The Special Commission of Inquiry into the Drug ‘Ice’
Submission by Ralph Seccombe, former official of the United Nations International Drug Control Program, Vienna

As a submission to the Special Commission of Inquiry into the Drug ‘Ice’ I attach an article which I published in 2018 on the production of illicit drugs—the balloon effect.

It does not concern the drug ‘ice’ in particular but illicit drugs in general. It is therefore applicable to ‘ice’.

My thesis is that the supply of illicit drugs will never the stopped; that the war on drugs (which continues, whether or not that term is used) is ineffective, wasteful and counter-productive and that an approach aimed at harm reduction and the health of the drug user would be more effective and more soundly based in evidence.

Others have reached similar conclusions over many decades. I have done so drawing on experience as a practitioner in the field (Pakistan, concerned also with Afghanistan and Iran at the time).

I refer the Special Commission to the following article as a summary of my conclusions, which draw on my experience in the United Nations and the Australian Department of Foreign Affairs and Trade and on research.

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RALPH SECCOMBE, Production of illicit drugs—the balloon effect

Policy on illicit drugs should be developed on the basis that supply can never be cut off. Production is like a balloon: squeeze it in one place, but it will only bulge out elsewhere. This applies all the way to the consumer. There is no pricking this balloon under the present prohibition regime. While we naturally focus on harm suffered in Australia, we should not lose sight of the harm which international policies cause in countries from which we source the illicit drugs consumed here.

According to its website, the Australian Federal Police has the lead role relating to importing or exporting border-controlled drugs. This is certainly a job for life—for generations, in fact. The “war on drugs,” declared by President Nixon in 1971, continues unabated. The website of the AFP maintains the military terminology, proclaiming: “Complementing effective border control within Australia, the AFP works collaboratively with international jurisdictions to take the fight against drugs offshore....”

With what success? A high price is the most obvious indicator of shortage of a product. According to the National Drug & Alcohol Research Centre, the price of a gram of cannabis remained stable over the period. For amphetamines, arrests and the number of detected laboratories rose but the price of powder decreased. The price of heroin showed a decrease, perhaps partly explained by low purity.
The evidence shows no success in the war on drugs. Efforts at seizure of illicit drugs are barely more than a charade. They are a nuisance and a cost to suppliers, but supply is not interrupted.

The war was never based on rationality or evidence. The attorney-general of South Australia has recently announced harsher penalties for possession of cannabis, citing a murder by a youth affected by alcohol, ecstasy and cannabis. Curiously, she did not call for penalties for the possession of alcohol. That is an example of the way in which the war on drugs is highly selective, avoiding substances which are embedded in Western culture. Imagine a different course of history leading to a solemn *International Convention against Wine, Spirits and Other Alcoholic Substances*. It would be no more arbitrary than the present international regime.

The outlawing of classes of drugs has pushed much of the production offshore, into countries with poor effectiveness of law enforcement (without suggesting that Australia’s is anything to boast about, as indicated above). For me in the early 1990s, Swat Valley, Pakistan, was a place where I could relax after a day’s work as a UN drugs official amid hillsides covered with opium poppy—illicit but no secret—in neighbouring Dir District, where the crop helped to fund guns which inhibited law enforcement. The heroin labs in nearby Khyber Agency were said to provide a steady sweetener for the top officials there. There was a vicious cycle in which the drug industry, corruption and violence (actual or threatened) promoted each other. It was a microcosm of the system which operates generally, for other drugs and other countries. Meanwhile, leaders of the UN drugs body made speeches about “ridding the world of the scourge of drugs”.

Fast forward: opium poppy cultivation in that area of Pakistan has declined—but what sort of triumph can the UN celebrate?

The *2018 World Drug Report* refers to the work of the UN Office on Drugs and Crime to improve capacities “to dismantle organized criminal groups and stop drug trafficking.” These aims are in the realm of fantasy. The same publication reported that total global opium production jumped by 65 per cent from 2016 to 2017, to 10,500 tons, easily the highest figure ever recorded by UNODC; it places in context the “successful” crop reduction in Pakistan. World cocaine seizures were at record levels—but so was use. The balloon effect, whereby a squeeze on production or supply in one area is answered by an increase elsewhere, operates perfectly.

As for Pakistan, that country remains among the 22 major illicit drug-producing and/or drug-transit countries, according to the *United States International Narcotics Control Strategy Report 2018*. Another is Mexico, the drug country dominating our headlines. Andres Manuel Lopez Obrador, president-elect, is reported as committing to rethink Mexico’s devastating and highly militarised war on drugs, which experts blame for at least 200,000 deaths since 2006. And Sri Lanka has announced that it will hang drug dealers, to replicate the “success” of the campaigns of summary executions under President Rodrigo Duterte of the Philippines. Human rights were never a priority in the war on drugs.

The picture is not all bleak, with plenty of signs of emerging pragmatism in drug policy-making in jurisdictions from Portugal to California. It is therefore absurd of the United States to claim in that report, “fortunately, there is a strong global consensus in favour of vigorous enforcement efforts and sustained international cooperation to dismantle the transnational
criminal organizations responsible for fueling drug addiction....” Another example of stark realism in drug policy-making.

On opium production in the world’s leading producer, the US report comments, “Illicit cultivation, production, trade, and use of illicit drugs undermine public health and good governance in Afghanistan, while fuelling corruption, providing significant funding for the insurgents [the Taliban], and eroding security.” That just about sums it up, the only major omission being that it is the illegality of the drugs under the present international regime which is the ultimate condition for all the resultant evils. Our policies are harming the international environment in which Australia seeks to carry out its foreign policy objectives.

It has long been clear that the war on drugs is an expensive failure. Illicit drugs will never be eliminated. What we need is some hard thinking about new policies to reduce the harm caused by drugs.

