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Waseem Ahmad Qureshi

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THE MANUFACTURING AND TRAFFICKING OF NARCOTICS: AN OVERVIEW OF GLOBAL LAWS

WASEEM AHMAD QURESHI *

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I. INTRODUCTION

Drug use has become a significant problem. A large number of people around the world are addicted to different types of hazardous drugs.¹ Drugs fall mainly into two categories: pharmaceutical drugs and narcotic drugs. The former category is used for medication purposes, while the latter is used for fun or resulting from an addiction; however, the adverse effects of narcotic drugs are far more serious than instituting fun, because they can cause premature death,² HIV-AIDS,³ hepatitis C,⁴ and several other deadly diseases. Moreover, they can result in hallucinations and hypnotic impacts on humans.⁵ In addition, terrorists also use drug money by entering into the drug trafficking business to sponsor their vicious terrorist activities.⁶ The foremost concern is, therefore, the rapid spread of narcotic drugs in human society⁷ and the massive negative effects associated with the spread.⁸

* Advocate Supreme Court of Pakistan.

1. For details, see ANNE ROONEY, *DRUGS ON THE STREET* 5 (2010); see also ALAIN VERSTRAETE, *WORKPLACE DRUG TESTING* 2 (2011).

2. TREVOR BENNETT & KATY HOLLOWAY, *UNDERSTANDING DRUGS, ALCOHOL AND CRIME* 54 (2005).

3. *Id.*

4. DOUGLAS MACKAY, *USER'S GUIDE TO TREATING HEPATITIS NATURALLY* 18 (Jack Challem ed., 2005).

5. DIANE S. ASCHENBRENNER & SAMANTHA J. VENABLE, *DRUG THERAPY IN NURSING* 109 (3d ed., 2009).

6. For details, see JAYESH D'SOUZA, *TERRORIST FINANCING, MONEY LAUNDERING, AND TAX EVASION: EXAMINING THE PERFORMANCE OF FINANCIAL INTELLIGENCE UNITS* 30 (2011); see also HUSEYIN DURMAZ, *UNDERSTANDING AND RESPONDING TO TERRORISM* 245 (2007).

7. STEVEN BELENKO & CASSIA SPOHN, *DRUGS, CRIME, AND JUSTICE* 1 (2014).

8. For instance, apart from HIV and Hepatitis-C, the negative effects of illicit drugs include premature deaths (in case of overdose of the drug), road-side accidents (that occur when a driver is overdosed with an illicit drug), liver diseases, lung failure. For details, see RICHARD WILLIAMS AND COLIN PRITCHARD, *BREAKING THE CYCLE OF EDUCATIONAL ALIENATION: A MULTIPROFESSIONAL APPROACH* 31 (2006); see also JAY DIX, *HANDBOOK FOR DEATH SCENE INVESTIGATORS* 11 (1999); see also LARRY K. GAINES & JANINE KREMLING, *DRUGS, CRIME, & JUSTICE: CONTEMPORARY PERSPECTIVES* 21 (3 ed.

This paper will focus mainly on the use, manufacturing, trafficking, and adverse effects of narcotic drugs. In addition, the major laws against the manufacturing, use, and trafficking of drugs will also be discussed, and the successes and hurdles in preventing the trafficking, use, and manufacturing of narcotic drugs will also be evaluated. Strictly curbing the manufacturing and trafficking of narcotic drugs can reduce the spread of this abhorrence in society.

II. PRODUCTION OF NARCOTIC DRUGS

Narcotic drugs are produced on a massive scale in different regions.⁹ In this regard, particular categories of drugs are produced in particular regions.

A. Prominently Cultivated Narcotic Drugs

The manufacturing estimates of some prominent drugs are mentioned below.

