



PacificMUN 2017

United Nations Office on Drugs and Crime (UNODC)

Backgrounder Guide

Topic A: Legalization of Drugs



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Dare to Speak | February 24–26 2017

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Dear Delegates,

My name is Brandon Zhou and it is my distinct pleasure to be directing the United Nations Office on Drugs and Crime (UNODC) this year at PacificMUN 2017. I am currently in Grade 11 at St. George's School and have been involved in MUN for several years. Model United Nations has shaped my perspective of the world, allowing for critical analysis of global issues. Outside of MUN, I am involved in volunteering, debate, and music.

As a specialized agency, the UNODC will deal with two highly controversial issues that are pertinent on the international stage. With a variety of levels of delegates, I seek to create an experience that allows all skill levels to prosper. My goal is to make this committee not only relevant to the events that take place in the world today, but also to deliver a committee that features stimulating and insightful debate.

The two topics I have chosen this year present delegates with a dimensional outlook on the world of drugs and crime, with a focus on the legalization of drugs and the granting of amnesty to criminals. These topics will allow delegates to learn more about the issues at hand and the role of different countries from an unfamiliar perspective. While many countries may have distinct views on certain problems, the final goal of diplomacy and resolution is the light at the end of the tunnel. I feel that these two topics adequately sum up our interaction and prevention of the illicit drug trade and with the continuation and strengthening of human rights.

I hope you enjoy your journey through these topics and are well equipped for the upcoming conference. I am excited to see you all in February and look forward to getting to know all the delegates, whether it is your first or fifth conference. If you have any questions, please do not hesitate to contact me, or speak with any of the Dais.

Having said this, welcome to the UNODC at PacificMUN 2017!

Sincerely,

Brandon Zhou
UNODC Director | PacificMUN 2017



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Committee Overview

Since 1997, through a merger of the United Nations Drug Control Programme and the Centre for International Crime Prevention, the United Nations Office on Drugs and Crime has become a global leader in the fight against illicit drugs and international crime. The UNODC operates in numerous field offices located around the world where it is mandated to help member states in the fight against drugs, crime, and terrorism. Employing around 2000 people worldwide and with its headquarters in Vienna, Austria, the office also has two liaison offices located in Brussels and New York City. With an estimated biannual budget of US\$700 million in the 2016-2017 year and no military force, the UNODC relies heavily on support from member countries for funding.

In the Millennium Declaration, one of the goals of the UNODC was to strengthen attempts of fighting transnational and international crime, along with countering the world drug problem. The UNODC's work programme can be summarized in its three pillars.

First, they work to counteract illicit drugs and crime through field-based technical cooperation projects in member countries which overall allow member states to better contribute against the flow of crime and drugs. Second, to broaden our knowledge base and understanding of these issues based on research, analytical work, and evidence based study of implemented policies. Lastly, this office strives to assist states in the ratification and implementation of international treaties regarding the control of crime and drugs through both international and domestic legislation.

The main goals of the UNODC are to help better equip governments to handle crime and drug related issues in the long run while mitigating existing problems in the short term. In the pursuit of these objectives, the UNODC looks particularly at the problems surrounding and stemming from these issues such as human trafficking and the ability of alternative livelihoods for those countries and citizens reliant on drugs. Some of the main themes the UNODC deals with include corruption, criminal justice, drug prevention, and alternate development.



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Topic Introduction

As illegal drugs become more and more commonplace in society, we are at a point where we must make a decision about the war on drugs. The UNODC, being a body in charge of the regulation and control of illicit drugs, has the direct power to influence change in the global war against drugs. With many member countries struggling with problems over the control of drugs and drug reform on a domestic level, this conflict is only matched by the war waged on the international platform. With increasing drug usage for a variety of substances from cannabis to cocaine, the relevance of drugs has become more prominent than ever.