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Troublesome Boomerang: Illicit Drugs Policy and Security
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Introduction

The 'war on drugs' declared by President Reagan in the 1980s is in good shape, in the sense that resources are being devoted to it and shots are being fired—literally and figuratively—by its troops. The phrase itself 'war on drugs' has lost some currency, but the military terminology continues, as in the chairman's statement of the 1966 meeting of the Group of Seven major industrialised countries, which endorses the 'fight against drugs.' The statement also holds out the unrealistic prospect of ridding the world of the drugs 'scourge.'

A defensive war is by definition conducted against a security threat, and at the first level of analysis it is right to see illicit drugs in these terms. In developed 'consumer countries,' they are associated with health problems, including AIDS, and with a great number of arrests and prosecutions and instances of corruption; the use of illicit drugs brings the law into disrepute, as it is flouted by vast numbers of citizens. However, to regard drugs as a suitable object for a war is inadequate and counter-productive. It reflects a tendency to look for a foreign scapegoat and it generates a raft of problems for developing 'producer' countries, including in respect of security. The war also returns to the warrior nations in the form of an impaired international environment for the pursuit of their political, economic and strategic objectives.

This paper seeks to describe important characteristics of the illicit drug industry, with its delivery chain extending from producer countries such as Pakistan and Colombia, to consumer countries, which drive the process through the demand of drug users. It argues that current drug policies, which are prohibitionist in character and which are implemented in large-scale law-enforcement activity, have harmful effects on both producer and consumer countries. Strict and meaningful performance criteria should be applied to drugs policies, to facilitate an understanding of the degree of their success and to guide a review of current and alternative policies. Drugs should be regarded primarily as a health issue rather than a problem to be addressed with guns and gaols, treating drug users as criminals. There is no realistic prospect of stopping the trafficking in and use of drugs. Preferable alternative policies should be based on the concept of harm minimisation. The focus of this paper is on heroin and cocaine, but the argument broadly applies to illicit drugs in general (this is the sense of the word 'drug' in this paper).

Frequent reference is made to the United States. This is partly because of the plethora of publications originating there or describing the situation there. It is also appropriate, because of the leading rôle which the United States plays in the fight against drugs. On other hand, there is no intention to single out any country: the most constructive conclusion will lead to collective action.
Drugs Industry

The international drugs industry has a structure, reflected in the designations ‘producer country’ and ‘consumer country.’ The illegality of crops like coca, opium poppy and marijuana tends to push their production into territories where law enforcement is weak. This generally means developing countries—typically poor countries which already have significant internal security problems. As an example, Burma, the leading producer of opium, is marked by conflict along political-cum-ethnic lines, with much cultivation in areas populated by hill-tribes. Afghanistan, the second producer, has suffered civil war more or less continuously since the withdrawal of the occupying Soviet troops in 1989. Pakistan does not have problems of this order, but parts of its territory are not under the national law but are loosely governed under the authority of the President. Large amounts of opium are produced there.

The cultivation of an illicit crop, initially for export, establishes conditions for the further development of the local drugs industry. First, value may be added to the product by processing. Thus opium may be converted into morphine base and heroin, which are less bulky and hence cheaper to transport and more likely to be successfully smuggled. Second, local marketing may be undertaken: this will raise revenue; it will also create a drug-dependent population, some of whom may be manipulated to work as couriers or in other functions in the illicit industry. These trends may be traced in Pakistan, where poppy cultivation increased enormously from the mid-1960s. Morphine production was well established by the end of the 1970s.2 The use of heroin took off in the succeeding decade: the number of heroin addicts was reported to have risen from some 50,000 in 1980 to 1.08 million in 19883: though this latter figure may be inflated, it is believed to be correct in indicating a very great increase in heroin use.

Because drug use has this tendency to rise in countries of production and transit, the designations ‘producer country’ and ‘consumer country’ suggest a distinction which does not always apply. Nor do the terms reflect the production in developed countries, such as marijuana cultivation in hothouses in the Netherlands and chemical processing in the US.

Once established, the industry will take steps to protect itself through two principal ways: corruption and violence.

Corruption

Corruption is not an issue which is easily investigated. It is by nature covert. Citizens, including journalists, of the country concerned may be subject to pressures to remain silent, and a commentator from a developed country may invite a defensive reaction from developing countries, who may claim that bias or a sense of colonial superiority is at work. Foreigners may also feel inhibited in drawing public attention to this prominent but negative characteristic of many developing countries, lest they appear insensitive to local concerns. Diplomats and aid workers are inhibited by a wish to maintain relations with their host countries’ authorities and to continue their professional activities. In some countries the law of libel and slander hinders free discussion. Hence there is a great deal of skirting around the issue. Meanwhile, drug-related aid activity proceeds, with assistance to developing countries in a range of areas from alternative crops to drug analysis laboratories. Such aid activity is good in a limited sense, but it is bad in that it distracts attention from the record of failure in controlling drug supply, from corruption as a determining factor in the success of
the drugs industry and from the corruption’s root causes: the combination of demand and the drugs' illegal status. Thus the anti-drugs industry is heavily preoccupied with the equivalent of determining the position of the deck chairs on the Titanic, as it decides on the relative merits of aid to onion farmers in a remote valley and assistance in training police in the national capital. There is, however, value in openly confronting the factors which make the illicit drug industry so successful—the spirit of this paper is not to rejoice in the corruption of developing countries but to highlight the fact that many of them suffer aggravated problems of governance and internal security because of policies adopted under external pressure.4

Of course corruption is not the only obstacle to the arrest and conviction of drug criminals—factors include lack of equipment for police operations, low levels of police training and competence and inadequate legislation against drug trafficking, control of drug precursors and money-laundering—but corruption needs close attention as being central. There is a vicious spiral in which the drug industry selects a host country, partly or largely because of the corruption which will facilitate its operations; once established, the industry aggravates that corruption to protect itself.

