# Chapter 1 Introduction

There is broad consensus that the overall aim for drug policy is to reduce drug use and drug-related harms and to advance the health and welfare of mankind. Despite this agreement, the contents of the national drug policies vary to a great extent. The variation partly reflects differences in the nature of the national drug problem and the resources individual countries allocate to this policy field, but it also reflects more ideological differences in views on how to respond to drug problems.

It is well known that for any purpose and politics, even with the best of intentions, there is a risk for unintended consequences. Public activities are likely to affect also people outside the target group. Unintended effects may be positive or negative in nature although the negative side effects naturally get more attention. To evaluate and improve drug policy, it is imperative to know and take note of *all* possible consequences of the different decisions and actions. Identifying and considering also unintended consequences are essential when deciding on the policy and what measures to implement. In this report, the intention is not to weigh the different drug policy options or to propose any drug reforms but to provide the policy makers with a better overview of possible costs and consequences of the different alternatives.

In line with Babor et al. (2010) we will use the term “drug policy” as to include public policies on prevention, supply control, treatment and harm reduction. Supply control, or drugcontrolpolicy, is one of the main approaches for addressing the drugs problem in many countries and prohibition and its law enforcement have been regarded as useful and necessary elements of the drug policy. Drug control efforts may, however, influence *all* citizens’ life and human rights and not only those who are personally involved with the drug market. This is an additional reason for why one on a regular basis should carefully consider whether drug control measures possibly compete or undermine other essential policy goals.

In the public debate drug control policies have been accused of causing more harms than benefits to public health and welfare. Such harms may include both intended and unintended consequences of the policy. Harmful consequences may call for actions, and many countries have implemented changes to reduce the negative effects of their law enforcement. The call for further humanisation and revision of drug control policies (e.g. liberalisation, decriminalisation, flexibility for introduction of various drug control models minimising harms and costs) must be viewed in light of the increased focus on the harmful consequences.

This report aims to define, categorize and analyse possible costs and effects associated with drug control policies. The subject is sensitive and it is challenging to separate politics from research and evidence. This calls for a dynamic approach. The terms – control costs and effects – are not used in a uniform way and there seems to be no common and accepted definition. Without such a common understanding of the terms, it is difficult to have fruitful and constructive debates. In addition, the fact that several actors appeal for drugs policy changes underline the need to reach some common understanding and definitions.

## Evaluation of drug policies

**A special feature of drug policy is that the stated aims, reduction in drug use and drug related harms, are not readily observable. At best, one can only try to estimate the counterfactual, i.e. what would the use and harms have been without the current policy measures. This means that quantifications of the policy “benefits” are more or less lacking. There are, however, also extensive difficulties with the quantification of costs, indirect and intangible costs in particular. Direct costs are defined as.., indirect costs.., intangible costs…**

***NOTE: what economists define as “indirect costs” and “indirect benefits” are by others often called unintended effects.***

In every country a substantial amount of resources is allocated to the drug policy field. To optimize the use of these resources, one should ideally conduct a cost-benefit analysis of each of its main areas of drug policy and reallocate resources to the area that provids most benefits to society per unit of costs. That would imply to conduct an analysis of prevention, treatment, drug control and harm reduction separately, and then reallocate resources between them. A cost-benefit analysis systematically compare all costs and benefits of a policy to determine whether there is a positive net benefit (benefits outweigh the costs). It can also compare different policy options and evaluate the effectiveness of separate parts of a comprehensive policy.

“Costs” in a cost-benefit analysis usually include…

“Benefits” include..

For the drug control policy area, a cost-benefit analysis could explicitly have taken all the costs, including unintended costs or adverse effects of the policy, into account when evaluating whether the policy provided a net benefit to society. Unfortunately, given the above mentioned challenges with quantifying both benefits and costs, a regular cost-benefit analysis is not possible to conduct. However, even without an extensive and theoretically correct quantification of every element, a better understanding of the different parts would be very useful. This report will take a first step towards such a systematic analysis by examining the public expenditure and the unintended consequences of the cost drug control policy.

## An outline of this report

The expert group has taken the many different drug control regimes as a point of departure, without an intention to assess or evaluate the policy objectives. What we aim to do, however, is to analyse the cost and effects of different drug control regimes to highlight the consequences of the policy options. As every drug policy regime can be viewed as points on a continuum from very strict regimes to very liberal ones, we will focus on a few stereotypes meant to illustrate the main regimes seen today. (A*lready here define the policy options we will focus on?*)

For every type one may consider the following:

**Figure 1**



## Drug control policy

Any drug policy implies costs and generates certain effects or outcomes. The *control costs* may include all kinds of costs related to efforts aiming at reducing or eliminating the cultivation, production and trafficking of illicit drugs, as well as, the availability of drugs through balanced, integrated and evidence based approaches. Drug control costs comprise factors like public expending on public order and safety (e.g. budgetary expenses for the police, customs, judicial system and prisons). It also includes economic consequences for individual citizens resulting from being punished still here, we will focus on public expenditures only.

