, and its knock-on effects in terms of money laundering, corruption and violence

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> *"Politicians cannot hope to win a war on drugs when their policies ensure that only the most efficient trafficking networks survive. Not only do they survive, but they thrive because law enforcement has destroyed the competition for them by picking off the unfit traffickers and letting the most evolved ones take over the lucrative trafficking space. The destruction of the Medellin and Cali cartels, for instance, only created a vacuum for hundreds of smaller (and more efficient) operations. Now the police cannot even count the number of smaller cartels that have taken over – much less try to infiltrate and disrupt them."*
>
> **Sanho Tree**
> Director of the Drug Policy Project at the Institute for Policy Studies
> 2007

- Street-level crime committed by drug gangs and by dependent drug users attempting to support their habits
- The criminalisation of users, excessive levels of incarceration, and crimes committed by governments under the banner of the drug war
- The economic costs of drug war-related crime, and the criminal justice response to it

There is overlap with other areas of the Count the Costs initiative – human rights (including a detailed discussion of prison issues), security and development, discrimination and stigma, public health, the environment and economics. For briefings and more resources on these costs, see www.countthecosts.org.

Count the Costs is a collaborative project between numerous organisations from across the globe that, while possessing diverse viewpoints and expertise, all share a desire to assess the unintended costs of the war on drugs, and explore alternatives that might deliver better outcomes.

Introduction

The 1961 UN Single Convention on Narcotic Drugs[2] – the legal basis of the global war on drugs – has two parallel functions. Alongside establishing a global prohibition of some drugs for non-medical use, it also strictly regulates many of the same drugs for scientific and medical use. In stark contrast to the Convention's language describing medical use, the rhetoric on non-medical use frames it as a threat to the "*health and welfare of mankind*", and a "*serious evil*" which the global community must "*combat*", setting the tone for the drug war that has followed.

The Convention's parallel functions have also led to parallel markets – one for medical drugs controlled and regulated by the state and UN institutions, the other for non-medical drugs controlled by organised criminals, insurgents, separatists and paramilitaries. There is a striking comparison to be made in the level of criminality associated with production and supply in these parallel trades. The legal medical opiate market, for example, accounts for around half of global opium production[3] but entails none of the organised crime, violence and conflict associated with its illicit twin.

By the mid-80s the emphasis and rhetoric of international drug policy had shifted, from its earlier focus on drug use, towards the growing concern with the problems relating to criminally controlled drug markets.[4] This trend was reflected in law, specifically the third of the UN drug conventions, which focuses on tackling the explosion of the "*illicit traffic in narcotic drugs and psychotropic substances*" since the 1961 Single Convention.

Over the last 50 years, the threat to public health from drug use has been interwoven with the threat to public safety (and national security) from drug war-related crime. "Drugs and crime" have become fused together in political rhetoric

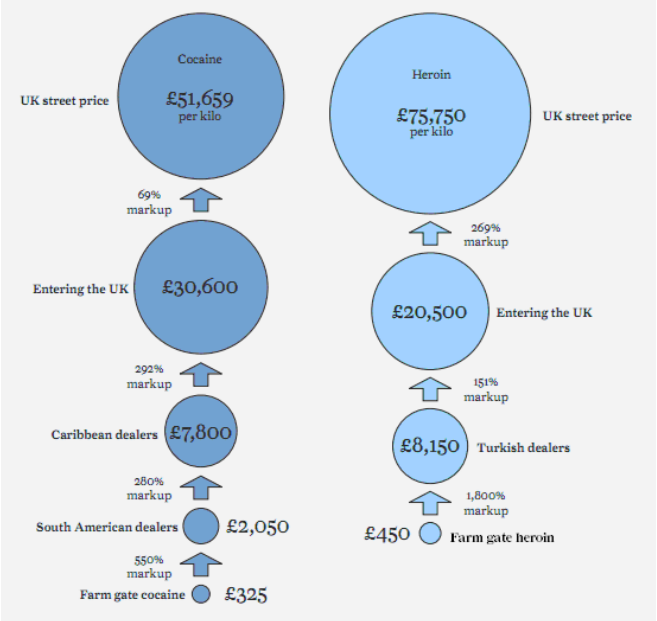

Figure 1: How the price of drugs is inflated through the illicit market

(the "drug threat"), institutions like the UN Office on Drugs and Crime, along with domestic policy and law. This has led to an anomalous and malfunctioning system in which drug use is acknowledged as primarily a public health issue but responses are criminal justice-based, primarily dealt with by police and military enforcement aimed at drug users, dealers and producers.

