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General Assembly

FORUM: Political Committee

ISSUE: The question of corruption at governmental level

STUDENT OFFICER: María María Barrabino

POSITION: Deputy Chair of the Political Committee

Introduction

Even though everyday news on the issue are increasingly grotesque and worrisome, corruption has been a part of human societies for the most part of its existence. Egyptians in 4000 BCE, Africans in the Neolithic in 2000 BCE, Mesoamerican cultures in 600 CE, people in the Song Dynasty in 1000 CE, and many others have known corruption. Fraud, theft, bribes, and kickbacks are all ways of favouring a certain action in exchange for money. And though it may have been present in our lives since the dawn of time, it has started to be criticised by different organisations, both international and nongovernmental, demanding for high-profile people and leaders to be honest and responsible, characteristics that seem to be lacking more and more in public figures nowadays. This has initiated an ongoing strife against corruption and all of its derivatives, always aiming to restore the citizens' confidence on States and Governments. All forms of corruption must be ended to secure the basic rights of all people and ensure a world where everyone can live in dignity.

Definition of Key Terms

Corruption: “[...] is understood as everything from the paying of bribes to civil servants and the simple theft of public purses, to a wide range of dubious economic and political practices in which businesspeople, politicians and bureaucrats enrich themselves. [...] Corruption is seen as counter-productive to the needed economic and political reforms, accountability, transparency, and good governance” (Amundsen, 2000, pg 2). Therefore, it can be said that corruption is the misuse of public power for private gain. However, the social concept of corruption varies according to cultures and societies. The main forms of corruption are the following:

Bribery: payment (in money or kind) given or taken in an illegal way, usually paid to a person in power in order for them to favour a certain action.

Embezzlement: theft or misappropriation of public resources and/or funds by public officials.

Fraud: “[...] economic crime that involves some kind of trickery, swindle or deceit. It is a broader legal and popular term that covers more than bribery and embezzlement” (Amundsen, 2000, pg 3).

Extortion: “[...] money and other resources extracted by the use of coercion, violence or the threats to use force. [...] By creating an atmosphere of insecurity where individual citizens, private businesses and public officials are harassed and intimidated, a mafia and other criminals can blackmail and extort money in return for their kind of peace” (Amundsen, 2000, pg 4).

Perception of corruption: since the definition of corruption is subjective to the different cultures and societies, the same characteristic is applied to corruption perception. Social rules may vary drastically among different people, moral views and values. Therefore, it could be said that the perception of corruption is not the reflection of a situation but that of a social phenomenon. High levels of corruption perception could have more devastating effects than corruption itself as it generates a culture of distrust towards institutions and political figures and may lead to an increase in actual corruption. (Melgar, Rossi, Smith, 2010)

Political corruption: can be defined as the corruption of political decision-makers, using the political power bestowed on them to sustain their power, status and wealth. “[This] not only leads to the misallocation of resources, but it also affects the manner in which decisions are made”. It is, generally speaking, the abuse and/or side-stepping of laws and regulations by the rulers, tailoring the situations to fit their interests (Amundsen, 1999, pg. 3).

Background information

In 2000, following the Millennium Summit where world leaders got together to decide the role of the UN on the starting century, the United Nations Millennium Declaration proposed 8 key objectives regarding human rights to achieve before 2015. However, up to this date these goals have not been accomplished. Corruption has certainly slowed the process of doing so, due to leaders preferring personal enrichment over social good. Latin America, Asia and Africa are the continents that most need humanitarian aid and, according to Transparency International: “The Global Coalition Against Corruption”, those are the continents with the highest corruption rates (Appendix 1.a), being Somalia, South Sudan and North Korea the most corrupt countries in the chart (Appendix 1.b). It can also be noted that less developed countries are more exposed to corruption and its consequences.

According to a survey of 3,600 firms in 69 countries carried out for the *1997 World Development Report* by the World Bank, and further noted in the report, “[...] more than 40 percent of entrepreneurs [have] to pay bribes to get things done as a matter of course [though] more than half the respondents worldwide thought that paying a bribe was not a guarantee that the service would actually be delivered as agreed, and many lived in fear that they would simply be asked for more by another official [thus proving that the] consequences of corruption often do not end with paying off officials and getting on with business” (World Bank, 1997). The eradication of corruption is a very important matter to the UN seeing as it affects people and peace to such a great degree.

Main countries and organisations involved

United Nations Convention Against Corruption (UNCAC)

The UNCAC is the only legally binding universal anti-corruption instrument, deriving from the United Nations Office on Drugs and Crime (UNODC). The creation of the UNCAC was approved by the General Assembly in October 2003, and started working in December 2005, focusing on five main areas: prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, and technical assistance and information exchange.

“UNODC provides tailored technical assistance activities to States in support of the implementation of the Convention and of mandates related to economic fraud and identity-related crime. This technical assistance covers a number of thematic areas and takes different forms, including legislative assistance, assistance in the development of national policies and strategies, capacity building activities, etc.” (UNCAC, web).