1. Cannabis

Cannabis is a widely-used drug at the global level.¹⁰ Its plants grow in nearly every country,¹¹ which makes it difficult to know the exact amount of production of cannabis worldwide.¹² However, we can take into account regional production levels and estimate the total worldwide production of this illicit drug. For instance, in Morocco, which is the largest producer of cannabis worldwide, an

2013). Gaines and Kremling describe a number of harmful effects such as heart diseases, asthma, HIV, Hepatitis-C, sexually transmitted diseases, depression, anxiety, and other mental health diseases by the use of Methamphetamine, muscle damage, bone damage, circulatory diseases, kidney and lung problems from Methamphetamine, loss of appetite, sleeplessness, tremors by the use of LSD, etc. *Id.*

9. BUREAU FOR INT'L NARCOTICS AND LAW ENF'T AFFAIR, U.S. DEP'T OF STATE, INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT: DRUG AND CHEMICAL CONTROL 73 (2010); see also JULIA BUXTON, *A-Z Glossary in THE POLITICS OF NARCOTIC DRUGS: A SURVEY* 256 (Routledge 2011).

10. Some experts consider this drug as the "most widely used drug" in the world. See UNODC, RECOMMENDED METHODS FOR THE IDENTIFICATION AND ANALYSIS OF CANNABIS AND CANNABIS PRODUCTS 1 (2009); see also NOELINE LATT, ADDICTION MEDICINE 10 (2009).

11. PETROS LEVOUNIS & ABIGAIL J. HERRON, THE ADDICTION CASEBOOK 51 (2014); see also PAUL REXTON KAN, DRUGS AND CONTEMPORARY WARFARE 33 (2009).

12. CHLOE CARPENTIER ET AL., EUROPEAN MONITORING CENTRE FOR DRUGS AND DRUG ADDICTION, EMCDDA INSIGHTS: CANNABIS PRODUCTION AND MARKETS IN EUROPE 16 (2012).

estimated 47,190 hectares¹³ of cannabis were cultivated in 2013.¹⁴ In 2012, it was 52,000 hectares^{15,16} In Afghanistan, the area used for the cultivation of cannabis plants in 2012 was 10,000 hectares¹⁷, with 1402 tons of cannabis resin.¹⁸

The cultivation techniques have also changed, which has caused a significant increase in the production capacity of the cultivable lands. For instance, the annual production of cannabis in 2013 has been noted to be far higher than the amount recorded in 2012. This trend of increase in production has been observed in Europe, Latin America, and North Africa. Moreover, the cultivation is being kept secret to avert the seizures of cultivated crop from antinarcotic authorities;¹⁹ however, this is true only for a few countries as, for instance, in Afghanistan the US Army has been identified as a supporter and guardian of poppy fields and it has been allegedly involved in obtaining revenue from poppy cultivation.²⁰

2. Opium

According to recent estimates, opium cultivation is reaching a record level as global production in 2014 reached 7550 metric tons.²¹ Afghanistan is the largest producer of the opium poppy, and around 37.9 percent of the rural area grows poppy plants for opium.²² The percentage increase in production is at the highest rate; for instance, an estimated 86 percent (6495 tons) of the world's opium is produced in Afghanistan²³ and the total area used to cultivate

13. 47190 Hectares is equivalent to 116609.03 Acres. This is based upon a scale of 1 Hectare = 2.47105 Acres.

14. EUROPEAN MONITORING CTR. FOR DRUGS AND DRUG ADDICTION, PERSPECTIVES ON DRUGS: CHANGES IN EUROPE'S CANNABIS RESIN MARKET 2 (2017).

15. 52000 Hectares is equal to 128494.8 Acres (1 Hectare = 2.47105 Acres).

16. United Nations Office on Drugs and Crime, *World Drug Report 2015*, UNITED NATIONS OFFICE ON DRUGS AND CRIME 57 (2015), www.unodc.org/documents/wdr2015/World_Drug_Report_2015.pdf [hereinafter UNODC Drug Report 2015].

17. This is equal to 24710.54 Acres (1 Hectare = 2.47105 Acres).

18. See UNODC Drug Report 2015, *supra* note 16.

19. *Id.*

20. Washington's Blog, *Drug War? American Troops Are Protecting Afghan Opium. U.S. Occupation Leads to All-Time High Heroin Production*, GLOBAL RESEARCH (Nov. 13, 2013), www.globalresearch.ca/drug-war-american-troops-are-protecting-afghan-opium-u-s-occupation-leads-to-all-time-high-heroin-production/5358053.