Amidst the growing issues of the drug trade and its usage, the pressing concern has been in the potential legalization of currently illicit drugs. This solution to the problem has been voiced by the United Nations and supported by several other countries on different levels. The method and extent of this legalization of drugs has the potential to drastically change the future both for the better and the worse. The short and long term implications of this problem, if left unsolved, are disastrous, but equally as destructive would be the incorrect implementation of such legalization. Through this legalization of drugs problems may be alleviated, but in the future, there is a strong possibility of further misuse and these regulations being taken advantage of. Delegates must tread carefully on this topic and consider the ramifications of their actions in both a short and long term lens.

Part of the seemingly endless list of issues and challenges faced by the international community in the process of legalizing drugs is feedback and backlash that will be received by the UNODC from member states and citizens alike. The correct solution and implementation surrounding the legality of drugs is delicate, and the correct solution requires much consideration.



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Timeline

1898	Diacetylmorphine (heroin) is synthesized in Germany being widely lauded as free from addiction-forming properties.
1914	Harrison Narcotic Act is enacted, controlling the sale of opium and cocaine.
1974	Uruguay has implemented quantity limits on drugs and decriminalized the possession of drugs for “personal use” leaving it up to the judge’s discretion for the interpretation of “personal use”.
1980s	Sinaloa Cartel was formed, comprising of a group of farmers turned cocaine traffickers in one of the world’s biggest criminal organizations based on drugs.
1988	United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances made it mandatory for countries to establish the production, sale, transport, and distribution of drugs as a criminal offence under domestic law.
2001	Portugal becomes the first European country to abolish all criminal penalties for the personal possession of drugs.
2007	An estimated 208 million people internationally consume some type of illegal drug.
2008	Global heroin seizures reach a record level of 73.7 metric tons.
2008	Seizures of cocaine in South America estimated to be 59% of the global total of cocaine.
November 1, 2008	International Network for People Who Use Drugs (INPUD) is launched with 100 international activists from 30 countries intent on representing drug users on the world stage.
2009	Value of the illicit drug trade around the world estimated to be at \$1.3 trillion dollars USD.
August 2009	Argentinean Supreme Court declared the prosecution of citizens having drugs for personal use to be unconstitutional.
June 14, 2010	Stoltenberg commission recommended the implementation of heroin assisted treatment.
2012	Australian think tank, Australia 21, releases a report on the decriminalization of drugs in Australia.



United Nations Resolution-Based Approach

As the usage, possession, and spread of drugs became more prevalent, there was much done previously that resulted in the situation today. In the 1980s and 1990s, in the face of growing drug trades and cartels in Mexico and South America, many United Nations bodies came together to discuss and resolve the issue. This resulted in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances in 1988 which helped increase countries' ability to regulate drugs through a mandatory resolution prohibiting drugs on a domestic level.

War on Drugs

Even with these regulations in place and continual guidance from the UNODC, the number of people consuming drugs and the amount of drugs seized annually has still been rising steadily. It was in the early 1960s that the so-called "War on Drugs" was established by the United States with similar ideologies branching and spreading to other countries around the world such as the United Kingdom. As drugs became the symbols of youth rebellion, social upheaval, and dissent, President Richard Nixon dramatically increased the size and presence of federal drug control agencies. President Nixon went so far as to categorize marijuana as a 'Schedule One' substance, the most restrictive category for the regulation of drugs.

In 1972, as the decriminalization process for marijuana was slowly approved and set into motion, it was only a few years after when backlash prevented the following through of this motion, on the basis of high rates of teen marijuana use. In Ronald Reagan's presidency, highly publicized anti-drug campaigns were run, setting up the stage for zero tolerance policies and the DARE drug education program despite its researched lack of effectiveness.

Later on, Bill Clinton advocated for the treatment instead of incarceration of individuals involved with drugs. However, when elected, he quickly reverted back to previous techniques of drug control and continued to escalate the drug war. Today, the war on drugs, especially in North America, has tried advocating for reforms while Uruguay became the first country in the world to legally regulate marijuana in December of 2013. In Canada, Prime Minister Justin Trudeau has also promised to legalize marijuana in light of shifted public opinion favouring reforms that reduced the role of criminalization in the regulation of drugs.

