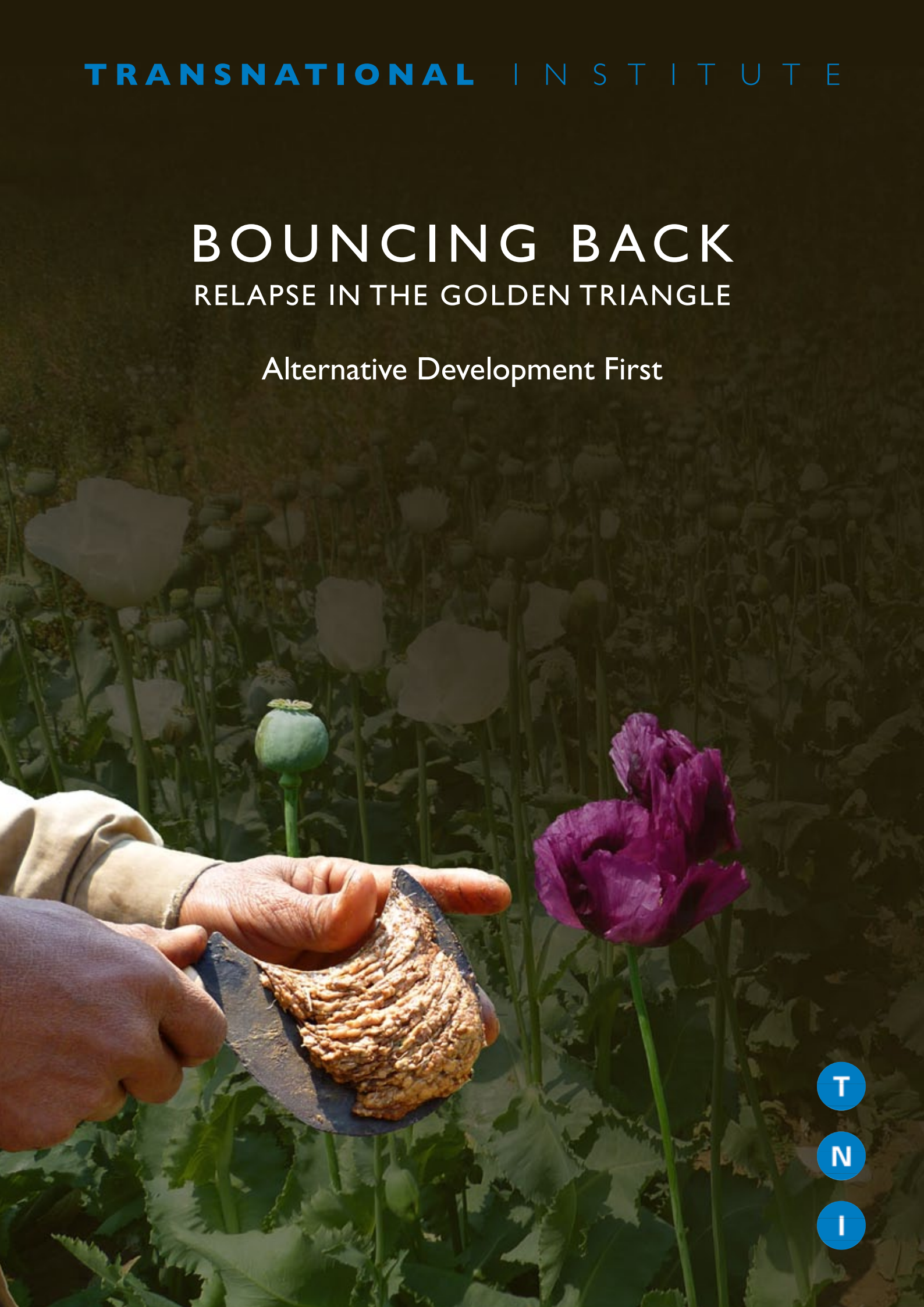


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Alternative Development First



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## Alternative Development First

*“Vast expenditures on criminalization and repressive measures directed at producers, traffickers and consumers of illegal drugs have clearly failed to effectively curtail supply or consumption... Government expenditures on futile supply reduction strategies and incarceration displace more cost-effective and evidence-based investments in demand and harm reduction.”<sup>1</sup>*

Global Commission on Drug Policy

The main policy response to drug-related problems in the Southeast Asian region has been aimed at suppressing the drugs market. This repressive approach has had many adverse consequences for the health and wellbeing of drug users and the communities in which they live, as well as for farming communities involved in cultivating opium and cannabis. The policies have forced marginalised poppy growing farmers further into poverty.

Despite the repressive stance towards the drugs market, the production and use of drugs have not declined in the region. In fact, since 2006 there has been a sharp increase in ATS production and use, while consumption of cannabis and heroin remained more or less stable and opium cultivation has more than doubled. Nevertheless there is a strong tendency towards deadline-oriented thinking in the ASEAN region: its political declaration adopted in 2000 aimed for a drug free ASEAN by 2015. High-level officials frequently reiterate their commitment to this deadline, and in 2012 at the mid-term review of the ASEAN strategy on drugs, governments agreed to intensify concerted efforts to achieve this goal by 2015. At the same time some officials have expressed the fear that the improved infrastructure and connectivity in the region as a result of greater ASEAN integration will facilitate a growing drugs trade. There is a need for more development-oriented approaches to drug control in the region, and for evidence-based drug policies with that incorporate a rights-based perspective.

### A Drug Free ASEAN?

In 1998, the UN General Assembly Special Session on Drugs (UNGASS) adopted a political declaration that aimed to “eliminate or significantly reduce the illicit cultivation of the coca bush, the cannabis plant and the opium poppy by the year 2008”. In the same year, at the ASEAN Ministerial Meeting, the regional grouping decided to follow this example and pledged to achieve a drug free ASEAN by 2020. Two years later the target date was even brought forward to 2015, and all member states developed national plans to meet the deadline,<sup>2</sup> although they did not agree on a common strategy on how to do so.

The ambitious UNGASS targets were reviewed in 2008, and had clearly failed to meet their objectives. In fact, there



is overwhelming evidence that the cultivation of opium poppy, coca bush and cannabis had increased during the preceding decade. Clearly, the strategy of ‘eliminating’ crops and achieving a ‘drug free world’ had not only demonstrably failed, but had also led to repression and criminalisation as well as to denying marginalised people access to services, sufficient health care and development programmes. A report by the executive director of UNODC that contributed to the UNGASS review listed some of the “unintended consequences” of the international drug control regime.<sup>3</sup> Nevertheless, the declaration adopted in 2009 repeated many of the earlier UNGASS targets including now “to establish 2019 as a target date for States to eliminate or reduce significantly and measurably” the illicit cultivation of opium poppy, coca bush and cannabis plant.<sup>4</sup> It is only in recent years that UNODC has developed a new vision. The realisation of the failure to reach the stated objectives has led to a shift in the international discourse from this ‘zero tolerance’ ideology and deadline oriented thinking towards a vision of ‘stabilising’ or ‘containing’ drug markets. Others suggest that it is better to work towards minimising the worst negative impacts of the production, trafficking and consumption of drugs, and thus to develop principles and policies aimed at reducing the harmful effects.