21. JIANHONG LIU ET AL., HANDBOOK OF ASIAN CRIMINOLOGY 117 (2013).

22. United Nations Office on Drugs and Crime, *World Drug Report 2014*, UNITED NATIONS OFFICE ON DRUGS AND CRIME 57 (2014), www.unodc.org/documents/wdr2014/World_Drug_Report_2014_web.pdf [hereinafter UNODC Drug Report 2014].

23. UNODC Drug Report 2015, *supra* note 16, at 42.

opium reached 225,000 hectares²⁴ in 2014,²⁵ a 7.5 percent increase from 2013 and a 45 percent increase from 2012. Similarly, cultivation has also increased in Myanmar, the world's second largest producer of opium. In 2014, 57,600 hectares²⁶ were recorded.²⁷

An increase in the produced quantity of opium has also been observed in the Central and Latin America region. The highest production has been recorded in Colombia, growing opium on 300 hectares of land.²⁸

3. Heroin

Like other drugs, heroin production has also increased in the recent years. In Afghanistan, which produces approximately 77 percent of total heroin, produced an estimated 536 tons in 2015.²⁹ Each year, an increase in the percentage of heroin seizures is also observed. The year 2013 saw the largest increase of heroin and opium seizures, increasing around 12.8 percent.³⁰ India is another country where a high production of heroin has been reported. The heroin that is produced in India is considered low quality, however, as the manufacturers produce it alongside brown sugar, trafficking and selling the drug in the name of brown sugar.³¹ This heroin constitutes 55 percent of the total amount of heroin that is produced each year in India.³²

B. Global Manufacturers of Narcotic Drugs

As far as the manufacturers are concerned, the illegally certified laboratories, drug cartels, and other clandestine regional players are responsible for the mass manufacturing of illicit drugs.³³ The manufacturers of narcotic drugs remain unreported and surreptitious.³⁴

24. This is equal to 555987.108 Acres (1 Hectare = 2.47105 Acres).

25. ROBERT D. CREWS, *AFGHAN MODERN: THE HISTORY OF A GLOBAL NATION* 309 (2015).

26. This is equal to 142332.7 Acres (Since 1 Hectare = 2.47105 Acres).

27. UNODC Drug Report 2015, *supra* note 16, at 41.

28. *Id.* 300 Hectares is equal to 741.32 acres.

29. *Id.* at 42.

30. *Id.*

31. YEARBOOK SECTION OF THE DEP'T OF PUB. INFO., UNITED NATIONS, YEARBOOK OF THE UNITED NATIONS, 2003, at 1276 (Kathryn Gordon et al. eds., 2003).

32. *Narcotics: Make (Drugs) in India*, HARDNEWS (Aug. 1, 2016), www.hardnewsmedia.com/2016/08/narcotics-make-drugs-india.

33. United Nations Office on Drugs and Crime, *Global Illicit Drug Trends 2003*, UNITED NATIONS OFFICE ON DRUGS AND CRIME 2318 (2003), www.unodc.org/pdf/trends2003_www_E.pdf.

34. *Id.*

1. *Farmers*

Local farmers become involved in cultivating drugs when they find no alternate source of earnings or when there is a high potential to earn from the drug-related crops. Moreover, the favorable soil and climate also induce them to cultivate drugs.³⁵ For instance, opium and heroin are largely cultivated in Afghanistan owing to its favorable weather, climate, and soil. Similarly, the coca bush, from which cocaine is extracted, is cultivated in Colombia and Mexico.³⁶ Cannabis is cultivated by farmers in different regions of the world depending upon the suitability of the soil. In this regard, the cultivation usually takes place in those regions where there is weak enforcement of legal regulations regarding illicit drug plant cultivation.