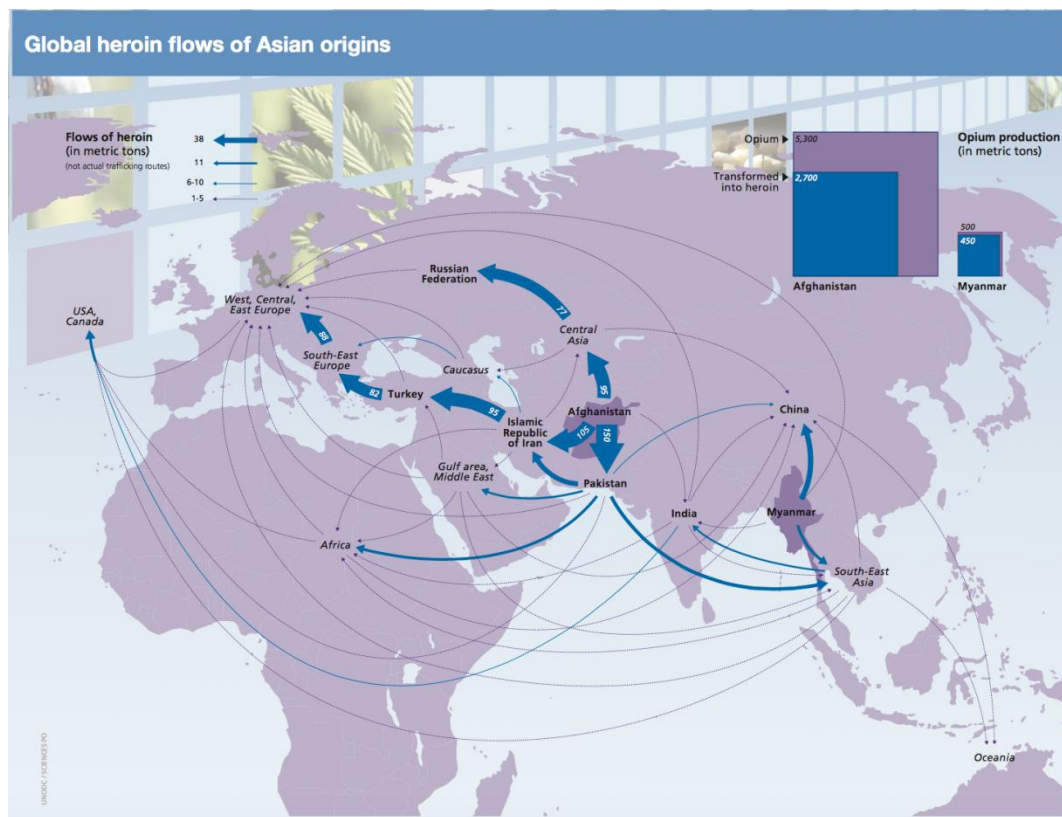
In the past, many influential figures have been centre stage in their critique of the existing international drug control regime with Guatemalan President Jimmy Morales advocating for a people-centred rather than substance-focussed approach to the situation. On the other side of the spectrum, Indonesia has voiced and defended its support for their country's current use of the death penalty as part of their drug control policy despite international pressures to change their method of control.

United Nations Special Sessions

The UN's last special session on drugs, in 1998, had international leaders agree and call for a drug free world by 2008, something that has clearly not been accomplished today. Earlier this decade, Portugal had chosen to decriminalize all drugs while Switzerland has pioneered a policy of heroin prescription. The accumulation of three of the UN's main documents the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 Convention Against Illicit Traffic in Narcotics outline the treatment of drugs and provide guidelines toward the development of domestic policies to combat drug use. The previous

approach to the situation has largely been regulation based with the UNODC taking a defensive stance and distanced approach in providing solutions.

Sir Richard Branson, a Global Commission on Drugs Policy representative, believes the true importance of special sessions regarding drugs is in its ability for countries and civil society groups to have their opinions heard. In the mind of Professor Michel Kazatchkine, the UN special envoy for HIV/Aids in Eastern Europe, he finds comfort in the fact that much of the talks occurring in the UN have shifted its focus off the substance and instead turning to the individual users and their health as a way of solving the drug problem. It can be noted that these individuals provide insight on the workings of UN sessions when they identify a changing of ideology in the approach of resolution.



