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The political framework for alternative development

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Questions to be discussed

Political framework conditions:

- What are political framework conditions?
- Link between framework conditions and alternative development?
- Pre-condition or process?

Enforcement versus development:

- What balance?
- Conditionality?

Goals and rationale of drug control?

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Goals & rationale of drug control?



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"A recent study ... distinguished between 'intended consequences' of drug policies, namely the control of certain substances, and their 'unintended consequences': that is, social, economic and political problems caused by drugs and efforts to control them ... The present paper will take the discussion a step further and propose that drug control not only focus on controlling substances and avoiding 'unintended consequences', but that it make sustainable human development its goal and thus its 'intended consequence'."



GTZ 1998: Drugs and Development in Asia

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What are "political framework conditions"?

Human rights + democratic governance

**Political framework conditions =
the extent to which human rights
are protected and democratic
governance is exercised**

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Human rights

**... an overall goal of humanity
→ Universal Declaration of
Human Rights and
international treaties which
have been adopted by the
majority of states**

**Not only a
framework
condition but
also a goal of
drug control**

- International Convention on the Elimination of All Forms of Racial Discrimination (1965) – 155 States are parties
- International Covenant on Civil and Political Rights (1966) – 144 parties
- International Covenant on Economic, Social and Cultural Rights (1966) – 142 parties
- Convention on the Elimination of All Forms of Discrimination Against Women (1979) – 165 parties
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) – 119 parties
- Convention on the Rights of the Child (1989) – 191 parties

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Democratic governance

Governance can be described "... as the exercise of political, economic and administrative authority in the management of a country's affairs at all levels. It comprises the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences.

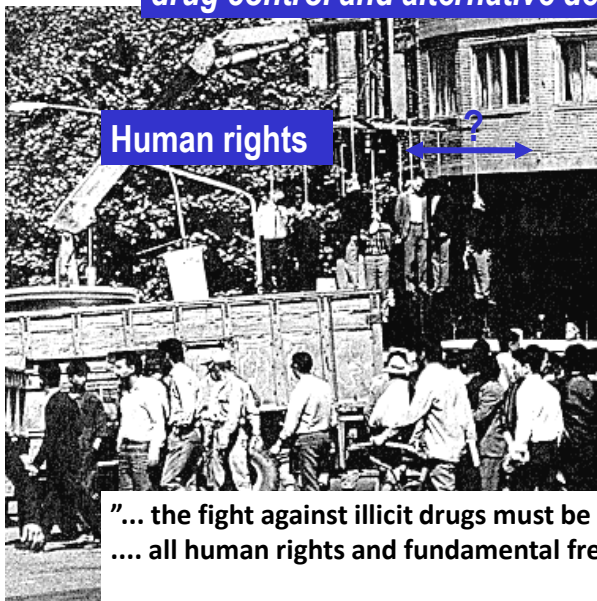
Sound [democratic] governance describes governance that is, inter alia, participatory, transparent, accountable, effective, equitable and that promotes the rule of law

(quoted from UNDP)

- rule of law
- participation, equity, democracy
- effectiveness and efficiency
- transparency and accountability

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How are political framework conditions linked to drug control and alternative development?



"... the fight against illicit drugs must be pursued in accordance with all human rights and fundamental freedoms" (UNGASS Action Plan)

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Rule of law

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Alternative development

Human security
 No other aspect of human security is so vital as security from physical violence
 (UNDP: Human Development Report 2000)

- Justice**
- Action by government and administrations to be based on law
 - Fair administration of justice, independence of the judiciary
 - Safeguards to protect people's basic rights
 - Sanctions to be proportionate, dissuasive and effective

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Participation, equity, democracy

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Alternative development

Alternative development programmes ... should contribute to the promotion of democratic values to encourage community participation, and promote social responsibility to develop a civic culture that rejects the illicit cultivation of crops
 (UNGASS Action Plan, para 18)

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The success and sustainability of alternative development measures depend to a large extent on the capacity of institutions responsible for delivering services.

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In order to prevent corruption, governments should criminalise corruption, create the conditions for the enforcement of anti-corruption legislation, and support prevention measures, in particular measures to enhance transparency and accountability.