The ASEAN 2008 status report also reported “an overall rising trend in the abuse of drugs” and acknowledged that “a target of zero drugs for production, trafficking and consumption of illicit drugs in the region by 2015 is obviously unattainable”.<sup>5</sup> Privately, officials from ASEAN member states say that politicians set the goal to achieve a drug free ASEAN without much consultation with national drug control agencies in the region. Other government officials have stated more recently that “drug free” should be defined as being that “drug control programs are successfully implemented and the negative impact of drugs on society is significantly reduced”.<sup>6</sup> The 2008 status report therefore stated that “a qualitative and quantitative delineation of what drug free corresponds to must be established and agreed upon in order to meaningfully monitor progress”.<sup>7</sup>

In 1999, Burma adopted a 15 year plan to make the country drug free by 2014. Government officials say that this target was fixed without much consultation, and are at a loss to know how to implement it. “It will never work”, a senior military officer commented when presented with the national strategy to make the country drug free by 2014, “but carry it out anyway”.<sup>8</sup> In mid-2013 the deadline was postponed to 2019 (synchronising it with the new UN target date), because of the threat posed by amphetamines and the increase in opium cultivation.<sup>9</sup> According to Deputy Police Chief Zaw Win it was “crystal clear that (the) methamphetamine problem is growing rapidly”, and that “more and more international drug syndicates are becoming involved”.<sup>10</sup> Laos declared itself opium free in 2006, but cultivation levels have since increased

again. In 2013, UNODC reported that seizures of methamphetamines had reached a record high, up by 60% over the previous year. “The market for amphetamine-type stimulants (ATS) in the Asia and the Pacific region continued to expand in 2012”, warned the agency.<sup>11</sup>

These are clear warning signals for ASEAN, but the mission to become drug free by 2015 was reaffirmed at a meeting of the regional grouping in Brunei in September 2013.<sup>12</sup> According to the Brunei Minister of Energy at the Prime Minister’s Office, who chaired the meeting: “We have reaffirmed our determination to resolve and work closely together to realise the vision of a drug free ASEAN 2015 and beyond, realising that combating the drug menace is no longer just the individual responsibility of each ASEAN state, but the collective responsibility of all.”<sup>13</sup>

Drug control agencies in the region are thus forced to implement policies and design strategies with goals that are unrealistic and unachievable. These lead to negative and expensive policies, focusing on arrest of drug users, opium farmers and small traffickers, rather than on more positive outcomes that are achievable and could potentially bring immediate and long term benefits to affected communities. It is time to formulate and implement alternative policies, that are more sustainable, respect human rights and are cost-effective, such as focusing on reducing the number of drug overdoses, increasing the number of people in voluntary treatment centres and increasing the number of (ex-)poppy farmers involved in development programmes.

## Eradication and Opium Bans

There has been an expansion in the eradication of poppy fields in the region, especially in Burma and Laos, where the governments, under pressure to comply with drug free deadlines, are trying to quickly reduce opium cultivation. In Laos, poppy cultivation mostly takes place on small plots in isolated mountainous areas, and the scale of eradication is relatively low. In 2013, the Lao government claimed to have eradicated almost 400 ha of opium cultivation, mostly in two northern provinces, Houaphan and Phongsali.<sup>14</sup> The government of Burma stepped up eradication efforts, and claimed it had eradicated over 23,000 ha of poppy in the 2011–2012 poppy season, over three times more than the previous year.<sup>15</sup> According to a government official: “Every year the international community spends millions of dollars [on anti-narcotics initiatives] in countries like Afghanistan and Colombia, and the outcome is not satisfactory. Here, with international assistance, we guarantee to wipe out the opium problem by 2014.”<sup>16</sup> The government of Burma reported that it had eradicated almost 12,000 ha during the 2012–2013 opium growing season, most of it in southern Shan State. This is less than the previous season, but higher than annual eradication levels it reported over the preceding four years.<sup>17</sup>

While there are louder calls for an eradication-led approach, there is no empirical evidence that such policies will actually lead to a sustainable reduction in opium cultivation levels, even if carried out in tandem with 'Alternative Development' (AD) projects (see below). Instead, a focus on eradication can have severe negative consequences for the local population, and in some cases even lead to an increase in cultivation levels or to the displacement of crops to other areas. According to a 2008 UNODC evaluation report presented to the CND "there is little proof that the eradications reduce illicit cultivation in the long term as the crops move somewhere else".<sup>18</sup> Experience on the ground also shows that the simultaneous use of alternative development and eradication – often referred to as the 'carrot and stick approach' – is counterproductive. A thematic evaluation of alternative development undertaken by UNODC found that: "Alternative development projects led by security and other non-development concerns were typically not sustainable — and might result in the spread or return of illicit crops or in the materialization of other adverse conditions, including less security."<sup>19</sup> As this report shows, the eradication and implementation of strict opium bans in the region have failed to produce its intended results: sustainable reductions in cultivation levels. Rather, cultivation levels have doubled since 2006.

It is also often unclear what the exact goal of eradication is supposed to be. Is it to reduce opium cultivation by physically destroying part of the crop? Does it aim to create a risk factor associated with opium cultivation in order to discourage farmers from growing poppies? Or is the aim to

reduce the funds that could be used to finance opposition groups? Empirical evidence shows that none of these aims is being achieved. For instance, the risk of eradication is not a central criterion in a household's decision to grow opium.

The eradication-led approach used in Colombia in the form of aerial spraying has not led to a decrease in coca production levels. Rather, fumigation has caused human, social and environmental destruction. The chemicals used have a negative impact on other licit crops as well as on the health of the local population. This has created a 'vicious cycle', leading from fumigation to pollution, destruction of rural livelihoods, migration, deforestation (because coca cultivation is displaced into the forests), and finally more fumigation. In this process, fumigation has further contributed to an increase in human rights violations, the erosion of state legitimacy, support for the armed opposition in rural areas, the extension of the war to new areas, and a blurring of the boundary between anti-insurgency and counter-narcotics activities.<sup>20</sup> This does not bode well for Southeast Asia.

According to a study on Afghanistan, in some cases, especially in areas with poor markets, eradication can even lead to an increase in opium cultivation to recover from the previous loss of income that was caused by eradication. As one study warns: "What has to be addressed is the very 'riskiness' of the context – social, market and institutional relations – in which most farmers take decisions ... one cannot speak of creating legal livelihoods until there

Former opium farmers in the Wa region learning how to harvest rubber



## Opium Cultivation and Eradication in Sadung Region: Who are Benefiting and Who are Paying the Price?

By Zung Ring \*

Sadung town is located in the mountains of Kachin State, on the road from Myitkyina to Tengchong in China's Yunnan province. Since the road was renovated in 2006, Sadung has become a busy town. The region used to be a fierce battleground between the Kachin Independence Army (KIO) and the Burmese military government until a ceasefire was reached in 1994. Sadung became a new separate township in 2007, and now it has all the government administrative mechanisms. Since the breakdown of the ceasefire with the KIO in 2011, following attacks by the Tatmadaw [national army], fighting has resumed in the area.

Ever since I remember, people have been growing opium to earn a living in the Sadung region. People grew it freely and sold it only to cover their basic needs (i.e., food, medicine, clothes, and education for children) rather than for commercial purpose. There were no investors from outside the Sadung region. Families with bigger capital perhaps grew no more than five acres of opium while some with less capital only cultivated about one acre.

Despite generations of opium cultivation, outsiders knew nothing or little about it because cultivation was small-scale and in remote areas. The scale of opium cultivation was stable until 1995 when the KIO launched a major drug eradication campaign across the region. Several factors prevented the elimination of all poppy fields. Firstly, the fields were located in very remote places, and secondly, the people in Sadung grew slightly earlier than the conventional season and this also made the harvest earlier and finally, the farmers bribed the officials to avoid the destruction of all the fields.

The following one or two years after this first campaign, opium cultivation decreased. Then, however, the scale of cultivation in the region increased dramatically for a combination of factors. As a result of the eradication campaign the price increased, which resulted in a bigger incentive for local farmers to grow opium. The farmers who escaped from the eradication built a nice house and bought new things. Growing opium seemed a way out of poverty. The increase in poppy cultivation was also due to hyper-inflation of the kyat, as the prices of rice, clothes, school fees and other utilities never stop rising. Poor farmers have to increase growing poppy every year in order to keep up with this.

The rise opium prices started to attract outside investors from some of the larger towns in Kachin State, such as Myitkyina, Mogaung and Monyin. Moreover, investors from neighbouring China also came to the Sadung region to grow opium at an unprecedented scale. By the year

2002, the scale of opium cultivation was perhaps at its peak. And as a result, deforestation became widespread as people secretly grew opium deeper in the forest and in more difficult to reach places.

Outside investors obviously grow opium for greater profits. However, local farmers grow it for survival. They have no other employable skills and no proper education. The region is mountainous, and there is little land available for irrigated farming. Opium cultivation is what they know the best as they have been growing poppy for generations. The farmers feel that it is too risky to change to new profession with a lot of 'what if' questions. Besides, they don't know anyone who is successful without poppy cultivation. Even pastors and deacons who do not grow opium themselves benefit from it in the form of offerings from the congregation.