Transparency International

This organization gives voice to witnesses and victims of corruption, working together with governments, businesses, and civilians to put effective measures in place in order to tackle corruption. It has already managed to create international conventions against corruption, influenced in the prosecution of corrupt leaders, and restored illicitly obtained riches, among other things. Transparency International also publishes updated indices of corruption and rankings for countries all around the globe. By combating corruption this organization alone has saved billions of dollars in countries such as the Czech Republic and Ireland. (Transparency International, web)

The Global Organization of Parliamentarians Against Corruption (GOPAC)

The GOPAC was founded in 2002, and is the only international network of parliamentarians focused exclusively on combating corruption, doing so by promoting good governance all around the world. Their mission is to make governments accountable and transparent and through global pressure this organization has helped in the raising of awareness of corruption and its implications of the society, and provides information to help in the eradication of it. It is the only international network of parliamentarians focused solely on combating corruption. Its members represent more than 50 countries in all regions of the world. (GOPAC, web)

The World Bank

“With 189 member countries, staff from 170 countries, and offices in over 130 locations, the World Bank Group is a unique global partnership: five institutions working for sustainable solutions that reduce poverty and build shared prosperity in developing countries”. The World Bank Group works in every major area of development: they provide a wide array of financial products and technical assistance, helping countries share and apply innovative knowledge and solutions to the challenges they face. Since 1947, this organisation has funded over 12,000 development projects. (World Bank, web)

Denmark

Denmark is regarded by Transparency International as the least corrupt country in the world, where bribery and similar practices are not considered obstacles to business. The Danish Criminal Code prohibits most forms of corruption contained in international anti-corruption conventions. Despite being accused of not having transparent enough rules on

the financing of political parties and not having sufficient enforcement of foreign bribery laws, the Danish government enforces their anti-corruption policies and laws effectively.

New Zealand

Transparency International has consistently ranked New Zealand as one of the least corrupt countries in the world. In order to achieve this, New Zealand counts with the Ombudsman (the term meaning grievance person, referring to government officials that investigate complaints against other officials or governmental agencies); its role is to ensure citizens are treated in an honest way in their dealings with government entities. Furthermore, this country has approved the 1994 Fiscal Responsibility Act, providing a legal framework for transparent management of public resources.

United Kingdom

Though barely making it in the top ten least corrupt countries according to Transparency International, the United Kingdom is one of the only countries that require companies to record and keep up-to-date information about the real person who owns or controls them, thus making it possible to hold the actual owner accountable in case of the company committing an illegal action.

Timeline of events

In the last five years, some events related to corruption have gained the world's attention. It should be noted that the more corrupt the country is, the less international coverage does an event have due to the lack of importance within the country.

2012

- In Mexico, Wal-Mart probes bribery claim: US retail giant Wal-Mart said it was investigating allegations that its Mexican subsidiaries used bribes to secure permits to build new stores.
- In Japan, Tsuyoshi Kikukawa, former Olympus chairman, is arrested under the accusation of concealing losses, booking overstated asset write-offs and falsifying financial statements.

2013

- In Brazil, after the Mensalao scandal - where former president Lula da Silva allegedly paid off a number of Congressional deputies - hit the country, Mensalao jailings begin.
- In China, a national court found disgraced former party chief of Chongqing guilty of bribery, embezzlement and abuse of power, and sentenced him to life imprisonment.
- In the Vatican, a Church official was arrested in relation to a Vatican Bank corruption investigation.
- In Pakistan, the Supreme Court ordered the arrest of the Pakistani Prime Minister for corruption.

2014

- In Brazil, Ray Whelan, chief executive of a partner of FIFA, was arrested due to investigations into the illegal sale of World Cup tickets which could have generated a profit of 90 million of dollars per game, according to the BBC news website.
- In Israel, former Prime Minister Ehud Olmert, who resigned from office in 2008 amid a corruption inquiry, was convicted of bribery.
- In the European Union, Home Affairs Commissioner Cecilia Malmstroem presented a report on the problem of corruption, writing that corruption costs the EU economy at least 120 billion euros annually.

2015

- The Brazilian oil company Petrobras was charged with 2 billion dollars for costs related to corruption.
- FIFA president Joseph Blatter and his UEFA counterpart Michel Platini were ruled by the Ethics Committee in Switzerland to have broken Code of Ethics relating to conflicts of interest, breach of loyalty and gifts.
- In the USA, former Speaker of the House of Representatives, Dennis Hastert, allegedly tried to evade banking reporting requirements and lied to the FBI.
- In Panama, more than 11 million documents belonging to the Panamanian law firm and corporate service provider Mossack Fonseca and detailing financial and attorney-client information for more than 214,400 offshore entities and shell corporations were leaked by an anonymous source, resulting in the Panama Papers Scandal.

2016

- In Brazil Lula da Silva, former president of Brazil, was questioned by police and had his house raided as part of a major fraud inquiry into the state oil company Petrobras.

Relevant UN treaties and Events

- Resolution “Corruption in Public Administration” (A/CONF.144/28/Rev.1) approved in UN Congress about Crime Prevention and Delinquent Treatment, 1990, La Habana, Cuba.
- Resolution 195/14 approved by the ECOSOC, 1995, with the objective of creating an international Code of Conduct for Public Officials.
- In resolution 1996/8 the ECOSOC recommends the approval of resolution 51/59 by the General Assembly, which contains the International Code of Conduct for Public Officials, December 1996.
- UN Secretary General’s report analysing the steps necessary to create a legal instrument against corruption is presented, April 2001.
- Celebration of eight meetings against corruption, December 2001, Buenos Aires, Argentina.
- Approval of resolution 58/4 and presentation of project of “Convention against Corruption”, October 2003.
- The United Nations Convention Against Corruption becomes effective, December 2005.

