

Co-operation Group to Combat Drug Abuse and illicit trafficking in Drugs

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Pompidou Group statement on costs and spill-over consequences of drug policies¹

1. *There is broad consensus that the overall aim of drug policy is to advance the health and welfare of mankind and reduce the individual and public health-related, socioeconomic and safety problems resulting from narcotic drugs and psychoactive substances through prevention and treatment and the reduction of illicit cultivation, production, manufacturing and trafficking. The concrete design and content of national drug policies vary, reflecting differences in the nature of national drug problems and available resources, as well as different approaches in responses to drug related problems.*
2. *All policies, regardless of the purpose, imply public spending and can entail spill-over consequences that are not the primary targeted effects.*

Estimating costs of drug policies

3. The limited availability of data can make difficult to analyse drug-related public expenditure. Many countries lack separate budgets for expenditures related to drugs, because these are included in broader budget categories. Improved estimates, information and awareness of public spending can help policymakers plan relevant interventions and allocate necessary funds.
4. Public expenditure estimates are important for assessing whether the expected results of the policy in question are actually reflected in action, and they constitute a necessary tool for implementing thorough policy evaluations. Public expenditure studies should include all relevant activities and policy approaches and may be particularly relevant in times of austerity.
5. Estimates of the demand and supply expenditures enable cross-country comparisons.
6. A thorough assessment of drug policy expenditures will also contribute to improved transparency and accountability of public institutions.
7. Until now, estimates of public expenditure in this field are sparse and data availability is limited. Estimates have been mostly produced at national level based on varying definitions, with no commonly agreed methodologies or comparable data. There is also uncertainty about the most appropriate economic models to use. These factors constitute barriers to a wider application of policy evaluation and cost-effective analysis in the field.

¹ *The Pompidou Group mandated an expert group with the task of compiling a report on possible adverse effects and associated costs of drug control policies. This report was launched in 2017 and bears the title Costs and unintended consequences of drug control policies (P-PG (2017) 3 Final. This statement is inspired by the work of the expert group. In this statement, the scope is broadened from drug control policies to drug policies. Furthermore, the term 'unintended consequences' is replaced by 'spill-over' consequences, in order to signal that consequences other than the ones that are the primary target of a policy or policy measure, are not necessarily unintended.*

Spill-over consequences of drug policies

9. All predictable consequences should be taken into consideration at the time of taking political decisions in order to avoid adverse effects as far as possible. Spill-over consequences are of policy relevance for two reasons: first, they should be taken into account when policy decisions are made and second, they should be minimized as far as possible when they imply adverse effects. Some of these spill-over consequences can affect availability, accessibility and utilisation of health care services. They may include patients in need of pain relief and palliative care, due to restricted access to appropriate medication. Social and economic effects also come into play.
10. The principle of proportionate response to drug-related offenses has increasingly gained support and is evident in several CND² resolutions and in important policy documents, such as the UN's "Report of the International Narcotics Control Board for 2016". Alternatives to coercive sanctions have been repeatedly suggested and encouraged by many stakeholders. The recent EU Action Plan on Drugs 2017-2020, explicitly calls for the use of alternative sanctions for drug-using offenders, and the UNGASS 2016 outcome document encourages the development, adoption and implementation of alternative or additional measures with regard to conviction or punishment. Proportionate responses and increased use of alternative sanctions can ensure the legitimacy and continued support for drug control policy.
11. Drug policy and human rights are inter-linked. Under the Council of Europe and United Nations Conventions, it is the obligation of States to protect and promote the enjoyment of fundamental rights and freedoms, in particular the right to life and human dignity, the right to the highest attainable standard of health and equitable access to quality health care services, the prohibition of any type of discrimination, as well as the right of children to be protected from narcotic drugs and psychoactive substances. Member States must ensure that drug policies respect these conventions. This is one of the reasons why awareness of spill-over consequences is important.
12. Insufficient attention to human rights can lead to harassment and violence, arbitrary detention, disproportionate sentencing and incarceration, absence of judicial guarantees, discrimination, gender inequality, erosion of the right to the highest attainable standard of health, and impinge on a person's dignity or otherwise amount to inhuman or degrading treatment. In case of interference with the enjoyment of fundamental rights, the State is also under an obligation to provide adequate and effective mechanisms for redress.

Proposals for action

13. In order to support member States to assess the costs and spill-over consequences of drug policies, the Permanent Correspondents suggest the following:
 - i. Improving the estimation methods by new methodological developments, agreeing on best practices, and searching for reliable, comparable data broken down by gender and age, will allow to better assessing public expenditure on drug policy and the impact of all the current actions in each country.
 - ii. The development of guidelines for the collection of data and economic modelling assessments should be considered.
 - iii. Classifying public expenditure based on its purpose by using a consistent categorisation system, such as the international Classification of the Functions of Government (COFOG).
 - iv. Expanding modelling techniques in order to improve evidence based drug policy evaluations

² 55/12 Alternatives to imprisonment for certain offences as demand reduction strategies that promote public health and public safety;
58/5 Supporting the collaboration of public health and justice authorities in pursuing alternative measures to conviction or punishment for appropriate drug-related offences of a minor nature;
59/7 Promotion of proportionate sentencing for drug-related offences of an appropriate nature in implementing drug control policies.

- v. Promoting international cooperation by supporting the networking of experts and cooperation between relevant institutions, in particular with the EMCDDA, in order to develop practical guidance and assessment tools for policy makers.
- vi. Enhance the development of methods and tools to estimate the positive and the negative consequences of drug-related policies, in order to provide Member States with data/models to calculate and compare the cost-effectiveness of different options.
- vii. Encourage Member States to take into account all the possible consequences when developing drug strategies.
- viii. Improve the information exchange systems between countries on the latest developments and practice responses.