It appears there is a correlation between the anti-drug campaigns and the rise of the opium price. The high price creates an even a bigger incentive for local farmers and outside investors to turn to poppy cultivation. Every year the government and the KIO launch anti-drug campaigns but in fact they are tax collecting trips. None of them provide the necessary assistance to the farmers. Instead they suck farmers' blood in the forms of taxes, bribes and luxurious meals. At the end of every campaign, villagers are called into the pavilion and have to waste their valuable time listening to very long speeches by the officials, who enjoy luxuries that villagers cannot even dream of. Those luxuries are bought with the sweat of the villagers. The lengthy speeches preach villagers why they should not grow opium, but no one really shows them workable alternatives. No one ever talks about providing suitable skill workshops and training or initial capital for small business for the local farmers.

Sadung region is under the influence of three authorities: the government, KIO and the New Democratic Army-Kachin [NDA-K; now transformed into two Border Guard Forces – BGF, controlled by the *Tatmadaw*]. In the first major anti-narcotic campaign in 1995 by the KIO, it provided no necessary support to the farmers. A second major campaign took place in 2002 by a joint effort of the military government, KIO, and NDA-K. In that year, the authorities gave pine nursery trees (*sha mu*) and Chinese corn as substitution crops. However, this support was just like a doctor giving a wrong prescription to a patient. What the farmers urgently needed was rice and education fees for children and fees for health. The aid did not address the needs of the farmers. By the end of 2012, opium cultivation in KIO controlled areas ceased to exist in Sadung, but it now is widespread in NDA-K BGF areas.

There are at least three obvious reasons why drug eradication campaigns failed every year. First and most importantly, the Burmese military government has no serious intention to eradicate the opium. Opium plantation in the region is



in fact a kind of bonus for the frontline officials. Money is collected from farmers in every step of opium plantation. Numerous stories illustrate how the military government ignores the drug problems even in Myitkyina University. Many believe that the military government is waging a silent drug war against Kachin people. Opium eradication campaigns take place mostly in villages rather than in the fields. Subordinates go to the fields for a show but important deals are made in villages. When the authorities begin the campaigns, they travel from one village to another. The farmers (villagers) are busy with catering these officials – with cash, opium and abundance of good meals during the harvest time.

Possible strategies to curb opium cultivation should allow the community to grow poppy for a period of time with the government buying all the opium. At the same time, the government needs to introduce other long-term support

to the farmers or give some relevant skill trainings. Other support such as initial capital to start new ventures to the farmers during the transitional period is also needed. The government should provide necessary assistances to prospect entrepreneurs. When the farmers see someone who does not grow opium but is successful in alternatives such as raising goats, cows, chickens, pigs or cultivating multi-fruits orchards, they will surely follow suit. Farmers grow opium to provide for basic needs such as food, health and education for children; if the government could upgrade hospitals and education and shoulder some of these burdens for farmers; it would be easier for them to shift to alternative source of income. They would run less risk and feel more confident. Once the transition period is over, cultivation of opium must be banned.

\* Zung Ring is the pen name of a Kachin national currently studying abroad

is a legal and legitimate context within which they can function.”<sup>21</sup> Eradication is driving poppy-dependent households further into poverty, thereby making them more dependent on opium cultivation since it is one of the few cash crops they can grow. “The underlying reason why forced eradication prompts replanting and crop dispersion is hardly a mystery”, concludes a study on the impact of eradication of coca bush in Latin America and opium poppy in Afghanistan and Southeast Asia. “The vast majority of coca and opium poppy growers are poor, small-scale farmers, so the rapid destruction of one of their primary income sources exacerbates their poverty – reinforcing rather than easing their reliance on crops for the illicit market.”<sup>22</sup>

Eradication is also often associated with corruption. Opium cultivation often takes place in conflict affected areas in weak states that are characterised by high levels of corruption. Farmers in Burma complain that representatives of various local authorities and government departments use the threat of eradication as a means to extort bribes.<sup>23</sup> Farmers in Afghanistan have experienced the same thing, as eradication has in many cases become a source of income for local officials, who accept pay-offs from owners and sharecroppers in return for not eradicating their fields.<sup>24</sup> Consequently, eradication is aimed mostly at the poorest of the poor, as they have no power to resist and no financial resources to pay officials to turn a blind eye. According to a UNODC/World Bank report on Afghanistan: “As a result largely of corruption and other irregularities in enforcement, the impact [of eradication] tends to be felt most by the weakest and poorest actors involved in the opium economy (poor rural households), who lack political support, are unable to pay bribes, and cannot otherwise protect themselves.”<sup>25</sup>

The eradication of opium cultivation by government authorities also often targets political adversaries and areas under their control. The demonisation and targeting of

certain parties to the conflict because of their involvement in drugs production and trade while ignoring others is also taking place in Burma (see Chapter 2). In unstable environments such as Burma and Afghanistan, these policies cause a further breakdown of relations between society and the state while also increasing violence and conflict.

The USA has long supported and promulgated an eradication-led approach in drug producing countries. In the late 1980s, it supported the Burmese government in carrying out aerial chemical-spraying of opium fields, which failed to produce results (see Chapter 2). More recently, in Afghanistan the USA has financed and supported the eradication of opium fields by using tractors and manual labour. In 2009, however, in a first and welcome admission of this failed policy, Richard Holbrooke, the US Special Envoy to Afghanistan and Pakistan, described the US-supported poppy eradication campaign in Afghanistan as “the most wasteful and ineffective programme that I have seen in 40 years”.<sup>26</sup> However, the debate is still continuing, and several countries feel obliged to carry out eradication in order to comply with international pressure – including from the USA – and to be seen to be as at least ‘doing something’.

## Development First

Rather than a focus on law enforcement, consisting mainly of opium bans and eradication, there has been growing attention to and debate on the role of development in drug control. This approach, referred to as Alternative Development (AD), is often defined as doing ‘rural development in a drug environment’. The debate on AD has taken place for several years, and the concept has evolved from a focus on implementing crop substitution projects to a broader understanding of AD as an integrated and holistic concept that deals with the root causes of illicit cultivation,

and as a programme (and not just a project) that is part of a national development plan.<sup>27</sup> Current support for AD programmes in the region is very limited, especially compared to Afghanistan and Latin America, but even at the global level there is little investment in AD.<sup>28</sup>

There is also some debate about what AD means and what is it supposed to achieve. Some see it primarily as a means to achieve the immediate reduction of illicit cultivation in a certain area, in combination with strict law enforcement and the eradication of crops. According to a study on AD by David Mansfield, a British expert on the issue: “For those whose performance is measured simply in terms of reductions in the amount of opium poppy and coca grown, alternative development is seen as simply as the ‘carrot’ to the eradication ‘stick’, and the provision of development assistance is contingent on reductions in illicit drug crop cultivation.”<sup>29</sup> This approach also makes AD conditional on farmers giving up the cultivation of opium or coca. On the other hand, a growing number of people – among them especially those with field experience – see AD as part of the broader rural development agenda, but in a drugs environment. According to Mansfield: “For others, reductions in illicit drug crop cultivation are an externality of a development process (that includes extending good governance and the rule of law) aimed at achieving sustainable improvements in lives and livelihoods. In terms of both process and the primary goal there is still much disagreement with regard to alternative development.”