Previous attempts to solve the issue

As already mentioned, the Organization of the United Nations is eager to see corruption eradicated once and for all, and in order to raise awareness it has celebrated the international anti-corruption day every 9th December since 2003. On the 2014 anti-corruption day, former UN Secretary General Ban Ki-moon expressed the importance of every nation ratifying and implementing the UNCAC, a previous attempt of the UN of combating corruption.

Moreover, the G-20, forum integrated by the 20 richest countries in the world which represent 85 percent of the world economy, held a meeting in November 2011 and released a report stating the forum's intention of laying measures to protect whistleblowers from threats, intimidation and violence, encouraging and facilitating their work in reporting fraud, misconduct and corruption.

However, much more work still needs to be done.

Possible solutions to the issue

According to the World Bank, a major way of starting change towards a corruption-free country and thus, a corruption-free world, is creating transparency and openness in government spending. This means governments should have transparent budget processes, available to any person requesting to see them (World Bank, web). As already mentioned, New Zealand, one of the least corrupt countries in the world, has approved the 1994 Fiscal Responsibility Act, providing a legal framework for transparent management of public resources. This generates a funded trust in governments, which is fundamental for the eradication of corruption at a governmental level.

In 1998 Robert Klitgaard postulated in his paper "*Controlling Corruption*" that corruption will occur if the gain of the corrupt action is greater than the penalty over the corrupt action multiplied by the likelihood of being caught and prosecuted:

Therefore, in order to counteract governmental corruption, the penalty and the likelihood of being caught and prosecuted must exceed the gain obtained through corruption. In order to achieve this, certain conducts should be established and/or executed. For example, corruption should not be so easy to commit; an organization mostly independent from the government should exist with the sole purpose of narrowing the sources of corruption inside a government, and should be given enough power so as to be able to punish those guilty of corrupt actions. Moreover, Constitutions would be more effective if they had laws against corruption that actually persuaded people to act according to them. In the case of

those laws already existing but not being taken into account, consequences for disobeying them should be enforced and/or strengthened (Klitgaard, 1998).

The original Klitgaard equation, however, was criticised by Constantin Stephan saying that morality plays a very important role within corruption. He states that the degree of corruption will definitely vary according to morality. Moreover, he upholds that morality has both an intrinsic and an extrinsic component, the intrinsic dimension referring to the mentality of a person and the extrinsic one to external circumstances such as poverty, inadequate remuneration, among others that will have people drift towards corrupt actions. Ergo, the need to reduce, or preferably eliminate, any and all extrinsic aspects that are nowadays reducing the morality of governmental officers and related institutions is a pressing issue. In addition, every country should establish an ethical code to be followed so as to enhance the intrinsic morality.

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APPENDIX 1.a



Corruption rate map 2016, Transparency International. Recovered from https://www.transparency.org/news/feature/corruption_perceptions_index_2016

APPENDIX 1.b

CORRUPTION PERCEPTIONS INDEX 2016

2016 Rank	Country	2016 Score	2015 Score	2014 Score	2013 Score	2012 Score	Region
166	Iraq	17	16	16	16	19	Middle East and North Africa
166	Venezuela	17	17	19	20	19	Americas
168	Guinea-Bissau	16	17	19	19	25	Sub-Saharan Africa
169	Afghanistan	15	15	12	8	8	Asia Pacific
170	Libya	14	16	18	15	21	Middle East and North Africa
170	Sudan	14	11	11	13	15	Middle East and North Africa
170	Yemen	14	18	19	18	23	Middle East and North Africa
173	Syria	13	18	20	17	26	Middle East and North Africa
174	Korea (North)	12	8	8	8	8	Asia Pacific
175	South Sudan	11	15	15	14	N/A	Sub-Saharan Africa
176	Somalia	10	8	8	8	8	Sub-Saharan Africa

Corruption perceptions index 2016, Transparency International. Recovered from https://www.transparency.org/news/feature/corruption_perceptions_index_2016

FORUM: Political Committee

ISSUE: The question of whistle-blowers and international security

STUDENT OFFICER: Matias Molinolo

POSITION: Chair of the Political Committee

Introduction

The origin of the word whistle-blower can be traced back to the 19th century, when law enforcement officers used a whistle to alert fellow officers or the public about possible dangers. (The Phrase Finder, 2017, para. 9) However, the meaning of that word has evolved and, nowadays, a whistleblower is someone who denounces illicit activities in a company, organization or government. Whistleblowing is a threat to international security, due to the fact that it may reveal military strategies or state secrets that may put lives of military forces or civilians at risk.

The fact that governments have placed more and more surveillance on its citizens is directly linked to the advent of terrorist groups and non-state actors that put at risk both national and international security. Recent attacks evidence the reasons for government surveillance – governments need to find possible external or internal threats to their national security and act accordingly, however, this is not always done in the best possible way, which leads to immoral or unlawful activities, which are then leaked by whistle-blowers.

Media has contributed to sensationalize this term, associating it with *traitor* or *snitch*, which makes the issue very polarizing. National security can be a topic of lengthy debate, since the main question is to what extent should a government protect its national security without endangering or compromising its citizens.