2. *Illegal Laboratories*

Cocaine, heroin, and other drug manufacturing laboratories have their existence in different regions worldwide.³⁷ These laboratories have either obtained fake licenses or manufacture prohibited drugs while apparently presenting themselves as pharmaceutical laboratories. The U.S. and Central and Latin American countries are considered to be safe havens for these illicit laboratories.³⁸ For instance, the largest illegal laboratory producing illicit chemical drugs, predominantly amphetamine,³⁹ was found in the U.S.⁴⁰ Colombia is the second most prominent location for illegal drug laboratories. In Colombia, in 2013 the government authorities raided and destroyed approximately 2,336 illicit laboratories extracting cocaine.⁴¹ This is a massive number of laboratories destroyed in a year and it indicates the presence of a high number of illicit drug manufacturing laboratories. Moreover, the authorities in Colombia confiscated around 244 tons of cocaine in 2012 and 225 tons in 2013. These are considered to be the largest seizures of cocaine in a year.⁴²

35. ADAM PAIN AND JACKY SUTTON, RECONSTRUCTING AGRICULTURE IN AFGHANISTAN 215 (2008).

36. UNITED NATIONS OFFICE ON DRUGS AND CRIME, WORLD DRUG REPORT 2016, at 90 (2016) [hereinafter UNODC DRUG REPORT 2016].

37. Richard S. Frank & Stanley P. Sobol, *Clandestine Drug Manufacturing Laboratories*, in 4 FORENSIC SCIENCE PROGRESS 2 (2012).

38. Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking and U.S. Counterdrug Program*, CONGRESSIONAL RESEARCH SERVICE 1 (2011), fas.org/sgp/crs/row/R41215.pdf.

39. MICHAEL J. GREENBERG ET AL., OCCUPATIONAL, INDUSTRIAL, AND ENVIRONMENTAL TOXICOLOGY 746 (2003).

40. MICHAEL D. LYMAN, DRUGS IN SOCIETY: CAUSES, CONCEPTS, AND CONTROL 181 (2013).

41. UNODC Drug Report 2015, *supra* note 16, at 52.

42. UNODC Drug Report 2015, *supra* note 16, at 53.

3. *PhD-Qualified Drug Experts*

It is pertinent to mention here that some PhD-qualified drugs experts are also manufacturing LSD, amphetamine, and other complex drugs.⁴³ Nonetheless, no record of these qualified experts exists because they do not reveal their undercover operations to anyone. They portray themselves as “pharmaceutical” experts and medical doctors; however, this contrasts with reality. Some experts have also been arrested for running illegal laboratories or having private clinics in which they were not only manufacturing, but also selling, illegal drugs.⁴⁴

C. *Factors Promoting Illicit Drug Cultivation*

There are several factors that facilitate the cultivation of illicit drugs in a region. For instance, if we consider the case of opium, which is produced largely in Afghanistan,⁴⁵ we would come across a few reasons which are related to the agronomic aspects of opium cultivation. First, opium’s price and second, it being the only means of subsistence available to the local people who live near land that is favorable for its cultivation.⁴⁶ Additionally, weak antinarcotic drug regulations and their ineffective implementation are further facilitating opium cultivation.

The readily available agricultural factors—arable land, climate, etc.—encourage local households to get involved in the opium production. This also gives them an incentive to earn by selling their produced opium.⁴⁷ Furthermore, poverty and the absence of other employment opportunities are major reasons that encourage local people to engage in opium cultivation and, then, export or smuggle the produced amount.⁴⁸

The earnings rate from the cultivation of opium is also very high in Afghanistan compared to the earnings rate of wheat cultivation. That is, the ratio of per hectare income from opium cultivation to income from wheat cultivation was 4:1 in 2014 and 2015. This ratio was highest in 2011, when it reached 11:1. The difference in the earnings rate between opium and wheat has caused an 80 percent increase in opium cultivation in Afghanistan since 2010.⁴⁹