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**Political
commitment**



**Alternative
development**

“The international community should assist States in countering illicit drug production by providing adequate financial and technical assistance for alternative development. ... Such assistance should be provided within the context of national control strategies of the recipient States. It should be linked to national commitment and the strong political will of States with illicit cultivation to implement the provisions contained in article 14 of the 1988 convention” (UNGASS Action Plan, para 9).

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***Political framework conditions for alternative development:
Pre-condition or interrelated process?***

Dilemma: **Drugs are primarily produced in areas where
framework conditions are not met!**

Approach: **Identify entry points and use alternative develop-
ment as a tool to improve framework conditions**

**If basic conditions are
not in place, alternative
development is not a
suitable tool.**

**Alternative development
and drug control should
not be used to legitimise
repressive regimes or
human rights violations**

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Enforcement versus development: What balance?

UNGASS Action Plan: Balanced approach

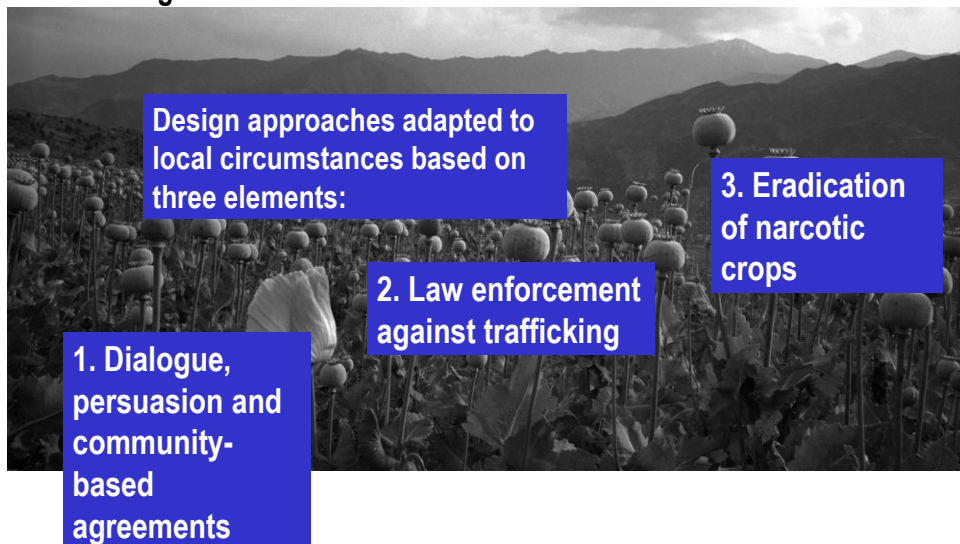
Balance between:

- reducing illicit supply and demand for drugs
- reducing cultivation and controlling processing and trafficking in drugs
- reducing cultivation through alternative development and law enforcement, including eradication

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..... reducing cultivation through alternative development and law enforcement, including eradication



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1. Dialogue, persuasion and community-based agreements

Conclude agreements with local communities on drug control objectives and to combine these agreements with alternative development activities:

”In order to ensure that alternative development is sustainable, participatory approaches that are based on dialogue and persuasion and that include the community as a whole, as well as relevant non-governmental organizations, should be applied in the identification, preparation, implementation, monitoring and evaluation of alternative development. Local communities and public authorities should develop commonly agreed goals and objectives and commit themselves by community-based agreements to reducing illicit crops until they are eliminated”

(UNGASS Action Plan, para 19)

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2. Law enforcement against trafficking

Law enforcement measures should be undertaken against the processing and trafficking of drugs and related activities (operation of laboratories, money laundering, organised crime) including in areas of cultivation and their vicinity

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3. Eradication of narcotic crops

Eradication of crops if:

- there is involvement of organised crime in the cultivation of crops
- viable alternatives sources of income already exist

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Conclusion: What balance?

- The need for enforcement to complement alternative development is recognised
- The specific strategy or policy pursued should be clearly stated by government, for example, in the form of a drug control masterplan or similar
- Alternative development programmes need to clearly state their drug control objectives. The provision of alternative development activities may be made conditional to local "drug control agreements" or law enforcement measures
- Enforcement requires a clear legal basis and the rule of law

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