This disagreement on AD strategies and outcomes is due to the conflicting objectives of drug control (reducing

illicit cultivation) and broader rural development (long-term process towards reducing poverty and improving livelihoods). As discussed above, most of the illicit opium and coca cultivation takes place in fragile and conflict affected areas, with weak rule of law and few government services. Most farming communities become involved in illicit cultivation because poverty, in the widest sense of the term. An eradication-led approach and making development aid conditional on the eradication of crops destroys people’s livelihoods and main source of income before putting alternatives in place, and are inhumane and often counter-productive as they push communities further into poverty – the very reason people become involved in illicit cultivation in the first place. “Drug control and development policies often contradict each other”, states a GIZ study on ‘rethinking AD’.<sup>30</sup> The lack of clear and consistent policy guidelines for agencies wishing to adopt an AD approach also contributes to the problem, and makes it hard to measure the successes of AD projects. “While reduced drug crop cultivation has often been considered the core indicator of success of AD projects, this fails to take into account the entire development policy dimension of the AD approach.”<sup>31</sup>

Support for a development-led approach to address problems related to illicit opium and coca cultivation has grown over the last decade. The debate has very much focused on achieving more sustainable outcomes, which are conflict sensitive and respect human rights. According to a 2004 World Bank study on Afghanistan: “an eradication-led strategy could face severe problems with implementation, poverty impacts, and political

Pao women at market in southern Shan State





Rubber trees planted to substitute opium in northern Laos



damage. ... there is a moral, political and economic case for having alternative livelihoods programs in place before commencing eradication.”<sup>32</sup> During the 2011 workshop of the International Conference on Alternative Development (ICAD) organised by the governments of Thailand and Peru, held in Chiang Rai and Chiang Mai in Thailand, international AD experts and practitioners, as well as representatives from a wide range of countries, discussed lessons learned and the way forward for AD. They concluded that: “In short, poverty remains one of the key factors driving opium poppy and coca cultivation. The focus of alternative development programmes should be oriented to addressing the underlying causes of poverty and improving the socio-economic conditions of these communities. Illicit cultivation should thus be treated primarily as a development issue.”<sup>33</sup>

### Human Development Indicators

Instead of looking at short-term reductions in illicit cultivation of coca bush or opium poppy, which have mostly proved to be unsustainable because of the resumption of cultivation or because it was displaced to other areas, discussions on what AD could achieve have focused on defining other indicators of success. The key outcome of this debate is to look beyond short-term reductions in illicit cultivation and focus instead on long-term development outcomes, which will in the long run also contribute to decreasing cultivation levels. According to a 2008 UNODC evaluation report presented to the CND, “alternative development must be evaluated through

indicators of human development and not technically as a function of illicit production statistics... Moreover, the association of eradication with development interventions aimed at reducing illicit cultivation alienates the wider development community”.<sup>34</sup> As the participants of the ICAD workshop in Thailand stated: “While reductions in cultivation – and impact measurement based on that objective – are not an adequate measure of real progress or long-term impact in drugs control, a direct relationship exists between improved social and economic conditions of an area and the sustained reduction of illicit cultivation.”<sup>35</sup>

The final ICAD workshop declaration in Thailand concluded that “control of illicit cultivation needs to be based on a more human-centric development approach to address the underlying causes and insecurities that enable and encourage cultivation, and need to be distinct from (though coordinated with) law enforcement. Under such an approach, impact measurement of AD programmes should take into account human development indicators, in addition to coca and opium poppy cultivation estimates.” An AD expert meeting held in Berlin in 2013 concluded that AD should not be expected to have significant impact on overall illicit crop cultivation levels in the short term, and that “rural and agricultural development requires extended project operational times and continuous human and financial support and that these considerations must be built into the programme at the stage of design”. For this reason, “indicators for a successful policy should include human development indicators (HDI) and broader rural development outcomes apart from merely focusing on the reduction in the area under illicit crop cultivation”.<sup>36</sup>



Even if support for AD programmes were to expand greatly, however, these would still not be able to achieve sustainable reductions in illicit opium and coca cultivation levels at the global level. According to GIZ: “Like many other drug control measures, [AD] frequently result in relocation effects, geographically shifting drug production on a national or regional level, but not reducing global output volumes. This empirical finding has been barely reflected in the ongoing planning and newly designed logical frameworks of AD projects. In contrast, the target of eradicating drug crops was frequently prioritised over development goals, which considerably impaired the project results’ sustainability and effectiveness.”<sup>37</sup>

The logic of the global and regional drugs market and demand and supply provides a far greater stimulus to illicit cultivation than what AD – as well as other drug control policies – can offer. It is important for all stakeholders to realise this, and formulate more realistic and achievable objectives and intended outcomes in designing drug control policies and AD programmes and strategies, focusing on the root causes (poverty, unjust policies, instability, lack of rule of law, demand–supply dynamics) rather than simply on the symptoms (levels of illicit cultivation). Ignoring this ‘market logic’ has too often resulted in louder calls for repressive policies, which have only made matters worse both in terms of drugs production and consumption as well as human suffering.

## Best Practices

There is a growing body of research and evidence suggesting that in the long run AD can help to achieve both drug control and development objectives in certain geographical areas, provided the interventions adhere to a number of key principles and best practices.<sup>38</sup> Key lessons learned in the AD field include the need for proper sequencing of policy interventions and the non-conditionality of aid. A 2008 UNODC paper recommends ensuring “that eradication is not undertaken until small-farmer households have adopted viable and sustainable livelihoods and that interventions are properly sequenced” and “not make development assistance conditional on reductions in illicit cultivation.”<sup>39</sup>

The importance to small-scale farmers of land tenure and access to land cannot be overstated. Most opium farmers in Southeast Asia practise upland shifting cultivation, and their land tenure rights are not currently protected by national policies and legislation. The growth of outside investment in their territories, sometimes under the guise of ‘development’ or ‘alternative development’ (see section below) has led to land grabbing and further impoverishment and loss of livelihood in already vulnerable communities, sometimes causing migration to other more remote areas to start or resume poppy cultivation. Among the most salient points that arose from

the ICAD discussions in Thailand were that “land tenure and other related resource management issues are also key components of building licit and sustainable livelihoods”, and that “monoculture generates a number of risks for the local communities including environmental degradation, dependence on market demands and prices, and reduction in agricultural areas affecting food security and other livelihoods”. Furthermore, the ICAD workshop declaration called on stakeholders “to take into account land rights and other related land management resources when designing, implementing, monitoring and evaluating alternative development programmes, including internationally recognized rights of the indigenous peoples and local communities”.<sup>40</sup> The importance of these issues was also stressed at the expert group meeting on AD in Berlin, where participants emphasised that “land tenure and land property rights are a fundamental principle for the long-term commitment of the community and the success of AD programmes, especially in areas where small-scale agriculture is prevailing”. The group also underlined that AD interventions “should include proper land tenure rights and operate within a clear legal framework that benefits and protects the rights of smallholder farmers”, and that decisions on the allocation, use and management of land “must have the participation and consent of local communities”.<sup>41</sup> In its 2013 Southeast Asia Opium Survey, UNODC also stresses the importance of access to land.<sup>42</sup> A commitment to land rights and land tenure security should prioritise and privilege rural poor people and their land tenure security and related rights as well as their aspirations for the future. Communities should not only have access to land but should also have the power to use it in the way they see fit.

There are also discussions about who should benefit from AD. This is partly related to the issue of conditionality, e.g. only those who are ready to give up cultivation will qualify for assistance under AD programmes. Some also suggest that AD interventions should be focused on those households or communities involved in illicit cultivation, providing no benefits to people in the same village or area who are not involved. This approach is problematic for several reasons. First of all, it could divide communities and create tensions and conflict. It may also have perverse effects and result in some households and communities who were previously not involved in illicit cultivation deciding to do so in order to qualify for aid. Furthermore, such policies will often not move beyond a ‘crop substitution’ approach, ignoring the broader problems of poverty, inequality, conflict, access to education and health services, to land and to markets. Others have proposed different criteria to qualify for AD, such as households below a certain income level or land size, which poses similar problems as the conditionality as discussed above. There have also been suggestions to target only those farmers whose livelihood is solely dependent on illicit cultivation, and who have no other sources of income.<sup>43</sup> This criterion would exclude the large majority of poppy growing households in Southeast Asia, as most

farmers grow upland rice but not enough to feed their families for the whole year. Therefore, in addition, they grow opium as a cash crop in order to buy food and other essential household needs. For these reasons, AD is now promulgated by the UN and other international agencies as a programmatic approach and as part of a broader national rural development agenda, addressing the wider development problems in an entire community or area rather than focusing on individual households.

### Involvement of Farmers

For many decades poor producer nations have been subjected to intense crop eradication and law enforcement initiatives, ostensibly to protect consumer nations from 'drugs' and 'addiction'. They have borne the brunt of the war on drugs: the violence and corruption that have followed the creation of the criminal market; the trampling of indigenous and cultural traditions; and the criminalisation of traditional growers and peasant farmers. Alternative options on the demand side have received great attention in international debates on drug policy, and consumers have been able to voice their concern in various platforms on the principle of "nothing about us without us".<sup>44</sup> On the production side this has hardly been the case. To date, opium growing farmers in the region have had no voice in any of the debates and decision-making processes on issues that have great impacts on their lives.

