



Recommendation 1141 (1991)¹

Drug misuse and illicit trafficking and the question of legalisation

Parliamentary Assembly

1. There is a disturbing increase in illegal drug production, trafficking and use, and in the number of drug addicts and drug-related health problems that are now affecting the countries of Europe.
2. There is also a disturbing increase in the amount of crime that surrounds the production, sale and use of illegal drugs, committed by both drug traffickers and users, and affecting not only those associated with illegal drugs but also innocent non-users.
3. In its [Recommendation 1085 \(1988\)](#) on the fight against drugs, endorsed by the Committee of Ministers, the Assembly advocated a "four-prong" approach :
 - a. develop better ways to reduce drug production ;
 - b. improve international co-operation to tackle trafficking and allow seizure of traffickers' assets ;
 - c. urgently undertake more and better action to reduce demand ;
 - d. increase the amount and quality of treatment facilities and of research into new treatments and techniques.
4. Arguments for the legalisation of drugs have been born of despair, reflecting a desperate attempt to bring an expeditious end to the drug crisis ; they have surfaced as a reaction to the inability of states to achieve substantial results against the illegal drug market.
5. The black market in illegal drugs exists solely because the demand for drugs exists ; and therefore legalising drugs will not get rid of the black market, but enhance it with customers who will have little or no fear of legal retribution.
6. Legalising the sale of any drugs will inevitably lead to more frequent consumption, as well as sending negative messages to youth, who are most susceptible to taking drugs.
7. The repeal of prohibition in the United States quite plainly made it possible to remove the production, sale and consumption of alcohol from the control of crime rings and thus deprived them of a major source of income, yet it had no effect on reducing consumption or alcohol-related health problems ; on the contrary, a considerable increase in users, alcohol-related deaths and alcohol-related accidents manifested themselves in society.
8. The use of legal drugs such as alcohol and tobacco is the leading cause of death and health problems among teenagers and adults, at enormous cost in terms of working hours lost and expenditure on health services and treatment facilities.

1. Assembly debate on 4 October 1990 (18th Sitting) (see [Doc. 6278](#), report of the Social, Health and Family Affairs Committee, Rapporteur : Mr Rathbone ; [Doc. 6290](#), opinion of the Political Affairs Committee, Rapporteur : Sir Geoffrey Finsberg ; and [Doc. 6327](#), opinion of the Committee on Legal Affairs and Human Rights, Rapporteur : Mrs Haller). Text adopted by the Assembly on 31 January 1991 (25th Sitting).



9. Legalising drugs, therefore, is likely to lead to an increase in national expenditure on drug treatment facilities, on rehabilitation programmes, and on even greater information and education programmes.
10. Any policy for or against the legalisation of drugs should be international, because if one state decides to legalise, decriminalise or normalise drugs it will become a magnet-state for dealers from other countries.
11. The dissuasive effects of prohibitions in society should not be underestimated.
12. Reducing demand for drugs is the only long-term solution to drug misuse and should be given even greater priority than at present.
13. The way to reduce demand and solve the problem of drug misuse can only be through education, to make more people aware of the value of good health and the need to build it and maintain it.
14. The Assembly therefore welcomes the 1st World Ministerial Summit to Reduce Demand for Drugs and to Combat the Cocaine Threat (London, 9-11 April 1990) and fully endorses its conclusions.
15. Government action and political leadership can tackle the awful problem of drug misuse, and government commitment to do so must be encouraged and supported.
16. All nations must act in accordance with a unified drug policy which combats drugs on all fronts and in all parts of the world, specifically concentrating on demand reduction.
17. Accordingly, the Assembly recommends that the Committee of Ministers speedily and vigorously :
 - 17.1. conduct its own investigation as necessary to substantiate or refute the arguments for and against legalisation of drug production, trafficking, trading or use, and propose and adopt an agreed policy position ;
 - 17.2. recommit all member states to the international effort to eliminate production of illegal drugs, whether natural or man-made, to tackle drug trafficking at home and at its sources, to confiscate the illegal earnings of those individuals involved in the production, distribution and sale of illegal drugs, to improve availability and standards of drug treatment and rehabilitation facilities ;
 - 17.3. reaffirm that demand reduction is the only long-term solution to the international problem of drug misuse ;
 - 17.4. reaffirm that health education is the most crucial element in reducing demand for drugs, and initiate further study of ways to improve health education in schools and elsewhere throughout Europe ;
 - 17.5. urge and recommend the United Nations to increase its involvement and take a more active role in stopping drug production and reducing demand throughout the world ;
 - 17.6. seek better ways to reduce the numbers of drug misusers through "open door" policies for the treatment and rehabilitation of misusers of both legal and illegal drugs ;
 - 17.7. intensify efforts to provide suitable alternatives to prison for drug misusers, recognising that they require treatment rather than prosecution ;
 - 17.8. ensure all member states take the necessary action to implement the political declaration and conclusions of the World Ministerial Summit to Reduce Demand for Drugs and to Combat the Cocaine Threat (London, 9-11 April 1990) -and report on achievements during the Assembly's 43rd Session in 1991.