Definition of Key Terms

Whistleblower: “A person who informs on a person or organization regarded as engaging in an unlawful or immoral activity.” (Oxford University Press, 2017)

State secret: “A sensitive issue or piece of information which is kept secret by the government.” (Oxford University Press, 2017)

National security: “The protection or the safety of a country’s secrets and its citizens” (Macmillan, 2017)

“National security then is the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to preserve its nature, institution, and governance from disruption from outside; and to control its borders.” (Brown, as cited in Watson, 2008)

According to these definitions, we can conclude that national security is the set of all measures taken by a government to guarantee its safety. A conundrum arises when the extent of these measures is debated. A clear example of this is the USA PATRIOT Act of 2001, which was passed primarily on the grounds of furthering national security.

International security: “Global security includes military and diplomatic measures that nations and international organizations such as the United Nations and NATO take to ensure mutual safety and security.” (RAND, 2017, para. 1)

International security is based fully on cooperation between nations. If nations would not work together there would be no global security. Organizations such as the United Nations (UN) and North Atlantic Treaty Organization (NATO), among others, are the fruits of joint action between nations in order to improve international security.

PATRIOT Act: “The official title of the USA PATRIOT Act is “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001.” (FINCEN, 2017, para. 1)

“The purpose of the USA PATRIOT Act is to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and other purposes, some of which include:

- To subject to special scrutiny foreign jurisdictions, foreign financial institutions, and classes of international transactions or types of accounts that are susceptible to criminal abuse;
- To require all appropriate elements of the financial services industry to report potential money laundering;
- To strengthen measures to prevent use of the U.S. financial system for personal gain by corrupt foreign officials and facilitate repatriation

Also known as “Deep Throat”, William Mark Felt, Associate Director of the Federal Bureau of Investigation (FBI), leaked information to the Washington Post about the Watergate Scandal.

The Committee for the Re-Election of the President, also known as CREEP, carried out several illegal activities that would benefit President Richard Nixon’s chances of re-election, among those were money laundering and slush funds. Furthermore, 2 DNC phones were allegedly wiretapped. According to Presidential Counsel John Dean, this was “the opening scene of the worst political scandal of the twentieth century and the beginning of the end of the Nixon presidency” (2014, p. xvii)

The Watergate office complex in Washington, D.C., was the Democratic National Convention’s (DNC) headquarters. On June 17, 1972, a break-in was reported at this office complex, which led to the arrest of 5 individuals. “Initially Nixon’s organization and the White House quickly went to work to cover up the crime and any evidence that might have damaged the president and his re-election.” (Genovese, M. A., 1999, p. 4)

“On June 19, 1972, Deep Throat told the journalists that former CIA agent and Nixon staff member Howard Hunt was definitely involved in the Watergate scandal.” (Biography, 2015, para. 9). This led to the Washington Post having enough leverage over the government to expedite an investigation that may otherwise take years.

Ultimately, this leak of illicit activities by “Deep Throat” led to the resignation of President Nixon in order to avoid a political trial.

Daniel Ellsberg is a former military analyst known for leaking the Pentagon Papers in 1971, which precipitated a political controversy.

“The massive work, examining Indochina policy from 1940 to 1968, consisted of 7,000 pages bound into forty-seven volumes. Pentagon officials classified the study “Top Secret” and published only fifteen copies. Although a historical study, officials worried that information contained in the Pentagon Papers, if it became public, would make foreign governments hesitant to engage in secret negotiations or provide secret assistance to the United States government.” (Linder, D., 2017, para. 3)

What is more, according to Linder, some of the information in the report came from wiretapping and electronic surveillance which would be jeopardized if the reports were leaked.

Knowing the war in Vietnam could not be won and Nixon being very reluctant to withdraw from the conflict, Ellsberg took the Pentagon Papers to a friend’s home and photocopied them.

In November 1969, he met with Senator William Fulbright, a critic of the Vietnam Policy

and the chairman of Senate Armed Services Committee. Ellsberg left a copy of the Pentagon Papers with Fulbright's aide.

In August 1970, after meeting with Kissinger and asking him to reconsider the Indochina policy, Ellsberg gave serious thought about handing the Pentagon Papers to the Press. In 1971, he handed the Papers to the New York Times, who ran a 3-column article including excerpts from the Papers. He later handed them to the Washington Post after the New York Times was temporarily barred from publishing anything regarding the Pentagon Papers due to a restraining order.

Ellsberg was arrested and charged with theft and espionage, however the charges were dismissed. Upon learning this, Nixon complained to his Chief of Staff that "The sonofbitching thief is made a national hero...The New York Times gets a Pulitzer Prize for stealing documents...They're trying to get us with thieves. *What in the name of God have we come to?*"

(Linder, D., 2017)

Mark Klein was a technician for AT&T, an American telecommunications company. In 2002, while working as a Computer Network Associate in San Francisco, he received an email informing him of a future visit by the National Security Agency (NSA), along with a co-worker's, hereon Co-worker #1, comment regarding the same matter. Co-worker #1 told Klein that another co-worker (Co-worker #2) was to be interviewed by the NSA for a special job. (EFF, 2006)

This special job would be installing the equipment for room 641A, which basically was the intercept point for internet traffic. Klein was appointed to oversee the WorldNet Internet room. In this room and others like this, fibre optic cables provide the backbone for this service. Fibre optic cables, unlike copper cables, have to be physically manipulated in order to be tapped into. Essentially, light does not leak out of the cable, and if the cable is correctly split, the information is duplicated. According to Klein, a splitter cabinet was installed, which diverted the signal from the WorldNet Internet room to room 641A. (EFF, 2006)

Basically, this meant that all internet traffic that went through that internet room was redirected and intercepted by the NSA. In 2006, he leaked this information to the Electronic Frontiers Foundation (EFF)

Chelsea Manning, born Bradley Manning, is a United States Army soldier that leaked over three quarters of a million classified or otherwise sensitive army documents to WikiLeaks.

