

Section 6: Rule of Law

Ebrahim Afsah: Afghan Opium, the Global Consensus and Regional Collaboration. State Interests and Organisational Responses

The international counter-narcotics consensus laid down in a comprehensive set of international treaties stipulates that there is a confluence of interest in suppression of illicit trade between consumer, transit and producer states. This article presents the outcome of legal sub-component of a major project seeking to channel European technical support to the three regional countries most directly affected by this trade: Afghanistan as the world's biggest producer, as well as Pakistan and Iran as the chief transit countries. This legal assistance was premised on the assumption that the relatively modest degree of cooperation between the law enforcement and counter-narcotics agencies of the region was caused by a plethora of legal obstacles in the respective national penal and administrative codes, as well as an insufficient legal basis for regional collaboration. These premises turned out to be wrong, the analysis and extensive stakeholder consultation revealed that the legal framework in these three countries is adequate and no legal obstacles to cooperation could be identified. Rather, all collocutors agreed that the generally low level of trust that characterises relations between some member states, as well as entrenched corporate cultures inimical to the sharing of information and operational practices are the main reasons regional counter-narcotic cooperation remains anaemic.