In an effort to redress this, a 'First World Forum of Producers of Crops Declared to be Illicit' took place in Barcelona in January 2009. The forum was attended by representatives from Latin America, Africa and Asia (including three representatives from Burma), and produced a Political Declaration with recommendations.<sup>45</sup> This included calls for recognition of the traditional, cultural and medicinal use of plants declared illicit and the "historical character of the relationships between plants, humans, communities and cultures". The Forum also demanded that persons "should not be criminalized and/or penalized for cultivating such plants" and rejected eradication, instead calling for a crop substitution policy "that is only implemented based on results obtained in rural development and in consultation with the producers".<sup>46</sup> As a follow-up, two representatives of the Forum presented the declaration at the high-level segment of the March 2009 UN Commission on Narcotic Drugs held in Vienna.

In Latin America, there have been several forums for coca farmers to involve them in policy discussions, and to provide a platform to organise themselves and voice their demands. In Asia this has proved to be much more difficult, as cultivation is criminalised and the space for farmers to organise themselves in the key producing countries – Burma, Laos and Northeast India – is difficult because of government restrictions and the ongoing armed conflict. However, after decades of military rule and repression of civil rights, the reform process in Burma that started in



Women at market in northern Shan State



2011 has opened up new opportunities. Using the new space, in July 2013, a 'First Southeast Asia Opium Farmers Forum' was held, bringing together some 30 representatives of local communities involved in opium cultivation and local community workers from the major opium growing regions in Southeast Asia: from the Chin, Kachin, northern and southern Shan, and Kayah States in Burma and from Nagaland and Arunachal Pradesh in Northeast India. The Forum aimed to identify the main concerns of opium farmers and formulate alternative policy options that respect the rights of producer communities and involve them in decision making processes.

At the end of the Forum, the participants formulated a set of recommendations.<sup>47</sup> These included a call that policies of the government and local authority should focus on providing assistance to address people's basic needs, and improve governance by dealing with the problems related to corrupt government officials and army units as well as informal taxation – often in combination with the threat of arrest. Local communities should have the right to decide on, manage and receive the benefits from the natural resources in their areas. Participants also recommended that there should be room for communities growing opium to exchange ideas and advocate for policy change and that a network of farmers should be established to help them organise themselves. They also suggested that part of the opium cultivation should be legalised to help families meet their basic needs, and to preserve the medicinal value of opium and its traditional and veterinary uses. Finally, participants stressed the need to establish services for drug users to protect their health, including harm reduction services as well as rehabilitation and treatment centres, and for the government to allow these to operate freely. The forum is a first and important step, but much more needs to be done to foster greater involvement of opium farmers in the region.

### **Towards Agrarian Justice**

Closely related to the issues of developing different indicators for what constitutes a successful drug control policy, land rights of small-holder farmers, and the involvement of poppy growing communities in policy making is the question of what kind of 'alternative development' is actually being promoted, and who will benefit most from it. In recent years, transnational corporations and some national governments have initiated a large-scale worldwide enclosure of agricultural lands, mostly in the Global South, causing livelihood disruption, displacement and dispossession. An important factor is the global food and climate crisis. According to a recent study, the "agricultural establishment" has presented "capital intensive, large-scale, export-oriented, mono-cropping agriculture as the most productive and therefore most rational way to feed the world". Solutions from agribusiness to the global food crisis have thus "centred on



Ex-poppy farmers in northern Laos

the expansion of large-scale land deals, contract farming, and other forms of value chain and corporate controlled agriculture".<sup>48</sup>

While in the debate on drug policy the term 'Alternative Development' represents a strategy of pursuing rural development in areas where illicit crops are cultivated, in the broader sense the term has been used to describe a different path to development with different goals, which is participatory and people centred.<sup>49</sup> In this sense, it has been promoted as an alternative to the dominant development model of neo-liberal economic policy, which focuses on free trade and open markets, foreign investment, and large-scale agriculture managed by big business, often multinationals. Discussions on alternative development models have also looked at formulating different indicators of success. Promoting agrarian justice relates to the political struggles in rural areas around access to, control over and ownership of resources and land, as well as on international agrarian movements struggling against dispossession and working to construct alternatives.<sup>50</sup>

An example of large-scale dispossession whereby small-scale farmers have been turned into plantation day-labourers is China's opium substitution programme. Meant to address drug use related problems at home, the programme encourages Chinese companies to invest in large agricultural concessions in poppy growing regions in northern Laos and Burma, by offering subsidies, tax waivers, and import quotas for Chinese companies.<sup>51</sup> These monoplantations – mostly rubber – have mainly benefitted Chinese entrepreneurs and local authorities, and not (ex-) poppy growing communities, who have instead been deprived of their land and livelihoods. Serious concerns arise regarding the long-term economic benefits and costs of agricultural development for poor upland villagers, who have been further marginalised. Land encroachment and clearing are creating new environmental stresses, such as

Farmer's field hut in Shan State



further loss of forest biodiversity, increased soil erosion, and depleting water sources. The concessions also provide a cover for illegal logging, often encompassing villagers' traditional forestlands and newly demarcated community forests. The huge increase in large-scale commercial agricultural plantations in northern Burma and Laos is taking place in an environment of unregulated frontier capitalism. Without access to capital and land to invest in rubber concessions, upland farmers practising swidden cultivation (many of whom are (ex-)poppy growers) are left with few alternatives but to try to get work as wage labourers on agricultural concessions, or to move to isolated areas and grow opium again. This pattern of uplands development is an attempt to modernise the landscape and subsistence farmers in the pursuit of profit for governments and private investors. This is in no way a positive development for communities living in northern Burma and Laos. The only people benefiting are the local authorities and Chinese entrepreneurs.

The reform process and the subsequent political and economic changes in Burma have sparked great investment interest among governments and the private sector in the region and beyond. Large-scale investment projects are focused on the borderlands, which is where most of the natural resources in Burma – and indeed the Mekong region – are to be found. These are home to

poor and often persecuted ethnic minority groups, and include isolated and impoverished areas, where most of the region's opium cultivation is taking place. These war-torn borderlands are now in the international spotlight as Asia's last frontier.<sup>52</sup> It is uncertain whether and to what extent the economic reforms will benefit the majority, especially ethnic populations in the borderlands. So far, the liberal economic reforms that have been signed into law favour the urban elite and middle-class entrepreneurs, despite the government's stated commitment to pro-poor policies and people-centred development to benefit the farmers who are the backbone of Burma's economy. If local communities are to benefit from the reforms, there need to be new types of investment and processes of implementation. In their absence, the development of Asia's final frontier will only deepen disparity between the region's poorest and most neglected peoples and the military, business and new political elites whose wealth is rapidly consolidating.<sup>53</sup>

Against this background, calls for alternative development models have become louder. "Business as usual is not an option", concluded over 400 of the world's leading experts after a three-year global consultative process on the past, present, and future agriculture, managed by the International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD), an intergovernmental, multi-stakeholder scientific body. The grouping calls for a paradigm shift in favour of agro-ecological, multi-functional, and resilient agriculture that is urgently needed to deal with the global food and climate crises.<sup>54</sup> Such alternative development models should respect the rights of small-holder farmers and upland farming communities in the region practising shifting cultivation, which includes many (ex-)poppy farmers. Instead of relocating and turning them into day-labourers on large plantations, their contributions to and investment in food production for their communities as well as beyond must be recognised and supported by national and local governments in a much more positive way. Investments in agriculture in the region should respect human rights, including the right to water and food and the rights of indigenous peoples. They should avoid land and resource grabbing. As a recent study states: "Key to stopping and rolling back land and resource grabbing are investments which are rooted in the principles of food sovereignty and land sovereignty. That is, they must guarantee the right of people to define their own agricultural and food policies and ensure that control over land, water, and other natural and productive resources are in the hands of the people that actually work on, care for, and live on the land."<sup>55</sup>

It is important that the discussions about 'Alternative Development' as part of drug control interventions connect with the debate about promoting better alternative development models to ensure outcomes that address the root causes of illicit cultivation as well as bringing about a more just and sustainable future for the small-scale agrarian sector in the region.