This is recognised in developing countries. Participants at a conference which took place in 1993 in Pakistan identified corruption as one of the major hindrances to successful legal action against producers and traffickers.5 The importance of corruption is also recognised in the United States: the International Narcotics Control Strategy Report has stated that the ‘drug trade will thrive as long as it can divide governments and corrupt countries from within.’6 That statement says it all, although the words ‘from within' obscure the extent to which the policies of producer countries result from pressure from Western consumer countries.

Corruption goes beyond the commercial or narrowly operational sphere into the political. An eminent Pakistani has commented that the involvement of the drug barons in politics has the effect that it is now ‘very difficult, if not impossible, for honest law-abiding men and women to get elected.’ Those [dishonest persons] who are elected shield drug traffickers.7 This phenomenon is global. As the US authorities have determined, 'illicit funds and corrupt officials represent a continuing threat to democracy in literally every region of the world.'8

There is a need for more investigation of corruption as a widespread, drug-related phenomenon: 'there still has not been any initiative that has produced much (or very good) research on the role drugs play in the expansion of every type of corruption: official and private, civil and military, national and continental.'9 The investigation of the issue should be conducted by persons or organisations without a stake in the continuation of current enforcement-oriented anti-drug strategies.

Violence

The link between drug production and violent threats to security has received more attention than has corruption. In a producer country, there is often a close relationship between an illicit narcotics industry and large-scale violence, even insurrection. Violence, actual and potential, may take a number of forms. Dir District in Pakistan’s North West Frontier Province has for some years been the location of a significant amount of opium production. The tribesmen have a long tradition of defending their independence by force of arms, as well as settling internal disputes by the same means. In these circumstances the
threat of large-scale violence is part of the complex of conditions which promote the
cultivation of opium poppy and hinder its eradication by the authorities; further factors are
the political influence of the poppy farmers and, to an obscure degree, corruption. In
another Pakistani province, Balochistan, pitched battles have been fought between
traffickers and the agencies of the law. The author was present at an international meeting
at which a senior officer of the Pakistan Narcotics Control Board said 'Balochistan is
Colombia,' referring to the armed power of the traffickers and their influence over the
Provincial Government, including through corruption.

In other instances, a political or ethnic movement, with a suitable title, adds a further layer
of protection and purported legitimacy to the drug production, and possibly a degree of
independence to the territory in which it takes place. In some cases the movement may
command a great deal of national and international support, as did the political parties
fighting (quite rightly) the Soviet occupation of Afghanistan in the 1980s; drug production
then supported rural incomes and, to a degree, facilitated the political struggle. In other
cases it will be hard to rank the importance of the drug-related activity and of political
objectives and to make a clear distinction between a political movement and a bandit group.

An example of a country with a major insurgency problem is Burma. Actual fighting has
diminished in recent years, but the armed power of insurgent groups is an essential part of
the accommodation under which drug production and trafficking proceed. 'Ethnic drug
trafficking armies such as the United Wa State Army (USWA) and the Myanmar National
Democratic Alliance Army (MNDAA), having negotiated ceasefires with the SLORC
[Government] which permit them limited autonomy, remain armed and heavily involved in
the heroin trade. Their leaders have used their relationship with Rangoon to increase their
wealth.... drug money is beginning to permeate the economy.'10 The blend of drugs, arms
and ethnic divisions presents a great challenge to the country's stability and economic
development and to any prospect of democratisation.

In the case of Colombia, 'there is a significant conflict between the illegal drug industry's
goals and behaviour and the Colombian government's attempts to democratize the political
and social systems, leading to violence and increased ungovernability.'11 This is a condition
applying generally to countries with fragile or worse democratic practices.

**Human Rights**

Human rights are often a casualty in the war on drugs. Many of those engaged in the illicit
drugs industry are poor, including farmers who may have good reason to regard a crop like
coca as their best option. (Ironically, the farmers' choice, harmful to the interests of
developed countries, may well have received some impetus from the agricultural protection
policies of such countries.) The cultivation of the illicit crop may bring the farmers into
conflict with the authorities, who are under pressure to eradicate it. Human rights abuses
can then occur. For example, Human Rights Watch has found that, in its efforts to quell poor
farmers’ opposition to eradication and to meet its eradication goals, 'the Bolivian
government has engaged in serious human rights abuse such as excessive use of force,
arbitrary detention, and the suppression of peaceful demonstrations.'12 Human Rights
Watch has reviewed certain events and practices and has found that 'responsibility for these
abuses falls largely on the Bolivian government.... The United States shares responsibility for
these human rights violations. Bolivian drug policies are heavily shaped by US government
concerns and priorities.'13 It may be noted that Bolivia failed the US certification process in
1995 but was certified in 1996 as an adequate partner in the fight against drugs, after activity reported by Human Rights Watch. Further, the `militarization of the war on drugs in and of itself contributed significantly to a dramatic deterioration in the already poor human rights situation in the Andean region in general, and in Colombia in particular.'

**Effects of Drug Industry on Producer Countries**

To sum up the effects on producer countries, there is a vicious spiral, in which an illicit narcotics industry and violence, corruption and other challenges to national security feed on each other and grow. Any one person—a low-ranking police officer or customs official, a senior judge or a government minister—may come under dual pressure: the threat of assassination or other violence, coupled with the offer of financial reward for a favourable decision. The result is reduced standards of governance: in this way the narcotics industry lowers the quality of life of many who have no direct contact with it. Honest citizens of a country with a reputation for drug production or trafficking suffer in being the target of particular attention of law-enforcement agencies of other countries. In parallel with the undoubted economic benefits of the industry, the impaired governance and security have negative effects on the local investment climate and hence on the prospects of other, licit sectors of the national economy, including the employment prospects of migrant labour. All this is in addition to the direct effects of spreading drug use, with attendant health risks, `ordinary' crime and other social problems. The rise of HIV-AIDS has made intravenous drug use particularly dangerous.