Situation in Middle East and Asia

Even outside of North America countries in the Middle East and parts of Asia have faced similar problems. Despite the gathering of less reliable data for areas of Asia and Africa, North Africa has the greatest number of cannabis resin seizures on the continent with Morocco historically being one of the world's leading global suppliers of cannabis resin. In Afghanistan, with a multi-billion dollar drug trade based primarily on opium, the so-called "Golden Crescent" has been a region with high amounts of drug activity especially in the area of trade and production. In India, with many farmers in poverty and a vulnerable border, it has been subjected to growing problems in drug usage and trade.

¹ Source: World Drug Report 2010, https://www.unodc.org/documents/data-and-analysis/WDR2010/WDR10_Poster_Opium-Heroin.pdf



Case Studies of Legalization

In the face of increasing drug proliferation, several countries have decided to legalize drugs, albeit to different extents, as a solution to the problem. Most notable of these countries include Uruguay and Portugal. In 2013, Uruguay made the decision to become the first country in the world to completely legalize marijuana. From a social perspective, public sentiment continued to go against this legalization with presidential candidates vowing to repeal much of the law if elected. Part of their legalization tactics allowed private citizens to cultivate up to six plants in their house; however sales must go through the federal government which takes a highly regulatory stance in determining prices and setting up dispensaries. For Uruguay, potential customers are run through a Ministry of Health database and are highly restricted on the amount of substance they can buy. The main motivation of this legalization of marijuana was not just to regulate an existing market, but also to take the market away from illegal drug dealers in an attempt to protect its own economic interests and the consumers. In the aftermath of this legalization, they have seen drawbacks such as a loss of trust in the government and an increase in cannabis users, rising to 120,000 daily users in 2013.

On the other side of the globe, in Portugal, an anti-drug commission comprised of eleven experts on the topic looked in depth at the situation and the drug users where they identified problems in the system and rejected the label of drug users as criminals seeing these individuals as mentally sick. The end result in Portugal was not a direct legalization of drugs, but rather a decriminalization allowing for those affected to be supported more easily by the system. Leaders in this new wave of dealing with drug users have noted the expenses saved and pressure eased from the country's judicial system and prisons. Frank Zobel, from the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), notes that while a no drug policy can prevent people from taking drugs and stop the illicit drug trade; such a model does not yet exist. The next best solution is in Portugal where drug consumption has not increased severely.

Actions of Middle Eastern and Asian Nations

As the situation with the war on drugs continues to worsen in the Middle East, especially in the Golden Crescent and Golden Triangle, the Middle East and North African (MENA) countries continue to hold on to a hard-line position on drug policies. This is in stark contrast to the mindset of European and Latin American states that have been slowly diverging from the concept of criminalization and turning more toward a counter-narcotics regime through law and usage reforms.

A social taboo that has resulted in little to none public and government attention to the issue lead to a largely stagnant drug policy in many Middle Eastern nations such as Saudi Arabia where hundreds of high level executions of accused drug traffickers take place every year. Even the International Narcotics Control Board and the international community have rejected these policies and actions. Citizens, often war-traumatized and displaced, have turned to illicit drugs in countries such as Iraq and Syria where drug use is steadily rising. Prevention policies put into place in these countries have been ineffective due to nonexistent drug treatment and support. Without this support, it would be extremely difficult for countries to implement any type of drug reform policies, such as legalization. In the "Golden Triangle", solutions employed in Thailand, such as the legalization of drugs and the destruction of poppy production, have proved to be positive models for change leaving behind strong economic growth and rural development.