## Cannabis Cultivation and AD

There is a growing interest from countries with illicit cannabis cultivation, such as for instance Morocco and Nigeria, to be included in discussions around AD. However, until now very few AD projects have been implemented in cannabis growing areas, and the few experiences in Morocco have been a complete failure. The Rif region in Morocco, where most of the cannabis is grown, has had rural development projects since 1961, but these have failed to achieve development and subsequent AD projects have “failed to diminish or even contain cannabis cultivation in the region and some reportedly even had counterproductive unintended consequences.”<sup>56</sup> The Mae Fah Luang Foundation ran a project from 2006 to 2010 “to solve the problem of cannabis cultivation in Aceh Province, Indonesia through sustainable poverty alleviation.”<sup>57</sup> These examples have not been very successful, however, and in general applying AD concepts to illicit cannabis cultivation raises several questions. First, cannabis cultivation is much more widespread than coca bush and opium poppy, and is grown in many parts of the world, including Asia. As current international support for AD for coca and opium cultivation is already limited, international policy makers and donors are hesitant to start providing AD for cannabis, fearing this might be opening a Pandora’s box. In the USA and Europe a process of import substitution has taken place with indoor cultivation, and most western markets have become largely self-sufficient, apart from continuing Mexican exports to the USA, and Moroccan and Afghan cannabis resin exports to Europe. Most development funders do not therefore expect to exert any influence on the domestic cannabis market by supporting AD

programmes in developing countries, while in the case of cocaine and heroin, reducing the supply is part of the justification to invest in AD.

Furthermore, cannabis is far less harmful than heroin or cocaine, and so is less of a priority for donor investment. Moreover, several countries have decriminalised the consumption and possession of cannabis, while many others have become more lenient towards cannabis users, sometimes extended to small traders and cultivators, leading in practice to tolerated markets. In India and several other Asian countries, cannabis has a centuries-old history of traditional cultural, religious and medicinal uses, which are still prevalent and are tolerated to a certain extent in some areas. With the decision to legally regulate the whole cannabis market in the US states of Colorado and Washington and in Uruguay, the international debate now seems to be moving in the direction of cannabis regulation.<sup>58</sup> This irreversible policy trend will make development funders even less likely to invest in traditional AD projects that aim to reduce levels of cannabis cultivation. Rather, a discussion should take place on whether currently illicit cannabis cultivation by small farmers in developing countries could one day supply these licit markets elsewhere.

## UN System Incoherence

There are several inconsistencies in the UN drug control system and its three conventions: the 1961 Single Convention on Narcotic Drugs (as amended by the 1972 Protocol), the 1971 Convention on Psychotropic

Farmers in poppy growing village in Northeast India



Substances, and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. Among the controversies is that while the 1961 Single Convention imposes obligatory controls on the cultivation of plants containing narcotic drugs and bans the traditional use of plants such as coca leaves, cannabis and opium poppy, the 1971 treaty imposed controls only on the isolated psychoactive alkaloids, leaving the plants themselves and cultivation beyond its scope.<sup>59</sup> If the control principles of the 1971 Convention about plants and their active compounds had been applied at the time of the 1961 Convention, there would not have been a treaty obligation to criminalise the cultivation of coca, poppy or cannabis for non-medicinal purposes.

The UN Guiding Principles on AD are an outcome of a process that started with the ICAD Workshop in Thailand in November 2011, which was attended by government and independent experts, and the follow-up ICAD High-Level Conference in Peru a year later was mainly attended by politicians and diplomats. While the final declaration of the ICAD Workshop in Thailand reflected a 'development first' approach, the ICAD Lima political declaration disregarded many of the lessons and recommendations brought forward by experts, placing more emphasis once again on law enforcement and eradication. The draft AD Guiding Principles coming out of the Thai experts' workshop subsequently underwent a process of political negotiations by diplomats in Vienna and the final version adopted at the Lima meeting had become a somewhat confusing mix of valuable lessons in AD practice with obsolete drug war rhetoric.<sup>60</sup> In the days leading up to the political negotiations in Lima, a group of farmers cultivating illicit coca, opium and cannabis gathered in Valencia in Spain, to discuss AD and the UN Guiding Principles on AD. The group made a statement about the draft declaration, and expressed their great concern that "Alternative Development is raised mainly in a framework of crop reduction, ignoring the broader social, economic and cultural context", and demanded "an explicit recognition of the right to the traditional use of plants declared illegal", as well as "a guarantee of the right to access and use of land by small farmers". Unfortunately, the final declaration as well as the resulting UN Guiding Principles on AD failed adequately to address these important issues.

The omission of other relevant UN agencies in drug policy discussions is also problematic. UN agencies such as the United Nations Development Programme (UNDP), the Food and Agriculture Organization (FAO), the World Food Programme (WFP) and the United Nations Human Rights Council (UNHRC) and have had no involvement in debates on the future direction of AD. There is also a tendency by national representatives at the Commission on Narcotics Drugs (CND) in Vienna to avert discussions on drug policy at other UN forums. This has further contributed to a lack of coherent and consistent policies, and for the adoption of resolutions and policies on drug

control that ignore or contradict other UN guidelines and principles, such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), various International Labour Organization (ILO) conventions, the 'United Nations Declaration on the Rights of Indigenous Peoples' and the recently adopted FAO 'Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security'.

These tensions and inconsistencies should be addressed at the 2016 UNGASS to review the global drug problem and define the most appropriate policy responses. The chronic lack of a coherent UN system-wide approach to drug-related issues, as again demonstrated in the case of the UN Guidelines on Alternative Development, has triggered a heated debate about whether to leave preparations for the 2016 UNGASS fully in the hands of Vienna, where the specialised agencies are based, or seek more active involvement from relevant UN agencies based in New York and Geneva. One of the vehicles established by the UN Secretary-General in order to improve a coordinated system-wide approach to drugs and crime is the UN System Task Force on Transnational Organized Crime and Drug Trafficking, led jointly by the UN Department of Political Affairs (DPA) and UNODC. Originally the Task Force was set up to improve a comprehensive UN response to crisis situations with high levels of drug related crime and violence, and to produce guidance on how to include drugs and crime issues into conflict resolution and development strategies. More recently the Task Force also has been given the mandate to develop a strategy for inputs from all relevant UN agencies into the 2016 UNGASS.<sup>61</sup>

### Containing the World Drugs Problem?

At the 2008 review of the UNGASS 1998 goal to "eliminate or significantly reduce the illicit cultivation of the coca bush, the cannabis plant and the opium poppy by the year 2008", the then UNODC executive director Antonio Maria Costa claimed in a well-known document, often referred to as 'Fit for Purpose', that "there is enough evidence to show that the drug problem has been contained".<sup>62</sup> The statement was a significant departure from the 1998 UNGASS goals, and an admission that these were unattainable. "Containment of a problem is not, of course, the same thing as its solution. The drug problem is still with us. The fundamental objective of the Conventions – restricting the use of psychoactive substances under international control to medical and scientific use – has not yet been achieved. Some of the more ambitious targets set at UNGASS in 1998 remain elusive."

Moving even further, in the same document Costa also acknowledged a number of "unintended consequences" of the drug control system and its implementation. These negative aspects include the existence of a thriving criminal



black market; policy displacement; (from a focus on public health to a focus to security); geographic displacement (shifts in cultivation from one area to another, or ‘balloon effect’); substance displacement (shifts from controlled to less controlled drugs); and the stigmatisation of drug users.