Ironically, as the UNODC has belatedly acknowledged, it is these same punitive drug enforcement policies that are creating, or fuelling, much of the drug market-related criminality in the first place.

The economic dynamics of illegal drug markets and criminality

The links between drugs and crime are complex. However, there is an economic dynamic at play which actively fuels the criminality that enforcement is supposed to eliminate.

The squeezing of supply in a demand-led market has two key "criminogenic" effects, resulting mainly from enforcement increasing price. The first is the creation of a vast opportunity for criminal entrepreneurs (*see "How much is the illegal drug trade worth?"*, p.6). The second is acquisitive crime committed by low-income dependent drug users to support their habits.

This price increase reflects both enforcement risks being incorporated into illicit drug pricing, and from unregulated profiteering (*see Figure 1*). This is the "alchemy of prohibition"[5] by which low-value agricultural products become literally worth more than their weight in gold.

Drug law enforcers highlight the futility of drug law enforcement

"I invite you all to imagine that this year, all drugs produced and trafficked around the world, were seized: the dream of law enforcement agencies. Well, when we wake up having had this dream, we would realize that the same amount of drugs – hundreds of tons of heroin, cocaine and cannabis – would be produced again next year. In other words, this first dream shows that, while law enforcement is necessary for drug control, it is not sufficient. New supply would keep coming on stream, year after year."[6]

Antonio Maria Costa, Executive Director of the UNODC, 2007

"If demand [for drugs] persists, it's going to find ways to get what it wants. And if it isn't from Colombia it's going to be from someplace else."[7]

Donald Rumsfeld, US Secretary of Defense, 2001

"As long as there is a demand for drugs in this country, some crook is gonna figure out how to get 'em here..."[8]

George W Bush, US president, 2002

"Over the past 10-15 years, despite interventions at every point in the supply chain, cocaine and heroin consumption have been rising, prices falling and drugs have continued to reach users. Government interventions against the drug business are a cost of doing business, rather than a substantive threat to the industry's viability."[9]

UK Prime Minister's Strategy Unit Drugs Report 2003

Making a bad problem worse

Drug law enforcement can also have a Darwinian "survival of the fittest" effect. The least competent criminals are not only caught more often by law enforcement (especially when driven by arrest targets), but are also more likely to be successfully convicted, leaving the market to the most powerful, efficient and ruthless.

Whilst enforcement can show seemingly impressive results in terms of arrests and seizures, impacts on the market are inevitably marginal, localised and temporary. Indeed, as the UNODC acknowledges, one of the unintended consequences of the war on drugs is the so-called "balloon effect", whereby rather than eliminating criminal activity, enforcement just moves it somewhere else. When enforcement does take out criminals, it also creates a vacuum, and even more violence, as rival gangs fight for control.

The Crime Costs of the War on Drugs

1. Street crime

There is debate over how much drug-related street crime results from drug policy and laws, as opposed to drug use and intoxication, or to what extent involvement in crime leads to drug use, rather than the other way round.[10] There are also many cultural and economic factors that impact on both street crime and drug use, including inequality and deprivation.

However, while estimates are hard to formulate and often contentious,[11] it is clear that a significant proportion of the street crime and sex work blighting urban environments has its roots in the war on drugs. These problems result from the criminally controlled supply and dramatically inflated prices the drug war has created.

From Mexico to London, drug gang activity, especially "turf wars" over territory and markets, is a major source of violence, intimidation and other antisocial and criminal behaviour, with vulnerable young people in particular being drawn into such patterns of offending.