The foregoing analysis has not sought to distinguish between the country in which an illicit crop is cultivated and that in which it is processed. In some cases the processing of the illicit crop takes place in the country of cultivation, as in Pakistan. Often, however, a significant amount of processing takes place in a neighbouring country, which is a rôle played by Pakistan for Afghan opium. Similarly, Burmese opium is processed in neighbouring countries, including Thailand. That country is cited as a success story for drug control, because of a long-term downward trend in poppy cultivation. However, a former Australian Permanent Representative to the United Nations International Drug Control Program formed the impression that `the military may have come to the conclusion, under American pressure, that it was easier politically to make money in trafficking from Myanmar [Burma] and Laos than it was to continue to risk American displeasure by continuing to grow narcotics.' In this context it is possible to speculate that a country may `graduate' from concentration on illicit crop cultivation to another phase of the drugs industry.

The situation of a developing producer country, as sketched here, has major implications for its external political, economic and strategic relations. As a minimum, the drugs industry and its effects will often be a complication. They affect the environment in which decisions are made about international development assistance, with implications for the prolongation of human misery and poverty, which may lead to flows of `economic refugees' or international trafficking in persons. Burma is an example of a country whose complex of undemocratic government, insurgency, corruption and drugs has hindered its economic development and integration into the world community of nations.

In the extreme case, a country may be invaded because of the drug-related activities of those in power, as occurred for Panama under President Noriega. The problem can be a large one, even when it does not take such dramatic form. According to one authority, `the premises and consequences of US narcotics control nowadays have generated a most
disruptive relationship between the United States and Latin American countries that appears to endanger as no other threat the regional security of the Western Hemisphere, including that of the United States. Instances include the use of US military personnel in search and destroy missions in Bolivia in 1986, the subsequently abandoned US-Colombia treaty to extradite Colombian traffickers, the abduction in Honduras of transnational drug dealer Manuel Matta Ballesteros and the certification process and its impact on Mexico.\(^{19}\)

In the case of South Asia, the international community has an interest in the maintenance of stable relations between the two major powers, India and Pakistan, which are both nuclear threshold states. They have fought three wars and earlier this decade appeared to be close to war again. After the United States had imposed sanctions against Pakistan because of that country's program of developing nuclear technology, the threat of further sanctions arose because of deficiencies in Pakistan's campaign against illicit drugs. In such a situation, the United States might see a choice between decertifying Pakistan, in view of its spectacular failures, and overlooking the drugs issue in favour of some other US national interest, such as global security—thus undermining the United States' own anti-drug campaign. In practice, a range of possibilities has no doubt been present. In 1996 the US declared a compromise: President Clinton found that Pakistan's counter-narcotics efforts were inadequate but sanctions were waived 'in the vital US national interest.' A similar decision was taken in 1997. Strategic, economic and political considerations thus counted for more than drugs concerns. At the same time, conflict between Pakistan and Western countries over drugs is a thorn in the side, a hindrance to a common approach to other pressing problems, including in the security sphere. This is also true in other cases, such as Iran, which the US has decertified, notwithstanding that country's vigorous pursuit of drug smugglers and users, as determined inter alia by a United Nations mission in which the author participated.

Although much closer to the US, Colombia does not have the trump cards of nuclear technology and such significant neighbours. It has been decertified, in a kind of action which causes resentment, not only in the target country but also in its neighbours. It also raises the possibility of a loss of US leverage, once the action has been taken—assuming that a Panama-style invasion (which did not solve the cocaine smuggling problem anyway) is not always an option.

**The Boomerang**

It is not commonly appreciated that the weapon most used in the war on drugs is a boomerang. A boomerang is a projectile used by Aboriginal people of Australia: an early labour-saving device, it is designed to return to the thrower if it fails to hit its target. It could even wound the thrower, though this is of course not its purpose. The drugs policy pursued by Western countries, particularly the United States, is a boomerang. It has grazed the external target and has also managed to return to and harm the thrower.

The interests of Western countries have suffered through the harm done to producer countries, their partners in economic, political and strategic affairs. Tension arising from the war on drugs hinders the solution of other international problems. Impaired governance and economic circumstances in developing countries increase the call for development assistance (though that call is not necessarily met).
The boomerang also returns to the throwers in other ways. It returns as imported drugs; their unpredictable purity leads to numerous deaths. Certainly current methods of interdicting supply have not worked. As *Time* has pointed out, drug smuggling is like a balloon: squeeze it in one place and it bulges out elsewhere.\(^2\) Notwithstanding the `solid gains' claimed to have taken place against the global drug trade in 1996 and a great deal of activity in Colombia in particular, drugs continue to flow out of that country `at a stable and constant rate, according to US law enforcement estimates.'\(^2\)1 While overall drug use in the US has fallen over the past fifteen years—not necessarily because of enforcement efforts—drugs continue to be freely available, and there is a rising trend of drug use by young Americans, including of heroin by eighth and twelfth graders.\(^2\)2 The boomerang also returns as violence and corruption.

At the time of writing a Royal Commission is investigating corruption in the Police Force of the Australian State of New South Wales (NSW). Significant numbers of officers have resigned, and some have been prosecuted, so that the impression might be created that a solution to the problem is in hand. It would be wrong to draw such a conclusion, particularly given the history of such investigatory commissions in Australia, one of which quoted with evident approval a judge of an Australian State supreme court who said: `our wonder in this society is not that we have got bent coppers [corrupt police officers], it is that we have got straight ones.'\(^2\)3 Corrupt practices by more than half the members of the federal-NSW Joint Drug Task Force were revealed by the Royal Commission. More recently, it has emerged that police were protecting a supreme court judge engaged in serious criminal activity. The prospect is certainly that, without a fundamental change in the law on drugs, the tendencies resulting in police corruption will continue to prevail.