However, the containment argument seems to be promoted mainly by UNODC as a defence mechanism to explain why the levels of global drug production and consumption remain high. UNODC claims that it would have all been much worse without the international control system. According to Costa: “The fact that containment started chronologically at about the middle of the UNGASS decade, makes it tempting to postulate that it has occurred because of it. Although there is no statistical foundation to claim a causal relationship, the coincidence of the two events in time is worth noting.”<sup>63</sup>

In his statement to the 2013 Commission on Narcotics Drugs (CND), UNODC Executive Director Yuri Fedotov reaffirmed the containment strategy: “While the international drug control system may not have eliminated the drug problem, it continues to ensure that it does not escalate to unmanageable proportions.”<sup>64</sup>

### Harm Reduction for the Supply Side

The realisation that there is a need for different approaches is a welcome development. However, taking the argument that the global drugs problem can be contained rather than further reduced, and that the current international control system has several serious negative consequences, there is a clear need to develop new policy objectives. Such policy options have been referred to by some as ‘harm reduction for the supply side’, which argues that if it is impossible to significantly reduce the global drug problem in a sustainable manner, at the very least the aim should be to avert the most harmful consequences of drugs use, production and trafficking, and ensure that national legislation and the international control system support such an approach. As one study suggests: “A realistic and humane drug policy should focus on harm reduction – aiming to minimize the harms caused by illicit drug production, distribution and abuse, but also striving to minimize the damage done by policies meant to control drugs.”<sup>65</sup>

This approach would also look at other, more positive indicators for a successful drug policy, such as the number of people receiving treatment or development assistance, improved human development indicators, etc. According to an academic study to assess the merit of applying a harm reduction approach to supply-side drug control: “Rather than assessing drug policies on the basis of a handful of standard indicators, such as eradication, seizures, and arrests, we can begin to consider the related effects of drug policy on income, corruption, violence, environmental degradation, human health, and a host of other concerns



Ethnic Wa Woman in northern Shan State

spanning multiple policy communities. Thus, we can link our concerns about drug policy to the concerns of those in other fields that are touched – sometimes pummeled – by supply-oriented policy.”<sup>66</sup>

The discussion on applying a harm reduction approach to the supply side is new and is not without controversy. There has been a fierce debate on the application of harm reduction policies on the consumption side, notwithstanding abundant scientific evidence of their success. But support for widening the concept is growing. There are also arguments to apply the ‘harm reduction’ philosophy to the whole drugs market, including as a means to address the worst problems related to drug trafficking and drug related violence, rather than claiming these will be eliminated. A study on criminal justice and harm reduction in Europe states that: “Given that drug markets cannot be eliminated, but may operate in ways that are more or less socially harmful, the key questions for law enforcement become: what sort of markets do we least dislike and how can we adjust the control mix so as to push markets in the least harmful direction?”<sup>67</sup>

There are some practical examples of a harm reduction approach for the supply side. In Laos, opium has been used for recreational and medicinal purposes, especially in poppy growing communities, also causing some addiction. A strictly enforced poppy ban would deprive habitual users of cheap access to opium, and would force them to quit or buy at considerably higher prices on the black market. Realising this, in 2000 the Lao government made a special provision for elderly and long-term opium users: “For

## Drugs and Peace Talks in Colombia

The illicit drug economy has been one of the engines of the Colombian armed conflict. The issue of drugs has therefore been an important point of discussion in the peace negotiations currently being held in Havana between the Colombian government and the *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, FARC). The peace agenda envisages a “solution to the problem of illicit drugs”, which includes an examination of the situation of illicit crops, mainly coca bush. Discussions will take into consideration comprehensive development plans that involve community participation in the design, implementation and evaluation of coca substitution programmes, as well as the environmental recovery of areas affected by these crops. The agenda also addresses the prevention of drug use and combating drug trafficking.

The Colombian guerrillas emerged in the context of a comprehensive agrarian conflict that was motivated by land tenure problems. The Colombian agricultural sector has historically been characterised by highly concentrated land ownership, which excludes most of the rural population. In the last three decades, the situation was exacerbated by the penetration of drug trafficking and drug mafias or cartels in much of the rural area, worsening the already precarious living conditions of peasant farming communities. Drug trafficking became part of the war economy for various armed groups, enhancing the power of those who control part of the drug production, distribution and marketing process. Meanwhile, the proliferation of coca cultivation (and to a lesser extent of opium poppy and marijuana), and the spread of the illicit activities linked to the production and marketing of cocaine base paste, affected the traditional cultural practices of peasant and indigenous communities, who were often forced to become part of the violent economy. At the same time, the illicit cultivation of coca, poppy and cannabis provided an essential survival economy for many internally displaced and/or marginalised black, indigenous

and impoverished rural communities, representing for many a solution in the absence of other livelihood options.

In the peace talks, both the government and the FARC have called for a rethinking of the current government drug control strategy, based on the US-led ‘war on drugs’. The US-sponsored Plan Colombia, which has been applied since 2000, not only failed to reach its aim to reduce drug trafficking but also helped to fuel the conflict, generated massive population displacements and transformed large swathes of rural areas into war zones. The massive aerial spraying programme of coca and opium poppy fields in particular has caused much havoc and protest. The peace talks offer the possibility to reverse the negative impact of the drug economy on the most vulnerable social sectors.

Representatives of civil society, academics, NGOs, rural authorities and agrarian communities, under the auspices of UNODC, recently held two forums on drug policy in order to present proposals for new strategies and alternative options at the negotiating table in Havana. If the conflicting parties manage to reach an agreement, and if the government succeeds in implementing rural policies that contribute to resolving the structural problems facing the agricultural sector – including land reform – the violent drug war in the mountains and jungles of Colombia could become a thing of the past.

The Colombian government knows that signing a peace treaty with the guerrillas will not solve the problem of drug trafficking and organised crime in general – the FARC is only one of several actors in the business – but it could help to reduce the level of violence and insecurity linked to the illicit drug economy that tens of thousands of farmers have suffered for the last decades. It is time to move away from the present aggressive eradication focus and start to implement alternative models based on community participation, prioritising a life in dignity for the internally displaced and poor rural communities involved in the cultivation of crops used for illicit drug production.

some households that cannot spontaneously respond to this national priority due to family long-time addicts, local authorities gave special authorisation to plant the opium poppy in a controllable limited area for a certain period of time according to the Prime Minister Order dated 28/11/2000.”<sup>68</sup> The regulation came to an end only a few years later when the amended criminal law Article 135 was enforced, which stipulates that “production, possession, import, export and transportation of opium are totally illegal.”<sup>69</sup> Unfortunately, there has been no study on the implementation and impact of the clause.

Another concrete example of harm reduction for the supply side is the effort by the British government in Afghanistan to produce socio-economic maps with target areas that are eligible for eradication since local people have access to other

livelihoods, thereby trying to avoid households that rely on opium cultivation for their survival. These target areas are based on a number of criteria, including rural livelihood projects, distance to markets, water availability, agricultural diversity, population density, extension of access to non-farm income and credit. Local security conditions are also included.<sup>70</sup> This policy follows recommendations made at several expert meetings and political statements by member states on AD, which argue: “Ensure that eradication is not undertaken until small-farmer households have adopted viable and sustainable livelihoods and that interventions are properly sequenced.”<sup>71</sup>

Unfortunately, the policy was never implemented, as provincial governors in charge of eradication had to balance eradication with security, and had to negotiate with all the



tribes. The governor-led approach did not take the central target maps into consideration. Local officials felt that the British targeting approach was too abstract and relied on questionable data. In practice, kinship ties and local power relations play a more important role in negotiating targets than supposedly 'objective criteria'. In fact, those targeted for poppy eradication tended to be those with the fewest alternatives available to them and had no power to resist.<sup>72</sup>

### Conflict Sensitive Drug Policies

'Do no harm' approaches are now widely accepted as the necessary preconditions for any development intervention in conflict affected areas.<sup>73</sup> As drug production often takes place in conflict affected areas and fragile states, there is also a need to develop principles for conflict sensitive drug policies that 'do no harm'. There is a large body of literature on the relationship between drugs and conflict and/or violence, and how these mutually interact. "AD projects should be designed, implemented and monitored in a conflict sensitive manner, since most illicit crop cultivation takes place in conflict or post-conflict settings", according to a report by GIZ. "In most drug cultivating areas, the main stakeholders of illicit drug economies are non-state armed groups and/ or criminal networks. Therefore, AD and development cooperation in violent drug environments should be designed according to the principles of non-interference and do-no-harm in order to avoid putting farmers at risk when participating in development cooperation activities."<sup>74</sup>

In the case of Burma, for instance, new ceasefires have been signed with most armed ethnic opposition groups. The country is trying to emerge from decades of armed conflict, and there is greater potential for conflict resolution than ever before. However, the situation is complex and international actors seeking to provide development assistance and implement programmes in conflict affected areas should take great care to ensure their interventions are conflict sensitive. Many of the conflict affected areas have drug related problems, including opium cultivation, production of heroin and ATS, and injecting heroin use. Some of the ethnic armed opposition groups have therefore developed their own responses, such as the Kachin Independence Organisation (KIO), The Ta-ang National Liberation Army (TNLA) and the Shan State Army–South (SSA-South), which often have focused on eradication and implementing strict bans on opium cultivation and the arrest and forced detoxification of drug users. There is a need to engage with these groups and build capacity in implementing more sustainable and effective drug policies that respect human rights and follow priorities and concerns of local communities.