43. KIMBERLY CHERYL, *ESCAPE FROM THE PHARMA CARTEL* 73 (2007).

44. LYMAN, *supra* note 40, at 181.

45. JIANHONG LIU ET AL., *supra* note 21, at 117.

46. ADAM PAIN AND JACKY SUTTON, *supra* note 35, at 215.

47. *Id.*

48. UNODC DRUG REPORT 2016, *supra* note 36, at 69.

49. UNODC Drug Report 2015, *supra* note 16, at 94.

D. Legislation Against Illicit Drug Cultivation

Numerous laws at the international and state levels have been put into effect against the cultivators of illicit drugs.⁵⁰ Importantly, according to regional state laws, the cultivation of illicit drugs has been recognized in most states as a crime.⁵¹ It is pertinent to mention here that anyone found to be directly or indirectly involved in drug manufacturing is considered a criminal according to the laws in most states. This is because the manufacturing and trafficking of illicit narcotic drugs is considered an organized crime by almost every country.⁵² Different levels of penalties and punishments have been levied on the manufacturers of illicit drugs. In this regard, some countries, prominently Saudi Arabia, also impose the death sentence on the manufacturers and traffickers of drugs.⁵³

In addition to cultivating illicit drugs, certain chemicals can be used to manufacture illicit drugs.⁵⁴ For instance, pseudoephedrine can be used to manufacture methamphetamine, which is a dangerous illicit drug.⁵⁵ However, pseudoephedrine has also been used for medication.⁵⁶ Therefore, possessing such a chemical may constitute a crime depending on the local legislation of the region where it is found. Nonetheless, in most countries a license is necessary to possess or manufacture such a chemical.⁵⁷ The license is issued only to pharmaceutical companies, who are allowed to manufacture or possess dangerous chemicals to produce medicinal drugs and to manufacture other industrial chemicals.⁵⁸

50. YEARBOOK SECTION OF THE DEP'T OF PUBLIC INFORMATION, *supra* note 31, at 1148

51. *Id.*

52. For instance, in the United Nations Conference for the Adoption of a Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances in Vienna in December 1998, the participant countries endorsed a UN resolution against the cultivation and trafficking of narcotic drugs and ratified the two actions as organized crimes. For details, see UNITED NATIONS OFFICE ON DRUGS AND CRIME, *A CENTURY OF INTERNATIONAL DRUG CONTROL* 68 (2010).

53. ANTHONY SHOULT, *DOING BUSINESS WITH SAUDI ARABIA* 318 (2006).

54. U.S. Department of Justice, *Drugs, Crime, and the Justice System 101*, BUREAU OF JUSTICE STATISTICS (1998), www.bjs.gov/content/pub/pdf/dcjs-nrbjs.pdf.

55. PAUL V. DALY, *THE SUPPLY OF ILLICIT DRUGS TO THE UNITED STATES: THE NNIC REPORT* 70 (1996).

56. HERBERT C. COVEY, *THE METHAMPHETAMINE CRISIS: STRATEGIES TO SAVE ADDICTS, FAMILIES, AND COMMUNITIES* 56 (2007); see also DIANE S. ASCHENBRENNER & SAMANTHA J. VENABLE, *DRUG THERAPY IN NURSING* 948 (3d ed. 2009).

57. Office of National Drug Control Policy, *National Southwest Border Counternarcotics Strategy 2011*, OBAMA WHITE HOUSE ARCHIVES 43 (2012), [obamawhitehouse.archives.gov/sites/default/files/ondcp/policy-and-research/swb_counternarcotics_strategy11.pdf](http://amawhitehouse.archives.gov/sites/default/files/ondcp/policy-and-research/swb_counternarcotics_strategy11.pdf).