If that is the case in Australia, a country with a favourable reputation as being low in corruption (rating 8.6 out of 10, according to Transparency International\(^2\)4), are other countries likely to be significantly better? It would naive of an Australian to assume that all countries are at least as deficient, but it could also be naive on the part of any other person to assume that other countries are better.

**Prospects and Policy Options**

It was observed in 1989 that US international narcotics policy had displayed amazing continuity throughout most of this century.\(^2\)5 This is still broadly so, notwithstanding some additional emphasis on demand reduction and some acceptance of concepts associated with harm minimisation.

**UNDCP: Enforcement rather than Harm Minimisation**

The same can be said of other international policies, including those of the UN International Drug Control Program (UNDCP) and its predecessor and associated bodies, especially the International Narcotics Control Board (INCB). The INCB is particularly conservative, devoting pages of its 1992 report to an attack on the legalisation of drugs. The INCB chairman also stated at a UN meeting on international cooperation on drug control (ECOSOC, New York, 25-27 June 1996) that the Board viewed the legalisation of the non-medical use of drugs of abuse under the rubric of `harm reduction' as not justifiable. This approach is closely in accord with the view of the US, which has been and remains the leader in setting international drugs policies. Hence international drugs policy is implemented largely through the enforcement-oriented UNDCP and associated bodies, rather than through the
World Health Organisation, which places emphasis on raising `awareness of the health and social consequences of substance use.'

The enforcement orientation of UNDCP is seen in its devoting most of its resources to the chain of production, processing and delivery of drugs to the end user (including through promotion of substitute crops), i.e. giving the user no alternative to obeying the law, rather than on reducing the demand exercised by the user. It is significant that the Executive Director of UNDCP is also head of the UN's Commission on Crime Prevention and Criminal Justice.

There are differences among national approaches, and indeed within countries. The Netherlands is well known as having a tolerant attitude towards the sale and possession of small amounts of marijuana. This policy is perceived as lax and has brought conflict with neighbouring countries. However, one advantage of the Dutch policy, which permits marijuana users to obtain that substance without coming into contact with criminals who would sell `hard drugs,' appears to be a relatively low rate of heroin use. In Australian policy, harm minimisation is a major consideration. Thus, needles are freely available for intravenous drug users, helping Australia to have the lowest rate of increase of HIV in the developed world. The various approaches are debated in United Nations forums, but adjustments in policy tend to move at the pace of the slowest, a category in which the US finds itself allied with countries such as Saudi Arabia and Iran. As is well documented, the present international régime governing drugs has evolved over many decades and, for most players apart from the US, is more the outcome of inertia than deliberation. `As the structure of modern drug laws thus took shape, each brick depending on those beneath it for support and validity, few remembered or even thought to question why they had ever been laid. So effective had the gradual process of entrenchment been that alternative approaches soon became unthinkable.'

Policy-making in the US, Australia and elsewhere is also heavily influenced by popular perceptions that drugs are bad (a broad view with which I broadly concur); that they should therefore be banned; that people who take drugs have only themselves to blame and that politicians who advocate drug law reform will not be elected.

**Possibility of Policy Change**

The pressure—or inertia—for continuity in anti-drugs policy is thus very great, but there are a few signs of willingness to look at issues afresh. A paper produced under UNDCP auspices has concluded that present levels of enforcement will have little deterrent or preventive impact on drug trafficking to Europe and that the implications of its analysis for increasing the effectiveness of European law enforcement are `not encouraging. The balance of evidence suggests increasing enforcement will impact only marginally upon prices due to rapidly diminishing marginal returns.' Given that calls for increased resources in the fight against drugs are standard fare, it is striking that the paper thus found that more was not really better.

Another possible pointer to flexibility was the invitation by the Executive Director of UNDCP to the UN Commission on Narcotic Drugs `to decide whether UNDCP should research the issue of legalization of the non-medical use of drugs.'

Such signs of a willingness to review past failure and to examine alternative policies should be encouraged. A special session of the UN General Assembly is expected to take place in 1998. It will be valuable if it conducts an open-minded review of the successes and failures
of past efforts. One possible approach would be to take a cue from an Australian enquiry which broadly endorsed current (prohibitionist) policies but which recommended a full review after ten years, in the light of their success or otherwise. `At that point of time, for example, it might be decided to change the law on the use of cannabis or to reintroduce heroin as a therapeutic drug.' Such a recommendation has something of St Augustine, who prayed for chastity—but not to be given immediately! However, if taken seriously, this approach would have advantage, given sound performance criteria. While ten years may be too long for some, there would be unique value in setting a deadline for the quite unrealistic but frequently reiterated aim of `ridding the world of the scourge of illicit drugs.' Unfortunately, meaningful and quantifiable performance criteria tend to be avoided. It is striking that the US Administration of President Bush gave such commitments in terms of percentage reductions of the amount of drugs imported, but quietly abandoned them in the face of failure.33

If this idea is pursued, the performance indicators should not be in the nature of reporting drugs or assets seized, crops destroyed or drug traffickers jailed—still less, drug users jailed. The annual reports of anti-drugs bodies contain a great deal of such data, which is like reporting the death of a few locusts during a plague. Rather, the performance criteria should address actual drug use, the ultimate target of the fight against drugs—if there is to be a fight. Supplementary indicators of major concern would be health, crime (including corruption) and the state of security and governance in countries of drug production, transit and consumption. As outlined in this paper, international relations are a further major concern.

A far-reaching review could lead to adoption of a policy of harm minimisation rather than the present ineffective and damaging policy of prohibition with enforcement by the military and civil agencies of the law. What would this mean in practice? The application of the concept of harm minimisation to alcohol is instructive, though the analogy with illicit drugs is not perfect. In the case of alcohol it includes an acceptance that a significant number of people will use that substance and that policy should aim to establish a framework of law and public practices in which use may take place as safely as possible. Thus in Australia and other countries there are laws about labelling of alcoholic drinks, about alcohol and the driving and about alcohol and minors. Taxes are paid on drinks sold. There are public education programs, and people with alcohol-related problems can seek treatment or other assistance without the risk of legal difficulties arising from the consumption of an illegal substance. Public attitudes and practices have undergone enormous change over recent decades.