Working as an intelligence analyst there “gave her access to a great deal of classified information.” (Biography, 2017, para. 8)

“Manning reportedly made her first contact with Julian Assange's WikiLeaks in November 2009 after having made attempts to contact The New York Times and The Washington Post. While at work in Iraq, she proceeded to amass information that included war logs about the Iraq and Afghanistan conflicts, private cables from the State Department and assessments of Guantánamo prisoners. In February 2010, while on leave in Rockville, Maryland, she passed this information—which amounted to hundreds of thousands of documents, many of them classified—to WikiLeaks. In April, the organization released a video that showed a helicopter crew shooting at civilians after having confused a telephoto lens for weaponry. Releases of other information continued throughout the year.” (Biography, 2017, para. 9)

She also confided to Adrian Lamo, an online stranger, regarding the leaks. Lamo later contacted the Department of Defense, which led to Manning's arrest and court martial. She was sentenced to 35 years in prison, however, this sentence was commuted by former President Barack Obama on January 17, 2017. Manning was released on May 17, 2017.

Regarded as the most famous whistleblower of the decade, Edward Snowden is known for exposing the NSA's PRISM program. As a system analyst working for the NSA through a subcontractor, he managed to collect documents that detailed domestic surveillance practices. “After Snowden fled [...] newspapers began printing the documents that he had leaked, many of them detailing the monitoring of American citizens.” (Biography, 2016, para. 1)

Those documents contained information about PRISM, a NSA program that allowed for real-time electronic surveillance.

“The U.S. government soon responded to Snowden's disclosures legally. On June 14, 2013, federal prosecutors charged Snowden with "theft of government Property," "unauthorized communication of national defense information" and "willful communication of classified communications intelligence information to an unauthorized person." The last two charges fall under the Espionage Act.” (Biography, 2016, para. 10)

He fled to Russia, his final intended destination being Ecuador, however, his passport was voided by the US Government, stranding him in Moscow, where he was granted asylum.

A NSA report affirming Russian hacking occurred days before the 2016 US Elections detailed “Russian General Staff Main Intelligence Directorate actors [redacted] executed

cyber espionage operations against a named U.S. Company in August 2016, evidently to obtain information on elections-related software and hardware [...]” (National Security Agency, 2016, p. 1)

This report was leaked to The Intercept by Reality Winner, former Air Force linguist. By the time The Intercept published the document, she was already under arrest.

Main countries and organisations involved

Transparency International (TI)

TI’s mission is to “stop corruption and promote transparency, accountability and integrity at all levels and across all sectors of society. Our Core Values are: transparency, accountability, integrity, solidarity, courage, justice and democracy.” (Transparency International, 2001, para. 1)

USA

The United States of America is one of the main countries involved in this issue. The USA PATRIOT act was passed in 2001, which allowed the government to spy on its citizens, without a warrant, to preserve national security. Then, cases such as Klein’s with AT&T’s room 641A and Snowden’s NSA PRISM leaks show that whistle-blowers have reasons to be active in the USA, making it one of the main countries involved.

UK

Belonging to FVEY, ECHELON and having MI5, the United Kingdom of Great Britain and Northern Ireland is also other main actor in the issue at hand. Recent events such as Brexit and the terror attacks in the last decade have put Britain in a state of unrest, especially politically. Theresa May, UK’s Prime Minister, stated “We need to work with allied democratic governments to reach international agreements that regulate cyberspace to prevent the spread of extremism and terrorism planning.” (2017)

ECHELON

“A global network of electronic spy stations that can eavesdrop on telephones, faxes and computers. It can even track bank accounts. This information is stored in Echelon computers, which can keep millions of records on individuals. Officially, however, Echelon

doesn't exist. Although evidence of Echelon has been growing since the mid-1990s, America flatly denies that it exists, while the UK government's responses to questions about the system are evasive." (Perrone, J., 2001, para. 1)

Five Eyes (FVEY)

It is a supranational intelligence organization. According to the United States Army Combined Arms Center, Five Eyes is "a handling restriction or handling code to represent Australia, Canada, New Zealand, United Kingdom, and the United States." (2008) The Canadian Defence and Foreign Affairs Institute defines FVEY as "the most exclusive intelligence sharing club in the world." No country belonging to FVEY has specified its actual purpose. FVEY is ECHELON's successor.