- According to the US Department of Justice, 900,000 criminally active gang members – a third of them juveniles[12] – in 20,000 street gangs, in over 2,500 cities, dominate the US drugs trade[13]
- Low-income dependent drug users commit large volumes of property crime to fund their habits. A study by the UK Prime Minister's Strategy Unit in 2003 stated that drug users are responsible for 56% of all crimes, including: *"85% of shoplifting, 70-80% of burglaries, [and] 54% of robberies."*[14]
- Low-income dependent users (mostly women) also often resort to street sex work to buy drugs. The UK Home Office estimated that 80-95% of street sex work is drug-motivated. Studies from Asia, Russia and Ukraine show injecting drug users are more likely than other sex workers to engage in street soliciting.[15] Drug using street sex workers also face increased risk of arrest, and of violence from clients, pimps and police[16]

By contrast, these problems are virtually absent from legal alcohol and tobacco markets, underlining that they stem from the current law enforcement-based approach rather than drug use per se.

Whilst there is, of course, criminality involved in alcohol and tobacco smuggling (and a smaller proportion of counterfeiting), and also street crime associated with alcohol intoxication, there are few if any of the problems of street dealing (licensed sales negating the need), violence between rival retailers (brewers, pub landlords and tobacconists do not attack each other), or fundraising crime committed by dependent users (alcohol or tobacco dependence can be maintained at a fraction of the price of heroin or crack-cocaine dependence).

2. Criminalising users

Despite its aim of reducing or eliminating illegal drug use entirely, global usage has risen dramatically since the war on drugs started. As a result, the current approach has criminalised vast numbers of otherwise law-abiding people. The UNODC estimates, conservatively, that between 155 and 250 million people worldwide, or 3.5% to 5.7% of 15-64-year-olds, used illicit substances at least once in the last year. Global lifetime usage figures probably approach one billion.

Current drug policies have led to spiralling prison populations (Photo credit: California Department of Corrections and Rehabilitation)

While the decriminalisation of drugs is sometimes portrayed as a libertarian approach, in fact drug laws criminalising possession for personal use are at odds with the law in most countries as it applies to comparable personal choices regarding sovereignty over one's body and freedoms regarding individual risk-taking decisions. These include freedom over what we eat, what medicines we take and how we consume legal drugs such as alcohol and tobacco, through to our sexual habits, involvement with dangerous sports or other potentially high-risk consensual activities.

- The impact of criminalisation and enforcement varies, with sanctions against drug users ranging from formal or informal warnings, fines and treatment referrals (often mandatory), to lengthy prison sentences and punishment beatings. Within populations impacts also vary, but are concentrated on young people, certain ethnic and other minorities, socially and economically deprived communities, and problematic users
- Punishments for possession/use are often grossly disproportionate, violating a key tenet of international law. In Ukraine the possession of minimal amounts of drugs (from 0.005g) can lead to three years in prison.[17] In Russia, solution traces in a used needle can lead to one and a half years in prison. In Georgia, drug urine tests can lead to imprisonment[18]

3. Mass incarceration

The criminal justice-led approach to drugs has fuelled a huge expansion of prison populations over the last 50 years. While significant numbers are incarcerated for possession/use alone, far more are imprisoned for "drug-related" offending, overloading the criminal justice systems of countries all over the globe.

These are mainly low level players in the illicit trade, and low-income dependent users offending to support their use as described above. There has also been a growing use of arbitrary detention masquerading as "drug treatment" in centres that are often no more than prisons, as well as the use of lengthy pre-trial detention for drug offenders.

- In 2008, over half of US federal inmates were in prison as a result of a drug charge[19] – a significant contributing factor to the statistic that one in 100 Americans is currently incarcerated[20]
- In 2005, China had approximately 700 mandatory drug detoxification centres and 165 "re-education through labour" centres, housing a total of more than 350,000 drug users[21]

4. Organised Crime

The market created by the collision of prohibition and high demand has been seized by organised crime with ruthless efficiency, and at devastating cost. The "vast" illicit trade, as the UNODC describes it (see box), is one of the biggest revenue generators for organised crime worldwide.[22] It has spawned a range of other criminal activities, including international money laundering and widespread corruption. The untaxed profits are also often reinvested in expanding criminal operations in other areas such as extortion, kidnapping and robbery.