Space does not permit a survey of the possible form and effects of harm minimisation policy towards drugs. Many issues would have to be examined in that context, as could many policy options, including differentiation among various kinds of drugs. It is important to emphasise that there are numbers of alternatives to the present policy of prohibition, ranging from all-out legalisation to forms of controlled availability, with a significant rôle for the medical profession. A valuable guide to harm minimisation is contained in Drug Prohibition: a Call for Change by Dr Alex Wodak and Ron Owens (University of New South Wales Press).

Understandably, in any one country the discussion of policy change tends to focus on domestic pressures and domestic benefits. This paper has sought to highlight gravely
damaging repercussions of the current legislative framework in the international sphere and to point to ways forward.

A policy change would be seen by some as a defeat, but it would reduce social problems globally and the problems of corruption, poor governance and insecurity which affect developing countries in particular. With an increased emphasis on demand reduction, a change would also tend to shift the focus from 'guilty' producer countries, who may or may not be certified, to the consumer countries. Unfortunately this shift of focus is one of the reasons why policy change is so hard.

On the other hand, it is encouraging that popular resistance to change is not monolithic. At least in Australia, numbers of politicians have advocated drug law reform and have been re-elected.34

There is no suggestion that, if the prohibitionist approach were abandoned, the 'drug problem' would be 'solved.' Drugs would remain an important issue, but the abandonment of the prohibitionist war against drugs would be a big step forward.

Notes and References

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Squeezing the balloon: international drugs policy*

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Abstract
Recent experience of supply reduction activities in a major opium-producing country, Pakistan, is reviewed. It is concluded that international efforts to reduce the supply of illicit drugs are ineffective, inadvertently promote use of more dangerous forms of drugs and exacerbate health problems in supplier countries. In addition, source country supply reduction activities are associated with serious unintended negative consequences, including corruption and poor governance in supplier countries. This leads to a vicious circle as these adverse social consequences make it harder to restrict drug production. [Seccombe R. Squeezing the balloon: international drugs policy. Drug Alcohol Rev 1995; 14: 311–316.]

Key words: supply reduction; effects on producer countries; failure in reporting, analysis and strategy; legal drugs.

Notes
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Introduction
This paper seeks to demonstrate that supply reduction activities in an import opium-producing country are ineffective and counter-productive. The work of the United Nations International Drug Control Programme (UNDCP) will be reviewed briefly. This review draws on the author’s experience representing UNDCP in Pakistan, a major producer country, for the 2½ years beginning in January 1991. Pakistan is an important case and valid basis for generalization. This review also draws on contacts with officers of the Australian Federal Police, the Bureau of Criminal Intelligence and the Department of Foreign Affairs and Trade.

Australia's international policy on illicit drugs is expressed in a series of treaties, including the United Nations Single Convention on Narcotic Drugs (1961). The principal feature of these treaties is to declare the production and sale of certain drugs illegal.

UNDCP, which has its headquarters in Vienna and offices in about 20 developing countries, is the main international body with which Australia cooperates in attempting to restrict drug supplies. Australia is one of the 17 countries which are major donors to UNDCP (which has an annual budget of approximately US$80 million).

Control of supply of illicit drugs
Pakistan is a significant supplier of opium and opium products, especially heroin. The production of opium on a small scale is traditional in parts of its territory. After Pakistan achieved independence in 1947, commercial opium farming was initiated. Retailing took
place through legal “opium vends,” and domestic production was encouraged in the 1950s under a policy of import substitution to replace opium produced in India. Production rose to substantial levels, peaking in 1979, when it was officially estimated at 800 tonnes. It is doubtful that production ever quite reached this height. Some experts estimate that production was unlikely to have exceeded 400 tonnes. After this peak, the size of the crop was affected by the introduction of a general ban on drugs (including the cultivation of the opium poppy) under legislation (the Enforcement of Hudd Order, 1979) which reflected Islamic values and which was also designed to meet Pakistan’s international obligations under the Single Convention of 1961.

![Opium cultivation (tonnes) in Pakistan 1980–1993](image)

Subsequently the United Nations, the United States and other donors funded a number of crop substitution projects aimed at the elimination of opium poppy. All were located in Pakistan’s North West Frontier Provinces (NWFP), where the poppy was and continues to be grown. In the 15 years since the introduction of the ban, cultivation of opium poppy continues on a large scale with no clear long-term trend of production emerging (see Fig. 1).

During this period, the cultivation of opium poppy shifted within NWFP. In the mid-1970s, the main areas of cultivation were Gadoon–Amazai and Buner. In Gadoon–Amazai, the United States Agency for International Development (USAID) injected massive funding for rural development. This, coupled with government tax incentives and a campaign of enforcement (which cost several lives), resulted in the elimination of the opium poppy. The United Nations Fund for Drug Abuse Control (UNFDAC)—which later merged with other UN bodies to form UNDCP—mounted a pilot rural development project for the elimination of poppy in Buner. Both the Gadoon–Amazai and Buner projects are regarded by UNDCP as successful, but this is so only in the immediate sense that opium poppy was eliminated from those areas. While this was happening, poppy cultivation responded like a balloon: being squeezed at one point, it bulged out elsewhere. Restricted in the east, poppy cultivation was shifted westward to areas closer to the border with Afghanistan, notably Bajaur Agency, Dir District and Mohmand Agency, with total production actually increasing over the last decade (see Fig. 1). Success was limited indeed. As an attempt at both supply reduction and harm reduction, the policy has been a signal failure.