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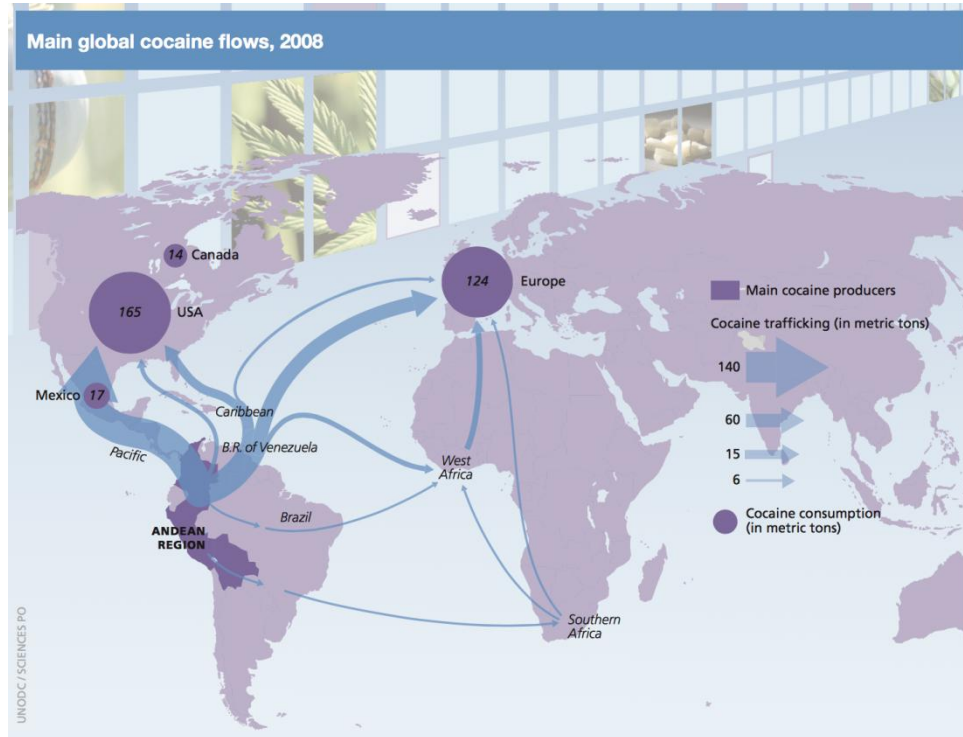
Current Situation

In Afghanistan, a multi-billion dollar heroin trade has been constructed with the support of the Taliban in defiance of the international community. Statistics from the UNODC show that opium production in Afghanistan in 2003 was estimated to be at 3600 tons with a cultivation area of 80,000 hectares.

Impacts in Western Society

In more developed countries such as Canada, the United States, and the United Kingdom, the increased market for illegal drugs has brought forth a sentiment of futility regarding the war on drugs with many notable members of government hinting at a change in ideology toward drug usage and spread. As drugs remain to be illegal in the UK, much of the drug trade and many drug users have turned to the dark web and black market in search of illicit drugs. This has been seen to not only hurt the consumers whose safety rests with the producers, but also the country since accountability is lost through anonymity. The United Kingdom has over 20,000 drug deals with revenue totalling \$2.3 million per month.

Meanwhile in the United States, the Office of National Drug Control Policy has made great progress in reducing casual drug usage, now moving to mainly target chronic addictive drug users. Inadvertently, the war on drugs in the United States has caused many other effects both positive and negative. Annually more than \$51,000,000,000 are spent on the war on drugs with over 2,200,000 Americans incarcerated, one of the highest incarceration rates in the world. On the other hand, 25 states have allowed the medical use of marijuana, four have approved legally taxing and regulating marijuana, and 20 states have decriminalized marijuana and eliminated criminal penalties. In comparison, the estimated revenue for California if the sale of marijuana were to be taxed and regulated would be \$1,400,000,000.