NSA

"The National Security Agency/Central Security Service (NSA/CSS) leads the U.S. Government in Cryptology that encompasses both Signals Intelligence (SIGINT) and Information Assurance (IA) products and services, and enables Computer Network Operations (CNO) in order to gain a decision advantage for the Nation and our allies under all circumstances." (National Security Agency, 2016, para. 1)

PRISM

"PRISM is a tool used by the US National Security Agency (NSA) to collect private electronic data belonging to users of major internet services like Gmail, Facebook, Outlook, and others. It's the latest evolution of the US government's post-9/11 electronic surveillance efforts, which began under President Bush with the Patriot Act [...]" (The Verge, 2013, para. 1) "The basic idea is that it allows the NSA to request data on specific people from major technology companies like Google, Yahoo, Facebook, Microsoft, Apple, and others." (para. 2)

Central Intelligence Agency (CIA)

- o "Collecting intelligence through human sources and by other appropriate means, except that he shall have no police, subpoena, or law enforcement powers or internal security functions;
- o Correlating and evaluating intelligence related to the national security and providing appropriate dissemination of such intelligence;

- o Providing overall direction for and coordination of the collection of national intelligence outside the United States through human sources by elements of the Intelligence Community authorized to undertake such collection and, in coordination with other departments, agencies, or elements of the United States Government which are authorized to undertake such collection, ensuring that the most effective use is made of resources and that appropriate account is taken of the risks to the United States and those involved in such collection; and
- o Performing such other functions and duties related to intelligence affecting the national security as the President or the Director of National Intelligence may direct.” (Central Intelligence Agency, 2006, pp. 3-6)

FSB (formerly KGB)

It is the principal security agency of Russia and the main successor agency to the USSR's Committee of State Security (KGB). Its main responsibilities are within the country and include counter-intelligence, internal and border security, counter-terrorism, and surveillance.

Timeline of events

- September 18, 1947: CIA established.
- November 4, 1952: NSA established.
- Late 1960s: ECHELON is formed.
- 1971: Pentagon Papers start being leaked, ECHELON formally established.
- 1972-73: Watergate Scandal.
- April 12, 1995: FSB constituted.
- 2003: AT&T's room 641A begins operations
- 2006: AT&T's room 641A is exposed by Mark Klein
- October 4, 2006: WikiLeaks established.
- 2010: Manning Army Leaks
- June 2013: Snowden NSA Leaks (PRISM is exposed)
- January 17, 2017: Obama commutes Manning's 35-year sentence.
- May 17, 2017: Manning is released.

- 2017: Reality Winner NSA Leaks.

Relevant UN treaties and Events

United Nations Convention Against Corruption

Article 33 of the UNCAC refers to the *Protection of reporting persons*:

“Each State Party shall consider incorporating into its domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention.” (United Nations, 2004, p. 26)

Report of the Special Rapporteur to the General Assembly on the Protection of Sources and Whistleblowers.

The report draws a number of conclusions and urges States and international organizations to adopt or improve laws and practices – and to foster the necessary political and social environments – that provide genuine protection to sources and whistleblowers. Such protections should be adopted not only by governments but also international organizations such as the United Nations.

Ensure national legal frameworks provide for the right of access to information in accordance with international standards: [...]

Adopt or revise and implement national laws protecting the confidentiality of sources: [...]

Adopt or revise and implement national legal frameworks protecting whistleblowers: [...]

Internal institutional and external oversight mechanisms should provide effective and protective channels for whistleblowers to motivate remedial action: [...]

Protections against retaliation should apply in all public institutions, including those connected to national security: [...]

Establish personal liability for those who retaliate against sources and whistleblowers: [...]

Actively promote respect for the right of access to information: [...]

(United Nations, 2015, pp. 22-24)

Previous attempts to solve the issue

While no attempts have been made to tackle the issue of whistle-blowers AND international security, attempts have been made to protect whistle-blowers denouncing illicit activities. For example, the Securities and Exchanges Commission in the United States provides a reward program for whistle-blowers that denounce insider trading, Ponzi schemes, accounting fraud at a public company, among other delinquent activities. It also offers protection for those whistle-blowers. Furthermore, the National Health Service in the United Kingdom also has a whistleblower program, that investigates concerns voiced by employees.

Possible solutions to the issue

A proper solution would be hard, though not impossible to achieve. On the one hand, constantly monitoring people in order to avoid threats to national security is a blatant violation of privacy, however, it is understandable for governments to set up measures to protect its national and also international security.

A possible solution could be for governments to monitor their population; however, this should be done in a way that does not interfere with the right to privacy and/or freedom of speech, or any other human right. Furthermore, audits could be carried out by a third, neutral, party on those countries which do monitor their citizens.

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FORUM: Political Committee

ISSUE: International cooperation to stop the proceeds of drug trafficking being used to finance illegal organisations

STUDENT OFFICERS: Matias Molinolo, María Barrabino

POSITION: Chair and Deputy Chair of the Political Committee

Introduction

Some of the biggest social problems the world is facing today such as theft, murder and corruption, are derived and/or supported by drug trafficking. In places where this phenomenon strikes the hardest is where most illegal organisations and activities happen. Most illegal organizations rely on illicit activities for financing. One of the most common ways to acquire capital is drug trafficking. Drug cartels, militias, and other non-state actors thrive in places where the government is unstable or corrupt, since they can easily become powerful and influence a country's citizens.

Definition of Key Terms

Drug Trafficking: According to the United Nations Office on Drugs and Crime (UNODC), “drug trafficking is a global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws”. In other words, it is the smuggling, distribution and sale of illegal drugs.

Illegal Organisations: Illegal organisations are any and all organisations related to activities contrary to or forbidden by law, especially criminal law. Examples of illegal organisations could be any drug cartel, gang, mafia, smuggling ring, and any other criminal enterprise.

Drugs: As firstly defined by the Oxford English Dictionary, a drug is “a medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body”. However, the second definition suits best the objectives of this report, therefore defining drug as “a substance taken for its narcotic or stimulant effects, often illegally”.