Furthermore, many of the parties to the conflict in drug producing areas have some involvement in the drug trade. Some of these groups or individuals members

have lost their original political objectives and are now motivated by economic reasons. Others use a variety of financial resources – including the drugs trade – to achieve political objectives, such as the United Wa State Army (UWSA), which has an ethnic nationalist agenda while its leadership has been indicted by a US court on drugs trafficking charges.<sup>75</sup> The question is about prioritisation: achieving peace and reconciliation, or risking conflict and breakdown of a more than 20 year old ceasefire and trying to arrest the UWSA leadership.

In this case it is important to note who decides to arrest whom. In many cases, decisions about indictments and arrest warrants are more rooted in politics (targeting political opponents or business rivals) rather than in evidence. This has resulted in a tendency to blame one of the parties for all the drug problems in the country or region. Classic examples of this are first Khun Sa's MTA and now the UWSA in Burma, the Taliban in Afghanistan and the FARC in Colombia, ignoring corruption and involvement up to the highest government level, and the structural causes that facilitate the drug trade, such as conflict, lack of rule of law, state repression and weak governance.

Conflict sensitive drug policies that 'do no harm' should also look at the effectiveness of interdiction as a policy instrument. In some cases, interdiction may even have an adverse effect on drug production as it can stimulate farm-gate demand and price of opium. In principle, seized and destroyed quantities of opium and heroin do not lead to less consumption but are replaced by increased production. The market impact of interdiction – usually very small – depends on the precise level of the trade and the type of operation at which it is aimed. Furthermore, experience in Afghanistan and in others parts of the world have shown that eradication and interdiction are not conflict neutral but rather target political opponents, usually competing local commanders or other tribes. The widespread corruption in the country further contributes to a focus on poor farmers and small-scale traders, driving people into the hands of anti-government forces. This is in clear contradiction with the aim of stabilising Afghanistan, providing security and 'winning the hearts and minds'. Intensifying the war on drugs would only add further fuel to the conflict.<sup>76</sup>

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## Abbreviations

AD	Alternative Development	ONCB	Office of the Narcotics Control Board
AFSPA	Armed Forces Special Powers Act	OST	Opioid Substitution Therapy
ART	Anti-Retroviral Treatment	PMF	People's Militia Forces
ASEAN	Association of Southeast Asian Nations	RRF	Rebellion Resistance Force
ASOD	ASEAN Special Ministerial Meeting on Drugs	SP	Spasmo-Proxyvon
ATS	Amphetamine-Type Stimulants	SPDC	State Peace and Development Council
BA	Burma Army	SSA-N	Shan State Army–North
BGF	Border Guard Force	SSA-S	Shan State Army–South
CBN	Central Bureau of Narcotics (India)	STD	Sexually Transmitted Disease
CND	Commission on Narcotics Drugs	TNI	Transnational Institute
CPB	Communist Party of Burma	TNLA	Ta-ang National Liberation Army
CCDAC	Central Committee for Drug Abuse Control	UK	United Kingdom
CPS	Concentrate of Poppy Straw	UN	United Nations
DIC	Drop-In Centre	UNGASS	UN General Assembly Special Session on Drugs
EU	European Union	ONCHR	Office of the UN High Commissioner for Human Rights
FARC	Fuerzas Armadas Revolucionarias de Colombia	UNODC	United Nations Office on Drugs and Crime
FPIC	Free, Prior and Informed Consent	US	United States
GHB	Gamma-Hydroxybutyric acid	USA	United States of America
GIZ	Gesellschaft für Internationale Zusammenarbeit	USDP	Union Solidarity and Development Party
GOB	Government of Burma	UWSA	United Wa State Army
Ha	hectare	WHO	World Health Organisation
HDI	Human Development Indicators		
ICAD	International Conference on Alternative Development		
INCB	International Narcotics Control Board		
KDA	Kachin Defence Army		
KIO	Kachin Independence Organisation		
Kg	kilogram		
KMT	Kuomintang		
MDG	Millennium Development Goals		
MDMA	3-4 methylenedioxymethamphetamine		
MMT	Methadone Maintenance Therapy		
MNDAA	Myanmar National Defense Alliance Army		
MTA	Mong Tai Army		
MQY	Minimum Qualifying Yield		
NDAA	National Democratic Alliance Army		
NDA-K	New Democratic Army - Kachin		
NDNM	National Drug User Network Myanmar		
NGO	Non-Governmental Organisation		
NPS	New Psychoactive Substances		
NSCN-IM	National Socialist Council of Nagaland - Isak-Muivah		
NSP	Needle and Syringe Programme		

The illicit drug market in the Golden Triangle – Burma, Thailand and Laos – and in neighbouring India and China has undergone profound changes. This report documents those changes in great detail, based on information gathered on the ground in difficult circumstances by a group of dedicated local researchers. After a decade of decline, opium cultivation has doubled again and there has also been a rise in the production and consumption of ATS – especially methamphetamines. Drug control agencies are under constant pressure to apply policies based on the unachievable goal to make the region drug free by 2015.

This report argues for drug policy changes towards a focus on health, development, peace building and human rights. Reforms to decriminalise the most vulnerable people involved could make the region's drug policies far more sustainable and cost-effective. Such measures should include abandoning disproportionate criminal sanctions, rescheduling mild substances, prioritising access to essential medicines, shifting resources from law enforcement to social services, alternative development and harm reduction, and providing evidence-based voluntary treatment services for those who need them.

The aspiration of a drug free ASEAN in 2015 is not realistic and the policy goals and resources should be redirected towards a harm reduction strategy for managing – instead of eliminating – the illicit drug market in the least harmful way. In view of all the evidence this report presents about the bouncing back of the opium economy and the expanding ATS market, plus all the negative consequences of the repressive drug control approaches applied so far, making any other choice would be irresponsible.

The Transnational Institute (TNI) was founded in 1974 as an independent, international research and policy advocacy institute. It has strong connections with transnational social movements and associated intellectuals who want to steer the world in a democratic, equitable, environmentally sustainable and peaceful direction. Its point of departure is a belief that solutions to global problems require global co-operation. TNI carries out radical informed analysis on critical global issues, builds alliances with social movements, and develops proposals for a more sustainable, just and democratic world.

TNI's Drugs & Democracy programme analyses trends in the illicit drugs market and in drug policies globally, looking at the underlying causes and the effects on development, conflict situations and democracy. The programme promotes evidence-based policies guided by the principles of harm reduction and human rights for users and producers. Since 1996, the programme has maintained its focus on developments in drug policy and their implications for countries in the South. The strategic objective is to contribute to a more integrated and coherent policy – also at the UN level – where drugs are regarded as a cross-cutting issue within the broader goals of poverty reduction, public health promotion, human rights protection, peace building and good governance.

TNI's Burma Project stimulates strategic thinking on addressing ethnic conflict in Burma and gives a voice to ethnic nationality groups. Burma has been exposed to some of the longest running armed conflicts in the world. Ethnic nationality peoples have felt marginalised and discriminated against. Addressing ethnic conflict in the country is a prerequisite to achieving democracy, development and peace. TNI believes it is crucial to formulate alternative policy options and define concrete benchmarks on progress. The project aims to achieve greater support for a different Burma policy, which is pragmatic, engaged and grounded in reality. It also builds capacity of local actors on key policy issues, including natural resource management with emphasis on land and water, and drug policy.