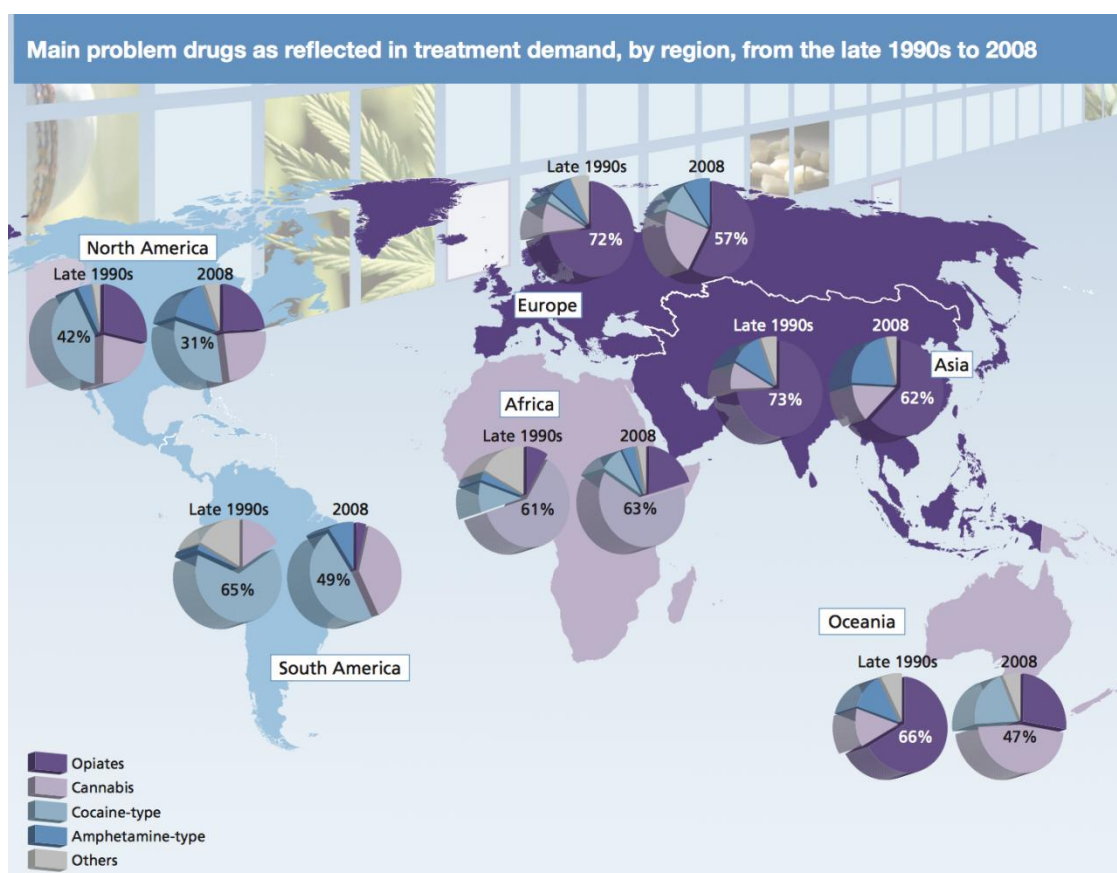
² World Drug Report 2010, https://www.unodc.org/documents/data-and-analysis/WDR2010/WDR10_Poster_Cocaine2.pdf



User Support and Growth of Drug Usage

The need for worldwide support of drug users has been recognized by both individual nations and international organizations such as the UNODC. Led by INPUD, many organizations around the world are run by and for people who use drugs, providing necessary support for users. Examples include the Australian Injecting and Illicit Drug Users' League (AIVL) which has a wide range of goals from health to harm reduction, and the Swedish Drug Users Union, *Svenskabrukarforeningen*, which tackles problems such as human rights violations in the drug community and acts as a powerful lobby group for change.

Currently, the world heroin consumption is at 340 tons with seizures representing an annual flow of 430-450 tons of heroin into the global heroin market. Both heroin and opium flows come from Asian points of origin eventually branching to the rest of the world. In North America, cocaine is typically transported from Colombia to Central American destinations where they move to Canada and the United States. The trend of global cocaine seizures has been increasing with seizures in South America for 2008 reaching 59% of the global total.