Money laundering

Money laundering often involves complex techniques for "cleaning" the "dirty" profits of illegal activities so as to disguise their illicit origin. The general techniques used include placing the money in the financial system, reinvestment, and movement between jurisdictions.[23] More specifically, this can involve internet gambling, international money transfer services, bureaux de change, transnational precious metal markets, real estate markets, and high cash turnover businesses such as pizzerias and casinos. Shell banks, front companies and tax havens are also used.

The (often unknowing) involvement of legitimate businesses and financial services in these processes has blurred the boundaries between criminal and legitimate economies, and brings with it a range of social and economic costs – not least increasing criminality in mainstream life.

As a result of the intimate relationship between drug profits and the money laundering industry, the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances[24] was the first multilateral agreement to include measures against money laundering.

Estimates of the value of money laundered vary, because these activities are complex and clandestine, and the proceeds of different criminal ventures are often intermingled.[25] However, available estimates do indicate the vast scale of the operations, with drug profits probably second only to fraud as a source of money laundering cash.

How much is the illegal drug trade worth?

The UNODC has made several attempts to value the global drug market. Its 2005 World Drugs Report, for instance, puts the market's value at US$13bn at production level, $94bn at wholesale level (comparable with the global textiles trade) and US$332bn at retail level. Furthermore, in a 2011 report the agency stated that the illicit drug trade is the most profitable criminal sector, accounting for one fifth of the estimated US$1.5tn generated by all the world's crime.[26]

The report focused on the market for cocaine, probably the most lucrative illicit drug for transnational criminal groups. Traffickers' gross profits from the cocaine trade stood at around $84 billion in 2009. No estimates are available of net criminal drug profits globally.

The 2007 World Drugs Report put these sums into perspective, noting that the value of global human trafficking was estimated by the International Labour Organization to be US$32 billion, while the Small Arms Survey estimated the value of the illicit firearms trade to be around US$1 billion.[27]

- The International Monetary Fund (IMF) estimates that total money laundering represents 2-5% of global GDP. A 2001 estimate put total drug profits successfully laundered each year at $200 billion[28]
- According to a US Senate estimate in 2011,[29] Mexican and Colombian drug trafficking organisations generate, remove and launder $18 billion and $39 billion a year respectively in wholesale distribution proceeds
- The Executive Director of the UNODC said he had seen evidence that the proceeds of organised crime were "*the only liquid investment capital*" available to some banks in 2008. He said that a majority of the billions in drug profits were absorbed into the economic system, and that as a result: "*Inter-bank loans were funded by money that originated from the drugs trade and other illegal activities ... There were signs that some banks were rescued that way.*"[30]

Corruption

Corruption inevitably flows from the huge financial resources at the disposal of high-level players in the illicit drug trade. Their wealth enables them to secure and expand their business interests through paying officials at all levels of police, the judiciary and politics. The potency of this corruption is enhanced using the threat of violence to force the unwilling to take bribes (as they put it in Mexico, "plomo o plata" – "lead or cash"). Drug cartels also take advantage of vulnerable institutions and individuals by concentrating production and transit in regions where poverty and weak governance exist. The result has been a dramatic erosion of good governance (or prevention of its development) and actual or threatened destabilisation of entire nation states and regions[31] (see the Count the Costs development and security briefing at www.countthecosts.org for further information).

As the UNODC has described it:

> *"The magnitude of funds under criminal control poses special threats to governments, particularly in developing countries, where the domestic security markets and capital markets are far too small to absorb such funds without quickly becoming dependent on them. It is difficult to have a functioning democratic system when drug cartels have the means to buy protection, political support or votes at every level of government and society. In systems where a member of the legislature or judiciary, earning only a modest income, can easily gain the equivalent of some months' salary from a trafficker by making one 'favourable' decision, the dangers of corruption are obvious."*[32]

