

ECO Secretariat Staff Papers

# Common Challenges, Common Responses: Fighting Narcotics as a Harbinger of International Cooperation

Ebrahim Afsah, International Consultant

June 2014

## **Disclaimer**

The designations employed and the opinions, figures and materials set forth in this publication are the responsibility of the author(s) and do not reflect the views and opinions of the ECO Secretariat.

## **Common Challenges, Common Responses: Fighting Narcotics as a Harbinger of International Cooperation**

Popular and elite attitudes towards the production and trade in opium and its derivatives have undergone drastic changes over the last two hundred years. Introduced to the region as a cash crop by colonial powers controlling its international trade routes, opium had become by the mid 20<sup>th</sup> century a regular feature both of agricultural production –often under government regulation if not instigation–, as well as recreational drug use of the well-heeled sections of society throughout the region but especially in Iran, Afghanistan, and in that part of the British Raj that comprises the territory of today's Pakistan.

Never an unproblematic product, the nefarious effect of opium during these periods were primarily connected with the perpetuation of colonial and semi-colonial domination, balance of payment issues, the displacement of food crops for drugs, as well as the influence of addiction on public health and cultural attitudes. But the trade and production of opium was generally regulated if not controlled by state or semi-state entities, more potent derivatives had not yet been popularized and, thus, addiction patterns and public health concerns remained relatively benign. Most importantly, however, production and trade were not yet controlled by organized crime and as such opium's impact on state and social stability remained relatively low.

It is easy to portray this relatively tranquil period in a overly nostalgic vein, so one needs to guard against the temptation to look at drug abuse in that period with rose-tinted glasses. Still, in light of the revolution in global attitudes towards drug production, trade, and use that occurred in the second half of the 20<sup>th</sup> century, the problems of that era do stand out as somewhat quaint compared with the massive dislocations caused by opium in later years.

Fuelled by changing cultural attitudes towards recreational drug use in Europe and North America since in the 1960s, the closely connected search for ever more potent psychotropic agents, the massive abuse of opium and its derivatives by American soldiers during the Vietnam war (a process later repeated by Soviet troops in the Afghan theatre), and the generally proscriptive response by governments shown towards narcotics led to a paradoxical outcome: just as the demand for opium and its derivatives began to explode, the product became 'securitised', i.e. treated (generally for the first time) as a criminal infraction.

The simultaneous rise in global demand and the closure of lawful avenues to meet it, led, quite predictably, to the rise of powerful transnational criminal enterprises attracted by the promise of exorbitant profits. The challenge for governments and publics has been two-fold and qualitatively different from that posed by drug use in earlier periods: on the demand side, the widespread use of ever more potent opiates such as especially heroin has vastly exacerbated the social and public health implications of drug abuse; and on the supply side, the criminalization of production and trade has strengthened well-organized criminal networks and undermined legitimate governance structures through corruption, violence, tax evasion, and links to armed conflict.

The endemic conflict in Afghanistan is a case in point. The effective collapse of effective governance institutions during the decades of conflict has enabled armed opposition groups to turn to narcotics as a source of financing, whose entrenched interests have, in turn, proven a formidable obstacle to the re-establishment of government authority since 2002. Predictably, given the global market for opiates, the problem has not been confined to Afghanistan but has massively affected its neighbouring countries, especially Iran and Pakistan through whose territory the bulk of Afghan opium and heroin passes to its end markets in Europe and elsewhere. It is, therefore, these two countries in particular which have borne the brunt of global efforts to stem the rising tide of Afghan opiate

production. Consequently, the member states of ECO account for over 90% of the global seizures of Afghan opiates.

In contrast to relatively tranquil earlier periods, narcotics present government and societies with a truly explosive, if not outright existential challenge: the availability of abundant supplies of very potent narcotics at – given their proximity to the source along the global trafficking chain– fairly cheap prices has created an epidemic of addiction in all three countries. Furthermore, large profits have created increasingly heavily armed criminal organisations and/or opposition groups with a vested interest in undermining governmental authority and social stability. This existential threat is widely recognised among governments in the region, and links them to the vital interests of governments in the main consumer markets in Europe.

Two elements are noteworthy here and inform the current EU-funded counter-narcotics project with ECO-DOCCU. First, by its very nature illicit drugs is a *transnational* problem which cannot be effectively tackled by any one national government in isolation. Rather, close inter-governmental operational collaboration, intelligence sharing, common training, and regulatory harmonisation are required to counter criminal transnational networks. Second, while relations of Western governments with the those of the regions have not always been easy, marked as they have been by the legacy of colonial domination, bipolar confrontation, economic inequality, and geopolitical concerns, the existence of important shared concerns and common interests is equally undeniable. The fight against narcotics production, traffic, and, ultimately, consumption is one of these powerful shared interests where neither side can address this dangerous problem on its own. The strong support of the EU in ECO's counter-narcotics programme is indicative of this mutual realisation.

The aim of the project is, consequently, to strengthen stability and security throughout the region and to protect the population along the major heroin traffic routes from the wicked social effects of drug abuse and a narco-economy. The EU-funded project on the fight against trafficking to and from Afghanistan is being implemented in collaboration with the ECO Member States and a consortium comprising Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), ECO-DOCCU, Interpol, United Nations Office on Drugs and Crime (UNODC) and Bundeskriminalamt (BKA), Germany.

Under the project, the European Commission is providing 9.5 Million Euros for the provision of technical and operational support required by the ECO Member States to fight drug trafficking in the region and beyond. The underlying philosophy reflects the insight that just as countries reacted to the globalization of the economy by developing regional economic integration, ECO countries are responding to the globalization of crime and terrorism by increasingly developing similar integration schemes in the area of security in order to regain their capacity to efficiently protect their citizens.

One of the four components of this multi-annual inter-agency endeavour concerns strengthening the capacity of ECO's Drug and Organized Crime Coordination Unit (DOCCU) at its headquarters in Tehran, in cooperation with GIZ staff in Berlin and Tehran, and the author who has been contracted as an independent legal consultant to work together to increase DOCCU's capacity as a coordination platform for member states; to enable it in disseminating information and regional training measures; and to enhance visibility in the specialist public. This component, among others, focuses on providing member states and the ECO secretariat with advice on better ways to harmonise the penal and regulatory environment in the three main affected states, namely Iran, Afghanistan, and Pakistan. A particular emphasis lies on soliciting the views of the national officers tasked with carrying out the counter-narcotics mandate in order to identify

those areas where the legal framework currently presents obstacles for effective international cooperation and collaboration across the region and beyond. Only after eliciting the crucial views of national authorities and officers, will recommendations for joint action and regulatory harmonisation be made.

*About the author: Dr. Ebrahim Afsah is an Associate Professor of Public International Law at the Faculty of Law, University of Copenhagen. Prior to joining this, he has served for a decade as a legal expert inter alia for the World Bank, UNODC, GTZ, EU, USAID, etc. on administrative reform, public and constitutional law, and state-building. His research interests include general international law, comparative constitutional law, international relations theory, administrative law, and Islamic law. Educated at the School of Oriental and African Studies, London; Trinity College Dublin; the Kennedy School of Government at Harvard University; and the Max Planck Institute of Comparative Public Law and International Law, Heidelberg, Dr. Afsah speaks seven languages and is an avid fan of Islamic architecture and Middle Eastern cuisine.*