³ Source: World Drug Report 2010, https://www.unodc.org/documents/data-and-analysis/WDR2010/WDR10_Posters_Main_drugs.pdf



In the past, the United Nations has been involved both directly and indirectly in the war on drugs. The outlook of the UNODC and the United Nations has been gradually changing to match the sentiment of its member states. Much earlier on, the UNODC took a regulatory role in the control of drugs, with work mainly done through resolutions, encouragement, and guidance toward countries. This has resulted in the resolutions and documents of 1961, 1971, and 1988. Although these attempts at controlling the drug trade and usage were theoretically sound, in reality and in retrospect, they have not worked to such an extent as the office hoped. However, these resolutions were highly successful in implementing laws that criminalized the possession and usage of drugs. As a result, many member countries have such laws in place today. The legalization of drugs, however, would require a departure from previous methods and regulations in pursuit of a solution that takes another approach. The UNODC has acknowledged that their 1961 Convention has also brought forth unwanted consequences, specifically pushing drug trafficking into a global criminal black market and organized crime network.

Reaffirmation of Goals and Actions

The 1998 United Nations General Assembly Special Session (UNGASS) reaffirmed the previous treaties and conventions despite them not working previously. What is notable is that this Convention has been constantly ratified, but not amended since 1972. As a result, people of colour, indigenous communities, and women and children are disproportionately affected by this crackdown causing public health crises, violence, and human rights abuses worldwide.

The UN has also given empirical support and guidance toward countries and drug users. This has been done in the past through different branches of the United Nations, such as the World Health Organization (WHO) that have brought a focus on the health and safety aspects of drug consumption. Meanwhile, the Group of 8 (G-8) has led drug eradication attempts in Afghan regions.

Operation Containment

In response to the post-Taliban surge in opium production, the Bush administration, in collaboration with the United Nations, imposed a successful ban on poppy cultivation in 2000. Although opium production then declined by more than 90% in 2001, these efforts failed to recognize the involvement of the Taliban. Both Washington and the UNODC now see that the objective of the Taliban was not really drug eradication, but a scheme designed to create an artificial shortfall in supply, boosting costs.

Calls for Legalization

In recent times, the United Nations has called for the legalization of drugs as a potential solution to the problem. At a summit held by the UNODC, it announced new international recommendations, including the decriminalization of marijuana, universal access to controlled medicines, and criminal justice system reforms among many others. This marks a move away from fear-based approaches, rather delving into solutions based conceptually in harm reduction and decriminalization.



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Possible Solutions

One of the most pressing resolutions to the current drug crisis involves the legalization and decriminalization of drugs. However, a consensus must be reached in the method that this will be introduced. While a blanket legalization encompassing all different types of drugs could be a possible solution, such an extreme solution may not work due to the sensitive nature of certain drugs, such as heroin and cocaine because of its stronger negative effects on the economy and population of drug users. An alternative to this solution would be the legalization and loosening of usage regulation for specific drugs such as recreational drugs like marijuana. While this may be more efficient and effective, there are naturally downsides to this type of legalization when countries may face criticism for lack of decisive action on drug usage. Overall, care must be taken when seeking a resolution to look closely at the impacts and reputation of countries from a global perspective and from the point of view of citizens.

Another part of the solution would be in the monitoring of the usage, trafficking, and production of drugs that may occur after they are legalized. Countries should be very observant and create waterproof solutions that prevent the adverse manipulation of their policies by organized crime groups and other criminals during the process of legalization. More specific logistics of the situation must be planned in order for the process of decriminalization and legalization to play out efficiently. The modes that this data is analyzed must be improved to provide more statistics and trends to the development of the situation.

Along with the actual legalization of drugs is another aspect of the resolution that must be addressed: the drug users. Naturally, because the legalization will cause further proliferation of drugs and its usage, factors of the individual, such as health, education, and support must be dealt with to ensure that the legalization remains compatible with its audience. Despite the fact that some countries may lack the resources to legalize drugs and provide support for its users simultaneously, the education of possible users must be taken care of. The health of drug users ties in with the support that they receive, whether it is through treatment and addiction centres or counseling.

It is clear that the current mandate and objectives of the UNODC does not align with the prospect of legalizing drugs. Therefore, in order to remain a coherent and cohesive organization, our mandate must be changed to support these actions. The goals of the UNODC must also be modified accordingly, turning its focus toward helping drugs users and legalization.