Background Information

Drugs have been present since ancient history, but around 1500 AD, some “herbals” such as cannabis, poppy seeds containing opium and others such as hemlock, were discovered to have sleep inducing effects, but if taken in excess, had some nefarious effects, including death. (Independent, 2010, para. 5).

Nowadays, the drug market is the biggest behind arms and oil, amassing approximately £200 billion a year. (Independent, 2010, para. 2)

The Medellín Cartel was established around 1975, when allegedly Pablo Escobar ordered the murder of Fabio Restrepo, a cocaine dealer. After that, Restrepo’s men were told they were to work for Escobar. This essentially established one of the most ruthless drug cartels of the twentieth century.

Escobar rose to power by using money he amassed from drugs, winning the working class over with promises of wealth for them, which helped him get a seat in Colombia’s Congress in 1982. His way of dealing with the Colombian government was one known as “plata o plomo”: money or lead. Essentially, he bribed judges, politicians and government officials, and executed everyone who did not accept his bribes.

“Using terror, Escobar tried to influence Colombian politics towards a no-extradition clause and to grant amnesty to drug barons in exchange for giving up the trade. His terror campaign resulted in the killings of thousands of people, including politicians, civil servants, journalists and ordinary citizens.” (Biography, 2016, para. 12)

Escobar was also allegedly responsible for the murder of Luis Carlos Galán, Presidential Candidate, and also for the bombing of Avianca Flight 203.

According to Roberto Escobar, Pablo Escobar’s brother and Medellín Cartel’s accountant, the Medellín Cartel brought in roughly U\$S 22 billion a year, of which 10% had to be written off due to “spoilage” (i.e.: rats eating the money), and also spent over U\$S 1000 a week on rubber bands to manage the cash.

The Medellín Cartel came to an end in 1991, with the death of its kingpin, Pablo Escobar, who was killed in a raid.

The Revolutionary Armed Forces of Colombia (known for their Spanish acronym FARC), are a paramilitary, rebel group. They were founded in 1964 as the armed wing of the Communist Party, which follows a Marxist-Leninist ideology, according to the BBC. Their

financing comes in large measure from drug trafficking; however, they also resort to kidnappings and extortion to finance their activities. When the government and the FARC met, to start peace talks, “Colombia’s chief peace negotiator, Humberto de la Calle, called the illegal drug trade “the fuel that feeds the conflict.”” (Otis, J., 2014, p. 2).

In August 2016, they decided to put an end to their war against the government, concluding a peace process that started in 2012, and a 50-year-plus war.

However, according to Reuters (2016) “The rebels have so far failed to give up the lucrative drugs business, which has helped fund the Revolutionary Armed Forces of Colombia's (FARC) five decades of war, even though it has reached partial accord at talks that would require them to abandon the trade.

[...]

The rebels agreed in 2014 to break ties with drug traffickers, help eradicate illegal crops like coca, the raw material used to make cocaine, and help fight the production of narcotics.

"What's been agreed is that the FARC will stop narco-trafficking, that's what we hope for, that once they sign [the peace treaty] the FARC will stop," anti-narcotics police head Jose Angel Mendoza told Reuters in an interview.

"But up to now what's clear is that areas where the FARC are coincide with areas of cultivation. And so in that order of ideas things continue much as they were," Mendoza said, adding that the rebel group is encouraging local farmers to protest the eradication of coca.

After being elected in 2006, Felipe Calderón took just 8 days to declare a war on drugs, and less than two months to mobilize troops against the ruthless Mexican drug cartels. However, this war, still ongoing (but without Calderón as President), has a cost: 1.5 billion US Dollars and an increase in human rights violations, according to Amnesty International. Under Peña Nieto’s presidency, not much has changed. According to David Shirk, a security analyst and expert, “Whereas the Calderón administration was obsessed with security, President Peña Nieto has been obsessed with not being obsessed with security”. Regarding the human rights violations, according to The Guardian, “Human rights groups have detailed a vast rise in human rights abuses by security forces who are under pressure to make arrests, obtain confessions and justify the war.” (2016, para. 5) Ruthless groups such as Los Zetas, formed by deserters of the Special Forces, control parts of Mexico with the power and fear they impose over the population. “Hundreds of

thousands of people have been displaced by violence, and self-defence or vigilante groups have emerged in several states” (The Guardian, 2016, para. 7). Some of these vigilante groups have been targeted by the Mexican government.

Furthermore, even though the allegations of human rights violations have not stopped, funding from the United States under the Merida Initiative has not stopped. According to Clare Ribando Seelke, Specialist on Latin American Affairs, and Kristin Finklea, Specialist in Domestic Security for the Congressional Research Service, the Merida Initiative is “a bilateral partnership launched in 2007 for which Congress appropriated more than \$2.6 billion from FY2008 to FY2016. U.S. assistance to Mexico focuses on (1) disrupting organized criminal groups, (2) institutionalizing the rule of law, (3) creating a 21st-century border, and (4) building strong and resilient communities.” (2017, p. i).

Main countries and organisations involved

According to the U.S. Drug Enforcement Agency, the illegal drug market in the United States is one of the biggest and most profitable in the world. Due to the voluminous drug trade the U.S is subject to, drug traffickers conceal all types of drug shipments amid commercial and private flights, land vehicles and ships for distribution in U.S territory. The U.S. Federal Government has stated in many occasions it is a fervent opponent of the illegal drug trade and all of what it entails, proposing plans such as Nixon’s “War on Drugs”, which was then continued by Reagan, D.A.R.E (Drug Abuse Resistance Education) and funding for countries that are fighting against drug cartels, such as the Merida Initiative and providing funding and intelligence support for the Colombian Government to fight the Medellin Cartel.