*(I suggest that we already here say something about why public expenditure (P.E.) is interesting and that for assessing P.E. per capita one should take the size of the drug problem into account)*

# (*Should note that the two approaches are linked: more public expenditures may imply higher individual costs*)

*Effects of drug control policy* may be divided into intended and unintended consequences. Arrests are an example of an intended consequence of violation of the drug production laws, while the suffering stemming from the stigmatization of convicts is an unintended consequence of the drug control policy. Given the stated policy goals and intended effects of drug control policy, it is of vital importance for the society to assess the efficiency and efficacy of the chosen control measures. Is, for instance, the current mix of control measures (resources allocated to police, customs, court system etc.) optimal or is today’s control measures cost-effective ..(*more text is needed*).

The current report, however, is confined to assess the *unintended* consequences of the drug control policy. Unintended consequences can in turn be split into positive and negative effects as there may also be some positive unintended effects of drug control policies. One example of this would be if drug trafficking investigation also reveals trafficking in human beings, another…(*more examples needed*). Still, this report will focus on unintended *negative* effects of drug control policies only.

Often mentioned unintended harmful effects are, in addition to stigmatization, social exclusion, negative effects of imprisonment, reduced educational and labour market opportunities, disconnection to work life, visa problems and limited access to essential medicines for medical and scientific purposes. Unintended effects will vary substantially across national drug legislations and their *de facto* implementation. As chapter 3 will elaborate on, harmful effects may also vary according to the social/economical context, type of substance, individual characteristics and periods of time. Unintended effects are usually not measured in monetary units but may still have serious economic impact.

The unintended effects can be split into groups by costs relating to the society and those affecting individuals. Unintended societal consequences can include factors such as the emergence of organized crime dealing with drug production and trafficking or the general risk increase in public safety due to illegal ways of drug financing. In many countries, particularly producing countries like e.g. Mexico, Venezuela, have experienced... (*more text needed*). Despite these tragic consequences, the focus here will be on unintended effects for the individuals. Further, to limit the scope to effects

We will divide individuals intro three groups; 1) individuals using drugs and are caught by the control authorities; 2) individuals using drugs but are not caught by control authorities and 3) individuals not using drugs. The effects of the any drug control regime will vary across these groups and we intend to take this into account when analysing the various drug control stereotypes

For discussion; do we want to..

* Provide a categorization or a list of cost and effects elements? (Do we aim to make some kind of lists of different types of harmful effects – according to a set of drug control stereotypes?)
* Provide empirical evidence/current state of knowledge on these topics through a thorough and comprehensive literature review as a separate chapter or as implemented parts in chapter 2 and 3 (How do we want to integrate the literature review?)

## Background for national control policies

* Every country ratifying the UN drug conventions of 1961, 1971 and 1988 has agreed to implement supply reduction measures. Some information on the three UN treaties..

## Increasing scepticism of current control policies

* More and more often in recent years, loud voices are questioning the efficiency of drug control measures and some even claim that they don’t really contribute to the stated goals. Drug control efforts may influence the citizens’ life and human rights and are criticized for striking unequally and for being disproportionate to the actions they are used in response to. This asks for analyses and evaluations of possible costs and harms resulting from control policies, when also taking into account the intended outputs.

## Drug policy is continuously debated (points for the Chapter 5 Discussion?)

# Is the current control policy optimal – is the optimal balance between the different parts found? Should cannabis be decriminalized? Should cannabis be legalized? => Important to find out more about the costs and adverse effects of drug control policy

* Despite the frequent mentioning in public debates and policy documents, there is a need to better define, identify, describe and, when possible, quantify intended and unintended costs and harms of drug control policy.
* Although data are incomplete, available estimates show that public expenditures for drug control policies are far greater that public expenditures for demand reduction measures like prevention, treatment, harm reduction and social reintegration.

## More philosophical questions (Do we need to dwell into these?)

# Is it ever justifiable to intervene in a way that increases harms for one group in order to decrease harms for another?

# How should we weight a small harm that affects a large group of people against a large harm that affects only a small group?

# Should enforcement agencies focus on those harms that they can most influence or those that are most serious?