Lastly, governmental regulations must be existent when drugs become legalized so that the production and sale of drugs are closely monitored. Effective ways to do this would be through the establishment of an organization or group whose sole purpose is to support these users in a safe manner, similar to many organizations that already exist today.



Countries that Produce Drugs

Countries that produce drugs and are heavily involved in the drug production process, whether or not it is sanctioned by the government, have a high stake in this issue since the legalization of drugs will directly affect their economic output. They are generally in support of any solutions that directly decriminalize and legalize all drugs since much of their current production may be of drugs such as cocaine and heroin. In some cases, these countries may also have a rising rate of drug users, and without heavy support for drug users, it would be nearly impossible to put effective methods of regulation and legalization in place. Because of a significant loss of confidence in the success of the war on drugs, these countries firmly believe in taking an alternative approach.

Countries Involved in War on Drugs and MENA Countries

Countries currently involved in the “War on Drugs” are not in support of the legalization of drugs since they feel that this would only increase and spread drug usage even more. Instead, they call for further strengthening of laws and regulations to prevent drug usage, production, and trafficking. This bloc, however, recognizes the inefficiency of the current war on drugs and has an overarching goal of seeking to make changes that will be more apparent and have a stronger impact globally. Due to strong cultural beliefs both in their societies and government, these countries are against the legalization of drugs as such measures would be contradictory toward their religious customs and culture.

Countries with Experience Legalizing Drugs

Countries that have experience legalizing drugs or loosening regulations on drugs often see the benefits both on citizens and governments of this action. With direct and empirical knowledge and experience accomplishing the legalization, they have the ability to share their successes and struggles with other countries, acting as advisors on the issue. These countries accept that while legalization may not be the best option for all countries, but it certainly is advantageous in winning the war on drugs in the long run.

Countries with Few Economic Resources and Influence

These countries that are smaller and may have fewer economic resources are impartial toward the situation. Some countries may choose to support the legalization of drugs in an effort to increase their economic capacity, especially if the drug trade and trafficking occurs directly. However, in most cases, these countries would lack the resources necessary to establish a strong foothold and maintain control over the legalization of drugs and support of users. Therefore, they would be forced to rely on other nations for financial assistance and oversight in the course of the resolution.



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Discussion Questions/Further Reading

1. What are the merits of the legalization of drugs that differ from current practices in the “War on Drugs”? Is legalization the better option, especially compared to decriminalization and current practices?
2. Aside from the direct legalization of drugs, what are some other aspects of the solution that must be considered in order for a smooth resolution to be implemented?
3. Is legalization the most effective way in solving the current drug problem? If so, how will this be legally achieved and what type of legalization is the best option? If not, what are other alternatives that can be taken by governments?
4. What kind of oversight on legalization projects will be necessary to ensure success? How will this be accomplished?
5. What impact does a resolution have on the international community? How will the international community cooperate in order to find an adequate solution? What will happen to countries that refuse to legalize drugs in comparison to those who choose to do so?
6. What kinds of alternatives are available for countries that lack the resources to legalize drugs? What kind of support will be available for countries that have trouble with the legalization process and lack the funds and responsibility to put an effective solution in place?
7. What kind of support will be available for drug users to help curb the problem of drug usage?
8. What can be done to mitigate the problems of rising drug usage with and without legalization measures? Is there any way to overcome these obstacles?

Article on the Effects of Drug Decriminalization in Portugal

<https://www.unodc.org/documents/ungass2016/Contributions/Civil/Transform-Drug-Policy-Foundation/Drug-decriminalisation-in-Portugal.pdf>

Drug Legalization from the Perspective of Law Enforcement Against Prohibition (LEAP)

<http://www.leap.cc/about/why-legalize-drugs>

United Nations Action on International Drug Policy

<http://www.latimes.com/world/mexico-americas/la-fg-global-drug-policy-20160419-story.html>

Skepticism on the War on Drugs

<https://www.theguardian.com/world/2016/apr/02/un-war-on-drugs-failure-prohibition-united-nations>

UNODC's Past Treaties Regarding Drugs

<https://www.unodc.org/unodc/en/treaties/>



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