Colombia

As of 2013, Colombia was the biggest cocaine producer in the world.

Groups such as FARC, the Medellin and later on the Cali cartel have managed the cocaine market in Colombia, destabilizing the country by employing terrorism, bribery, extortion and assassinations to dissuade those against them. An example of this would be the bombing of the DAS (Administrative Department of Security) building in Bogotá, allegedly carried out by the Medellin Cartel in 1989. What is more, the Medellin and Cali cartels were rivals, which created a war against and among cartels apart from the war on drugs

the government was fighting. According to the LA Times, “a group of drug lords calling themselves “the Extraditables” issued a communiqué after the DAS building bombing declaring “total and absolute war” on the government and others who oppose them.” (1989)

Mexico

Given its location and destabilized government, organizations within Mexican borders have been for many decades the illegal suppliers of both North and South American markets. This started at the beginning of the 20th century, when Mexican citizens supplied the United States with alcohol during the Prohibition and, when the Prohibition came to an end, started smuggling drugs. With the upscaling of Mexican smugglers came the conflict of powers, thus the creation of cartels, or drug trafficking gangs, and the partition of the Mexican territory between them. The oldest cartel is said to be the Guadalajara Cartel, founded in 1980 by former Mexican Judicial Federal Police agent Miguel Ángel Félix Gallardo, also known as “The Godfather”. This cartel controlled most of the illegal drug trade in Mexico throughout the 1980s and was the precursor to all cartels in Mexico. Due to the power of said cartels, many influential people got involved with trafficking, allowing gang members to access important places inside the government through bribery and threat. Nowadays Mexico is fighting a ferocious war against drugs within its territories, a war that Nixon started and that the Mexican government has tried to adhere to. On November 2006, Felipe Calderón assumed the Presidency of Mexico and started the Mexican retaliation to drugs by sending Mexican Army soldiers to Michoacán, base of the Familia Michoacana drug cartel. Though difficult, advances towards the eradication of illegal organizations and drug trafficking have been made, and the possibility of a more clean Mexico is less utopian than it was a few years ago.

Peru

During the 1980s and 1990s, Peru was troubled by hyperinflation, corruption and the threat of terrorist groups such as Shining Path (the country’s communist party) and marxist Túpac Amaru Revolutionary Movement. Nowadays, Peru is relatively politically stable, however, it has a problem: it is one of the main exporters of coca leaves, the main ingredient in the production of cocaine. The main coca-producing areas in Peru are those which Shining Path still has control over and the government cannot access. This is mainly the Apurimac, Ene River and Mantaro Valley.

Timeline of Events

- 1839-1842: First Opium War
- 1856-1860: Second Opium War
- 1971: President Nixon declares a “War on Drugs”
- 1973: Drug Enforcement Agency established by President Nixon
- 1975: Medellín Cartel is established
- 1977: President Carter calls for decriminalization of marijuana
- 1981: President Reagan tightens the “war on drugs”
- 1991: Pablo Escobar is killed in a raid.
- 2006: President Calderón sends Mexican Army soldiers to Michoacán, thus starting the war on drugs in Mexico.
- 2008: Mérida Initiative signed

Relevant UN treaties and Events

The Single Convention on Narcotic Drugs, 1961

This Convention provides international guidelines on how to deal with narcotic drugs, and controls some of the most common plants that drugs can be derived from, in essence, poppy bushes, cannabis plants and coca plants, among several other provisions, such as the transport of drugs in a first aid kit on an international flight.

The Convention on Psychotropic Substances, 1971

This Convention proposes measures to regulate psychoactive drugs, such as amphetamines, benzodiazepines, barbiturates and psychedelics. It also proposes provisions regarding several topics, such as import and export, licenses, prescriptions and others. It establishes an “international control system for psychotropic substances. It responded to the diversification and expansion of the spectrum of drugs of abuse and introduced controls over a number of synthetic drugs according to their abuse potential on the one hand and their therapeutic value on the other.” (UNODC, n.d. para. 1)

The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988

“The purpose of this Convention is to promote co-operation among the Parties so that they may address more effectively the various aspects of illicit traffic in narcotic drugs and psychotropic substances having an international dimension. In carrying out their obligations under the Convention, the Parties shall take necessary measures, including legislative and administrative measures, in conformity with the fundamental provisions of their respective domestic legislative systems.” (UNODC, 1988, p. 2).

Previous Attempts to Solve the Issue

Throughout the years, countries have made drugs illegal in order to discourage their purchase and consumption. However, this makes the drug market violent and unstable. For example, Pablo Escobar’s Medellín Cartel caused a narco war in Colombia that lasted years and led to thousands of innocent deaths, such as those caused by the bombing of Avianca Flight 203.

Nowadays, some countries have chosen another solution: legalizing or decriminalizing drugs. Marijuana, for example, has been legalized and regulated in Uruguay, Holland and some states in the United States of America (although a project has been proposed to legalize it on a federal level). However, this has sparked debate, since many sustain that legalization or decriminalization may incite people to try drugs, which may be harmful to their health.

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