There are powerful reasons for this failure and for concluding that continued failure should be expected. The elimination of opium poppy is a difficult task: poppy farmers are typically poor, living in isolated well-armed communities. A firm enforcement policy, possibly costing lives of farmers and law enforcement officials, would be politically difficult.
and likely to bring elected representatives of the areas concerned into conflict with the Federal Government of Pakistan and the provincial government of NWFP, thereby jeopardizing their stability. It is not a task which the most committed government would undertake lightly. Regrettably, it cannot be assumed that all those in government or with strong influence on the government are committed to the elimination of drugs. A Pakistani commentator has argued that it seems that the government thinks that “drugs are bad but drug money is good”\textsuperscript{iv}. Given that continued high levels of corruption, poverty and loose central control over the fringe territories of the province are to be expected, the most likely outlook is for continued large-scale production of illicit drugs in Pakistan.

Even if future governments of Pakistan were willing and able to eliminate the cultivation of opium poppy in accordance with public undertakings, the balloon effect would operate on a regional scale to replace any lost production. In neighbouring Afghanistan, production is several times greater than Pakistan with estimates of 2000 tonnes of raw opium production in 1992\textsuperscript{v}. Opium poppy is all too attractive a crop for a peasant trying to make a living in war-torn Afghanistan. Given the absence of an effective central administration in Afghanistan and that country’s history of weak central control over the provinces, it is inconceivable that any government will be both willing and able to enforce counter-drugs measures for many years to come.

The argument does not stop there. If the operation of the balloon effect in Pakistan and Afghanistan were insufficient, opium production in Burma is massive and, according to some estimates, rose to over 2575 tonnes of opium gum in 1993, overshadowing the decrease in opium production in Thailand\textsuperscript{vi}. Furthermore, there is a disturbing expansion of opium poppy cultivation, destined for the North American market, in some South American countries. As UNDCP itself has comments, “the spread of illicit poppy cultivation in Latin American continues unabated”\textsuperscript{vii}. UNDCP has drawn attention to this development to support calls for remedial action by the international community; but UNDCP has not presented a strategy to deal with the problem on an integrated, global basis describing how to convert from the present situation (the unabated spread of poppy cultivation) to an ideal state (effective control of production). It is scarcely surprising that demand for drugs, especially (but not only) in rich countries, is met through the cultivation of illicit crops in remote, impoverished areas in countries with weak administration and widespread corruption: often such areas are in border regions marked by violent ethnic or political conflict\textsuperscript{viii}. Under such circumstances, poor farmers find the rewards of breaking the law irresistible. The prospect is that these factors will continue to operate in future.

This conclusion is supported by the findings of a study of the effectiveness of replacement of illicit crops like opium poppy and coca by licit agricultural activities: “there are no instances in which crop substitution has actually been achieved on a large scale”\textsuperscript{x}. Officials US estimates of global illicit opium production are presented in Table 1.

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These data show no evidence of the “steady advance” in drug control which is heroically claimed\textsuperscript{xii}. Indeed, the same report remarks that the “drug trade will thrive as long as it can divide governments and corrupt countries from within”\textsuperscript{xiii}. Not only is production of
illicit drugs increasing, but also the trafficking of illicit drugs continues unabated to ensure a ready supply world-wide. Polices in consumer countries such as Australia should therefore be based on the assumption that illicit drugs will continue to be freely available on the international and domestic markets indefinitely. Unfortunately, this is one balloon which shows no sign of bursting.

*International policies affecting demand in supplier countries*

Drug problems in developing countries are exacerbated, first by national legislation and second by the presence of illicit drug activity, especially an export or transit trade, designed to meet demand in the leading markets in Western countries.

A United Nations study noted in relation to Pakistan that:

In 1978, some 80,000 hard-core opium addicts had been estimated. Heroin addiction was virtually unknown before 1980. The Prohibition Order of 1979 however stimulated heroin conversion by the free availability of opium heretofore vended through licensed shops. Once in transit and traffic, heroin finds its own market or creates one and this is what precisely happened in 1980. The early 1980s saw a rapid escalation of heroin misuse and creation of a serious problem, which has been catalogued since 1982 in National Surveys on Drug Abuse in Pakistan conducted for the Pakistan Narcotics Control Board. The fourth Survey (published in 1989) estimates that by 1988 the total number of drug misusers had reached 2.2 million of whom an estimated 1.08 million were heroin users.

The study thus made a link between the new legislation, the consequent presence of heroin and the phenomenon of large-scale heroin use. This observation is not novel: it was noted in 1976 that within months of the introduction of anti-opium laws in Hong Kong, Thailand and Laos, heroin use suddenly appeared and within a decade surpassed opium use. Further, not only did the anti-opium laws lead to the establishment of a heroin industry but also to corruption of the law-enforcement system. Attention was drawn to health problems—including serum hepatitis and abscesses of the skin—resulting from the anti-opium laws. Now an increased risk of the spread of AIDS must be added to the list of consequences of anti-opium laws.

The most common form of taking heroin in Pakistan has been inhalation, but there have been reports of the increasing use of injection, with concomitantly increased risk of HIV infection. This is in accordance with an almost universal tendency for less intensive forms of ingesting drugs to be replaced by more intensive forms, such as smoking by injecting; the reverse development does not occur.

The above reference to heroin “in transit” implies that international demand is a cause of heroin use in producer areas. This perception of a causal connection between trade routes and spread of demand for illicit drugs has been noted elsewhere, with the observation that “the intravenous abuse of heroin is spreading among the hill-tribes of Myanmar [Burma], where, because of their close proximity to trafficking routes, heroin is readily available.” Similarly noted is a “spillover effect” of transit activity in promoting heroin abuse in Africa.