58. *Id.*

Afghanistan is responsible for most cultivation of illicit drugs, prominently heroin and opium.⁵⁹ As a result, the United Nations Office on Drugs and Crime (UNODC) is offering special assistance to the Afghan national legislative bodies in making policies and laws to curb illicit drug cultivation in the country.⁶⁰ The Law on Campaign against Intoxicants, Drugs and their Control is an example of a law intended to prevent the cultivation of illicit drugs.⁶¹ Article 2 of this law sets out the objectives of curbing opium and cannabis cultivation, while Article 5 is related to preventing the manufacturing, storage, and trafficking of the seeds of all kinds of illicit drugs. Article 8 stresses the importance of initiating and organizing activities for eradicating the cultivation of illicit drugs. Articles 41, 42, and 43 explain the punishments and penalties for cultivators of illicit drugs.⁶²

On a similar note, the laws in the countries neighboring Afghanistan—Iran, Pakistan, and India—as well as in other countries, prevent the manufacturing of narcotic drugs.⁶³ For instance, in Pakistan, the Control of Narcotic Substances Act was approved in 1997 and acts as a fundamental set of rules against the cultivation and trafficking of all illicit drugs in the country.⁶⁴

On the other hand, in some countries, people are endorsing laws to legalize certain illicit drugs.⁶⁵ For instance, in the United States, where antinarcotic rules are strictly implemented, the legalization of marijuana is favored in certain states, such as Washington and Colorado, which have legalized the recreational use of this drug.⁶⁶ Medicinal use of Marijuana is already legal in 29 states in the U.S.⁶⁷ Furthermore, Colorado has gone one step

59. See UNODC Drug Report 2014, *supra* note 22, at 57; see also UNODC Drug Report 2015, *supra* note 16, at 42.

60. UNODC working to assist hard pressed Afghanistan on drugs and crime, UNODC (Dec. 19, 2016), www.unodc.org/unodc/en/press/releases/2016/December/unodc-working-to-assist-hard-pressed-afghanistan-on-drugs-and-crime.html

61. See *Law on Campaign against Intoxicants, Drugs and their Control – General Provisions*, UNODC (June 14, 2010), www.unodc.org/res/cld/document/law-on-campaign-against-intoxicants--drugs-and-their-control_html/OG_01025.Law_on_Campaign_aginst_Intoxicants_Drugs_English.pdf.

62. *Id.*

63. UNODC DRUG REPORT 2016, *supra* note 36, at xiii.

64. MICHAEL K. STEINBERG, DANGEROUS HARVEST: DRUG PLANTS AND THE TRANSFORMATION OF INDIGENOUS LANDSCAPES 64 (2004).

65. LIANA SUN WYLER, CONGRESSIONAL RESEARCH SERVICE, INTERNATIONAL DRUG CONTROL POLICY 31 (2009).

66. NATHAN P. JONES, MEXICO'S ILLICIT DRUG NETWORKS AND THE STATE REACTION 136 (2016).

67. See the details of their names, legalization year, and the legalized amounts of Marijuana at 29 *Legal Medical Marijuana States and DC*, PROCON.ORG (June 26, 2016), medicalmarijuana.procon.org/view.resource.php?resourceID=000881.

further by legalizing the limited cultivation⁶⁸ of marijuana.⁶⁹ Apart from these exceptions, the cultivation, use, storage, and trafficking of marijuana and all other illicit drugs are banned in every state pursuant to federal law.⁷⁰ For instance, in accordance to the Controlled Substances Act (CSA) passed by U.S. Congress, penalties including life imprisonment and heavy fines are levied against the illegal users, manufacturers, and traffickers of illicit drugs and the arrests of the violators of CSA are made by the Drug Enforcement Agency (DEA).⁷¹

III. TRAFFICKING OF DRUGS

The trafficking of drugs is carried out to bring drugs into the reach of more and more people by selling them the drugs and getting revenue in return.⁷² The identification of trafficking routes is based merely on the amount of drugs captured in certain locations, which compels law enforcement authorities to classify the locations as drug trafficking routes.⁷³ For instance, recent captures of heroin in the Indian Ocean indicate that the drug is being trafficked to Southeast Asia, South Asia, and East Africa with Afghanistan being the source of said heroin.⁷⁴

It is notable to mention here that the volume of seized drugs at oceanic routes and ports is far higher than the amounts captured by any other route, such as airports. From 2008 to 2014, the average

68. It is legal to cultivate six plants (maximum) for nonmedicinal purposes. For medicinal purposes, the limit has been applied only in Hawaii (seven plants maximum). A similar limit is also applied in other states of the U.S. For details see *Marijuana State Laws – Summary Chart*, PROCON.ORG (Apr. 20, 2017), medicalmarijuana.procon.org/view.resource.php?resourceID=000881; see also *Home Cannabis Cultivation Laws: A State-by-State Guide*, LEAFLY (Apr. 17, 2017), www.leafly.com/news/cannabis-101/home-cannabis-cultivation-laws-a-state-by-state-guide.