- Guinea-Bissau, one of the world's least developed countries, has recently become a major cocaine trafficking hub (en route from Latin America to Europe), as drugs are being smuggled into the country with the help of the military, police and judiciary. This systematic corruption has political involvement, all the way up to head of state level[33]
- Between 1993 and 1997, roughly half of all convictions of US police officers through FBI-led corruption cases were for drug-related offenses[34]
- Transparency International has reported that: *"Mexico's police and armed services are known to be contaminated by multimillion dollar bribes from the transnational narco-trafficking business. Though the problem is not as pervasive in the military as it is in the police, it is widely considered to have attained the status of a national security threat."*[35]
- The UNODC estimates that drugs and bribes are the two largest income generators in Afghanistan, amounting to about half of the country's GDP[36]
- The World Bank found that bribes were paid in 50% of all Colombian state contracts, and that corruption in Colombia costs $2.6 billion annually, the equivalent of 60% of the country's debt[37]

By its very nature, the war on drugs generates violent and organised crime (Photo credit: "macwagen")

5. Violent crime

Absent the formal regulation used in the legitimate economy, violence is the default regulatory mechanism in the illicit drug trade. It occurs through enforcing payment of debts, through rival criminals and organisations fighting to protect or expand their market share and profits, and through conflict with drug law enforcers.

Gangs or cartels that are primarily financed by the sale of illicit drugs have been implicated in a substantial proportion of street violence and homicides. In Los Angeles, for example, gang-related homicides accounted for 43% of the

> *"Prohibition creates violence because it drives the drug market underground. This means buyers and sellers cannot resolve their disputes with lawsuits, arbitration or advertising, so they resort to violence instead.*
>
> *Violence was common in the alcohol industry when it was banned during Prohibition, but not before or after.*
>
> *Violence is the norm in illicit gambling markets but not in legal ones. Violence is routine when prostitution is banned but not when it's permitted. Violence results from policies that create black markets, not from the characteristics of the good or activity in question."*
>
> **Jeffery Miron**
> Senior Lecturer, Harvard University Department of Economics

1,365 homicides that took place between 1994 and 1995, 94% of which involved firearms.[38]

However, far from law enforcement reducing violence, it often exacerbates the problem. As a comprehensive review by the International Center for Science in Drug Policy states:

> *"Contrary to the conventional wisdom that increasing drug law enforcement will reduce violence, the existing scientific evidence strongly suggests that drug prohibition likely contributes to drug market violence and higher homicide rates."*[39]

And these findings are:

> *"consistent with historical examples such as the steep increases in gun-related homicides that emerged under alcohol prohibition in the United States and after the removal of Colombia's Cali and Medellin cartels in the 1990s. In this second instance, the destruction of the cartels' cocaine duopoly was followed by the emergence of a fractured network of smaller cocaine-trafficking cartels that increasingly used violence to protect and increase their market share."*

Even the illegal cannabis market has reached a scale that means it is increasingly characterised by violence. Supply to the US is now a major part of the Mexican drug cartels' profits (estimates range from 15-60%[40]), with a value of around $1.5 billion.[41] Similarly, the cannabis market in British Columbia, Canada, is estimated to be worth about C$7 billion annually, mainly through supplying the US. It is the lucrative nature of this market that has led to a ferocious gang war being waged to control the profits.[42]

Drug profits are also fuelling violence in wider national and regional conflicts. Many affected countries, such as Colombia, Afghanistan and Burma, have long histories of internal and regional conflict. However, drug money has played a major role in motivating and arming separatist and insurgent groups, and domestic and international terror groups, blurring the distinction between them and criminal gangs. In the longer term, violence can traumatise populations for generations, in particular fostering a culture of violence amongst young people.

- The opium trade earn the Taliban and other extremist groups along the Pakistan-Afghanistan border up to $500 million a year, similar to the cocaine revenues that fund Colombia's FARC (Revolutionary Armed Forces of Colombia)[43]
- At the height of the Colombian drug wars in 1990, the annual murder rate was one per 1000 of the population – 3 times that of Brazil and Mexico, and 10 times that of the US[44]
- In Southeast Asia, the growing methamphetamine trade is linked to regional instability and conflict. Minority groups from the Wa and Shan states are funding insurgency operations against Burma's military junta through the manufacture and

Drug-related violence in Mexico

The explosion of violence in Mexico since a major enforcement crackdown against the drug cartels was announced by President Calderon in 2006 has been a startling demonstration of the potential unintended consequences of the war on drugs:

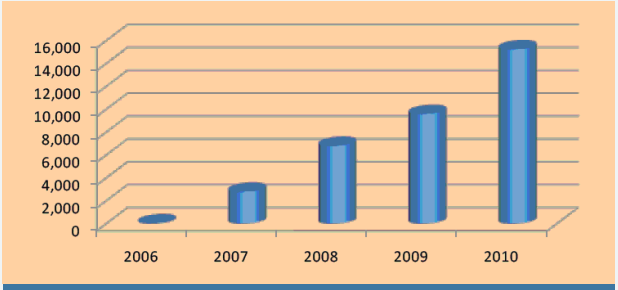

Figure 2: Drug war killings in Mexico since the launch of President Calderon's offensive on drug cartels

- The Mexican government estimates that 34,000 people have been killed in drug-related murders from 2006-2010. Other estimates which include 2011 data put the figure at over 40,000.[45] Mass killings, beheadings and public displays of the dead have become commonplace
- According to the Mexican government, 60% of the country's drug-related deaths are those of members of organised criminal groups, 27% are government officials and 13% are innocent bystanders
- Historically, victims of drug-related violence have been mainly young males. But increasingly women and children are becoming victims too.[46] As many as 4,000 women and 1,000 children have been killed to date, and around 50,000 children have lost at least one parent.[47] Young people are also being drawn into the violence, as a recent case of a 14-year-old prosecuted for murdering four people on behalf of a Mexican cartel shows[48]

wholesale distribution of methamphetamine and opium to Thailand, China and other countries in the region[49]

- A 2011 UNODC global study into homicide estimated that in countries with high murder rates due to organised crime, such as those in Central America, men have a one in 50 chance of being murdered before they reach the age of 31[50]

6. Crimes perpetrated by governments/states

There are a range of illegal acts perpetrated by states or governments under the banner of the war on drugs (*explored in more detail in the Count the Costs Human Rights Briefing at www.countthecosts.org*). These include use of the death penalty, extrajudicial killings and assassinations, arbitrary detention without trial, corporal punishment, and other forms of torture, cruel, inhuman and degrading treatment or punishment.

- Approximately 1,000 executions of drug offenders take place each year, in direct violation of international law.[51] Methods of execution among the 32 jurisdictions that use the death penalty for drug offences include hanging, firing squad, beheadings and lethal injection
- Some governments, notably the US, openly engage in illegal targeted assassinations of suspected drug traffickers[52]
- The first three months of Thailand's 2003 "war on drugs crackdown" saw 2,800 extrajudicial killings that remain un-investigated and unpunished. The Thai Office of the Narcotics Control Board suggested in November 2007 that 1,400 of the people killed had no link to drugs[53]
- In some countries, notably in India, East and Central Asia, drug users are routinely sent to drug detention facilities, without trial or due process – for example, on the word of a family member or police officer – for months or years. Whilst sometimes termed "treatment" or "rehabilitation" facilities, they are often indistinguishable from prisons, and detainees are frequently subject to torture and denied access to essential medicines[54]
- People who use drugs or are suspected of drug

Despite its failure to achieve its stated aims, the war on drugs costs billions of dollars to enforce every year (Photo credit: Mike Mahaffie)

offences, are often subject to cruel and unusual punishments including death threats and beatings; extortion of money or confessions through forced withdrawal without medical assistance; and various forms of cruel, inhuman and degrading treatment in the name of "rehabilitation", including denial of meals, beatings, sexual abuse and threats of rape, isolation, and forced labour[55]

- Judicial corporal punishment (a form of torture illegal under international human rights law) is maintained in 40 countries, and in at least 12 it is maintained for drug and alcohol offences (Singapore, Malaysia, Iran, Yemen, Saudi Arabia, Qatar, Brunei Darussalam, Maldives, Indonesia [Aceh], Nigeria [northern states], Libya and UAE)[56]

7. Economic costs of drug war-related crime and enforcement

Accurate figures for spending on drug law enforcement are hard to come by, but recent research suggests the US alone has spent, at a conservative estimate, $640 billion dollars since President Richard Nixon declared a war on drugs with an initial budget of $100m in 1971.[57] Globally, annual spend now certainly exceeds $100 billion.