This spillover effect is a predictable consequence of the well-known location of drug production in areas of developing countries such as Afghanistan, Pakistan, Burma and Laos. A related fact which tends to be overlooked in this context—or at least not stated—is that it is the international illegality of drugs which pushes production into such areas. The United States and Western Europe, which led and lead the international campaign against drugs,
are also their leading markets. Problems have been exported from consuming countries to countries involved in production and transit. In this “war against drugs”, there have been many causalities of friendly fire.

Corruption

Corruption related to illicit drugs was reviewed at a conference in 1993 in Pakistan. It was expected that two Colombian speakers would deliver this simple ultimatum to the people of Pakistan: take action against the drug industry or see your country go down the Colombian path with large-scale corruption, violence and harm to good governance. In the event, one of the Colombians, fearing retribution by traffickers, decided against attending. The other explained that the social and political strategies of the Colombian drugs entrepreneurs demonstrated their aim to be assimilated into the mainstream of Colombian society in order to protect and legitimize their property, legalize at least part of their wealth, obtain economic status and social recognition comparable with those of other rich Colombians, participate actively in the political process and gain access to public office. The successes of the entrepreneurs—including in the corruption of officials, suborning of the judiciary and gaining election to public office—have meant that the illegal drugs industry has become an important (if not the main) obstacle to the government’s democratisation efforts.

The Pakistani experience was similar, with an eminent citizen reporting that the influence of the “drug barons” was such that it was difficult, if not impossible, for an honest man or woman to be elected to the nation’s parliament. The highly lucrative drugs trade inevitably bred crime and corruption, seriously compromising the effectiveness and credibility of the administration, with a consequent lowering of the quality of life. Another prominent Pakistani stated that many tribal leaders who had profited from the drugs trade “manage to get elected to National and Provincial Assemblies by using drug money to obtain the support of voters. The situation is not as bad as in Colombia, but it is only a whisker away.”

Corruption, not an easily quantified phenomenon, appears to have increased dramatically as a result of the establishment of a large-scale narcotics industry in Pakistan in the 1980s, with one observer noting that “one had not heard of drug money in Pakistan even in the early 1970s. We had our share of smugglers and black marketeers and tax-evasion was never considered a matter of shame, but trafficking in drugs and laundering of drug money was virtually unknown.” Now, However, “black money”, drawn largely from drug trafficking had established a parallel economy 40–50% of the size of the legitimate economy.

Any estimate of the size of the illegitimate economy in Pakistan must be regarded with caution. There is, however, widespread agreement that it is very large and has very great influence including on the judiciary, elected bodies and administration in general. The illegal economy is thus a substantial threat to the democratic process. In this sense, Pakistanis as a nation, including those who have no direct connection with drugs either as consumers, dealers or receivers of bribes, are victims. The cause of their suffering may be identified as the drug industry. However, it would be more accurate to regard them as victims of dominant methods of controlling the supply of illicit drugs. Hence, they are victims of friendly fire the “war on drugs”.

A vicious cycle operates whereby the corruption promoted by the drugs industry makes it harder to counter drug production, trafficking and abuse. The environmental
consequences of present activities are also often overlooked. Current policy directed towards the elimination of illicit crops has not succeeded, but simply driven them into less accessible areas where they are cultivated at the cost of deforestation and soil erosion.

**UNDCP response to burgeoning supply**

The general failure of efforts to control illicit crops and drugs has produced contradictory responses from UNDCP. On one hand, the spread of cultivation is reported as continuing “unabated”, with the implication that more resources are needed for anti-drug activities\textsuperscript{xii}. On the other hand, the same need to attract funding places it under pressure to report successes (or to suppress failures). Reports to the United Nations Commission on Narcotic Drugs appear to have been selective. The poppy crop in Dir District (the main location in Pakistan) was noted to have declined in 1992 but the equivalent report remains silent in 1993, after the Pakistan Narcotics Control Board (PNCB) had reported an increase in production\textsuperscript{xxiv}. A report to major donor countries stated that “available data for Pakistan indicates that opium production has been fluctuating in the range of 150–200 tons in the past five year period (1988–92)”\textsuperscript{xxv}. It is striking that the PNCB data, which UNDCP normally quotes, show not fluctuation but rather a marked increase.

One analysis of USAID’s effort in drug control drew the following disturbing conclusion:

> The high Washington profile of narcotics projects creates special project management challenges, and chief among them is that of unrealistically high expectations. As a consequence of these expectations, monitoring and evaluation of narcotics-control projects face the temptation of public-relations type reporting rather than concrete and quantifiable reporting of indicators\textsuperscript{xxvi}.

If “Washington” in these sentence is replaces by “Vienna”, for the headquarters of UNDCP, they apply perfectly to the reports highlighted above and to others. It is essential, therefore, that analysis and policy guidance should be carried out by agencies and individuals apart from practitioners in crop substitution and other forms of supply reduction.

**Conclusion**

It is important to emphasize that the “war on drugs”, dominated by legislation and expensive law enforcement efforts, follows from decisions which are to a significant extent the result of historical accidents. Among Pakistanis there is consciousness of the asymmetry of a situation in which Western-inspired treaties have outlawed opium, the use of which was and is widely accepted in Pakistan, while the same Western countries are free to produce alcoholic drinks which are smuggled into Pakistan in contravention of Islamic law. A different course of history can be imagined in which there would now be an International Convention against the Illicit Production, Trafficking and Consumption of Wine and Other Alcoholic Substances, while the use of opium would be legal.

This is not to suggest that a change in legislation affecting drugs would solve all problems or that alcohol and illegal drugs are harmless. Clearly, this is not so. If drug policies are reformed, it will still be necessary to pursue harm minimization strategies. Present drug policy, designating selected mood-altering chemical illegal, does not follow inevitably from the magnitude of the risks of the drugs themselves. In particular, it is important to study and raise awareness of the harmful consequences of approaches to drugs which are based on
law enforcement strategies. Drug responses may be more harmful than the drugs themselves.

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