



Recommendation 1307 (1996)¹

Drug misuse and the question of legalisation

Parliamentary Assembly

1. It is apparent and worrying that the production, trafficking and use of illegal substances continue to increase throughout Europe and the world, affecting every kind of social group everywhere, especially young people.
2. Drug use is a corrosive element in society which causes misery for drug users, their families and the communities in which they live. The crime associated with drug misuse continues to escalate, having an impact not just upon those using or dealing in drugs, but society as a whole. Drug misuse and its associated crime is everyone's problem.
3. The Assembly remains fully aware of this awful problem and has addressed the issue on many previous occasions. In particular, [Recommendation 1169 \(1991\)](#) addressed methods of reducing demand through better health and drug education (the same approach was also considered and endorsed by the European Parliament) and [Recommendation 1141 \(1991\)](#) was a previous review of the legalisation debate.
4. The Assembly has urged the Council of Europe continually to review research on drugs misuse and current methods of dealing with drug-related problems so that up-to-date knowledge and experience are available and understood throughout Europe.
5. Because of the continuing severity of the problem, legalisation or decriminalisation of the use of drugs continue to be placed upon the agenda of possible solutions, and the Assembly has reviewed the validity of such an option.
6. It concludes that legalisation or decriminalisation would undoubtedly increase the availability of drugs, inevitably leading to increased problems of consumption and addiction.
7. We should note and take heed from our experience how the use of readily available legal substances, such as alcohol and tobacco, has become one of the leading causes of death and health problems in western society. There are an estimated twenty-three deaths per minute in the United States alone from alcohol misuse and its associated illnesses. More readily available legalised drugs would lead to similar, if not worse, effects.
8. Social and economic costs of drug misuse would escalate dramatically should drug legalisation be adopted. Expenditure on health care, treatment, prevention, education and rehabilitation would have to increase extensively. Even so, the social and economic harm of drug misuse would be more widespread.
9. Uncontrolled availability of drugs would magnify, not diminish, the drugs problem. Controlled availability would be expensive and complex, would be subject to avoidance and would lead to a continuing black market - and the criminality associated with that.
10. With a continuing black market, official control of production, distribution, quality or dosage of drugs would unfortunately be ineffectual, criminal influence would remain and both crime and healthrelated problems would continue.

1. See [Doc. 7626](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Rathbone; and [Doc. 7686](#), opinion of the Social, Health and Family Affairs Committee, rapporteurs: Mr Arnau and Mrs Vermot-Mangold. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 7 November 1996.



11. The deterrent effect of prohibition should not be underestimated.
12. Reducing demand is the best and, probably, the only long-term solution through sensible health education, carefully directed information activities and improved treatment, and the Assembly continues to recommend such activities (see [Docs. 6278](#) and [6472](#); see also the Commission of the European Communities' [document Com \(94\) 223](#)).
13. Continuing research into the causes of drug misuse and addiction, continuing efforts to identify improved methods of health education and treatment and continuing dissemination of information on dealing with drug-related problems are crucial to effective action by governments. What is unarguable is that the success of any effort to reduce drug misuse depends upon committed political leadership.
14. It is imperative that all European and international governments co-operate in and intensify their efforts to tackle drug trafficking and money laundering. Any nations perceived as weak links in their efforts instantly become targets.
15. It is important that all member states of the Council of Europe remain committed to continuing action against drug misuse - individually and jointly through the Pompidou Group and other international organisations.
16. There is a growing body of evidence to show that so-called "soft drugs" have serious, if generally unappreciated, mental and physical effects on those who use them. Recreational use may be possible for some people but the threat of serious harm remains for many.
17. For all these reasons the Assembly recommends that the Committee of Ministers continue and increase its efforts to:
 - 17.1. seek out ever more extensive and innovative forms of health education and information activities to reduce the demand for all types of drugs, sedatives, alcohol and nicotine;
 - 17.2. improve harm reduction methods in order to limit the damage that drug abuse can inflict;
 - 17.3. establish new methods of treatment for drug misusers to overcome more effectively the problems of psychological and physical addiction;
 - 17.4. introduce better facilities for treating drug misusers and better controls on drugs trafficking in prison;
 - 17.5. identify and introduce new and more effective ways to control and eliminate illegal drug production, especially through better controls on precursors and increasing support for crop substitution programmes in countries where drug crops play an important role in local economies;
 - 17.6. extend and improve international co-operation in the pursuit and seizure of drug traffickers and their assets, working together with vastly improved support for Europol and similar international groups for sharing information and co-ordinating strategy;
 - 17.7. agree effective and sensible enforcement methods to implement innovative ideas for combating drug abuse and its associated crime, such as specialised courts and practical policing methods where cautioning is used in combination with treatment programmes;
 - 17.8. ensure that drug misusers have the possibility of receiving treatment besides a punishment;
 - 17.9. continue to report back to the Assembly annually on the progress and development of these recommended actions.