The costs of drug war-related crime are, however, far higher. For example, the UK government spent £4.036 billion in 2003 on drug-related enforcement (arrests, police detention, court appearances and prison stays),[58] but the drug-related crime costs of heroin and cocaine use in England and Wales alone were £13.9bn.[59] In other words, the costs of crime were several times that spent on enforcement. With figures on this scale probably replicated in other consumer, transit and producer countries, the total economic costs of drug-related crime are staggering – in the hundreds of billions of dollars every year.

Are there benefits?

The key benefit promised 50 years ago for instigating a criminal justice-led drug control system was to reduce, or eliminate, the "evil" of drug addiction. This, it was claimed, would be achieved through enforcement-led supply restrictions and a reduction in levels of demand caused by the deterrent effect of legal sanctions against users. However, since then drug use and related health harms have risen faster than any previous period of history, even accelerating during the escalation of the war on drugs in the 1980s. Despite ever increasing resources being directed into supply-side enforcement, the criminal market has more than met this growing demand.

There is also no evidence punitive enforcement significantly deters use. Comparisons between states or regions show no clear correlation between levels of use and toughness of approach,[60] nor do studies tracking the effects of changes in policy – for example if new laws decriminalising possession are introduced.[61] In short, any deterrence is at best marginal compared to the wider social, cultural and economic factors that drive drug use.

Drug enforcement does of course lead to the arrest and prosecution of serious and violent criminals, like Colombia's Pablo Escobar, who are rightly brought to justice. This seems an obvious benefit both for the families and communities of the victims, and for the maintenance of civic order. However, as noted recently by Pierre Lapaque, chief of the UNODC's Organized Crime and Anti-Money-Laundering Unit, "*imprisoned criminals will be immediately replaced by others, and their activities will continue as long as crime is lucrative.*"[62] The UNODC also now acknowledges that these individuals are part of the "vast criminal black market" that has been created by the war on drugs in the first place.

There are possibilities for improving the targeting of enforcement efforts towards the most harmful elements of the criminal trade,[63] but the stark reality is that the nominal benefits of enforcement simply shift the problem geographically, from one criminal group to another, or displace users from one drug to another – the UNODC's balloon effect in action.[64]

So whilst the war on drugs can eliminate people like Escobar, it also enables their rise to power and can do little or nothing to eliminate the wider criminal market that people like him are a part of.

Finally, the UK Home Office suggests that criminalising users can lead to them accessing treatment through being arrested and drug tested.[65] Evidence from other countries, however, suggests the stigma and fear of arrest deter people from seeking treatment, and it is more effective to divert users into treatment without harming their future prospects with a criminal record for drug use.[66]

The enforcement-led aproach to drugs has not succeeded in bringing about a sustained reduction in levels of crime or drug use

Conclusions

The battle cry to fight a "war against drugs" has had such political potency that its negative costs have undergone little proper scrutiny. Evaluation of drug law enforcement still invariably focuses on process measures, like arrests and drug seizures, rather than meaningful indicators that might demonstrate failure – such as levels of availability, or health and social costs, including the creation of crime.[67] When these wider costs have been considered, the conclusions have often been suppressed or drowned out by shrill drug war rhetoric and law and order populism.

Worse still, a self-justifying false logic now prevails: as the criminal justice problems associated with illegal drug markets get worse, these same problems are used to justify an intensification of the very enforcement measures that are fuelling them.

As a result, whilst many governments, and the UNODC, publicly acknowledge the unintended crime costs of the current system, they have yet to meaningfully measure them, let alone examine policy alternatives that might reduce them. It is this lack of political will that is the main obstacle to progress, not methodological challenges in making such assessments.

In short, the key to counting the crime costs of the war on drugs is simply to start trying.

The UNODC in particular needs to direct resources into measuring costs – for example by including them in country questionnaires, by producing relevant analyses in its World Drugs Report, and by commissioning independent research – and show leadership and guidance to member states.

The goals of the Count the Costs initiative are widely shared – a safer, healthier and more just world. It is time for all sectors affected by current approaches to drugs, particularly those agencies, organisations and individuals concerned with crime reduction, to call on governments and the UN to *Count the Costs of the War on Drugs, and explore the alternatives*.

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