69. ERIC KUSSMAN, DE-COMPREHENSIVE POLITICS: GETTING AMERICA BACK TO THE BASICS 218 (2011).

70. See RICHARD G. NIEMI & JOSHUA J. DYCK, GUIDE TO STATE POLITICS AND POLICY 363 (2013).

71. For details, see SHAHID M. SHAHIDULLAH, CRIME POLICY IN AMERICA: LAWS, INSTITUTIONS, AND PROGRAMS 100 (2008); see also JANE M. DURGIN AND ZACHARY I. HANAN, PHARMACY PRACTICE FOR TECHNICIANS 127 (2014).

72. For instance, the drug traffickers generated around \$70 billion from trafficking illicit drugs from Myanmar alone. See DAVID MARR, PANIC (2013); see also LYMAN, *supra* note 40, at 286; see also DENNIS M.P. MCCARTHY, AN ECONOMIC HISTORY OF ORGANIZED CRIME: A NATIONAL AND TRANSNATIONAL APPROACH 119 (2011).

73. For instance, see LYMAN, *supra* note 40, at 140, 156

74. See *Indian Ocean: “Colombo Declaration” Adopted to Coordinate Anti-Drug Efforts*, UNODC (Nov. 4, 2016), www.unodc.org/unodc/en/frontpage/2016/November/indian-ocean_colombo-declaration-adopted-to-coordinate-anti-drug-efforts.html; see also LYMAN, *supra* note 40, at 13; see also UNODC Drug Report 2014, *supra* note 22, at 29; see also UNODC Drug Report 2015, *supra* note 16, at 45.

annual quantity of illicit drugs seized at sea was around 366 kilograms, compared to 108 kilograms seized on railroads.⁷⁵

A. *Transit Hubs*

Specific countries, as well as certain regions in those countries, are considered transit hubs for drugs.⁷⁶ For instance, the African countries are considered transit routes for cocaine and heroin to Europe and the East Asia.⁷⁷ Similarly, 91 percent of the heroin used in Canada has its origin in Afghanistan, as reported after analyzing the captured heroin by Canadian antinarcotic agencies.⁷⁸ On the other hand, Afghan-manufactured heroin constitutes only a small percentage of the heroin found in the United States.⁷⁹ Heroin, cocaine, and other drugs manufactured in South America, particularly Mexico, often reach the United States in large quantities.⁸⁰

Fluctuating supply patterns have been observed in other regions as well; for instance, Afghanistan took primacy over other regions in supplying heroin to Australia but in 2013 this trend was reversed as Burmese-manufactured heroin achieved dominance in the region.⁸¹ Africa has been used to traffic cocaine into Europe via Central Asia and methamphetamine into East Asia.⁸²

This trend indicates internationalized but inconsistent drug trafficking patterns, which are constantly evolving as well as becoming more surreptitious to evade local and international antinarcotic agencies.

75. UNODC Drug Report 2015, *supra* note 16, at 39.

76. David Marr has mentioned some key routes of drugs trafficking in his book. See MARR, *supra* note 72. Similarly, Michael Lyman also describes key drug trafficking routes near the US. See LYMAN, *supra* note 40, at 286.

77. UNODC Drug Report 2015, *supra* note 16, at 39.

78. Lee Berthiaume, *U.S. Raises Alarm Over Afghan Heroin Flowing Through Canada*, OTTAWA CITIZEN (Nov. 20, 2014), ottawacitizen.com/news/politics/u-s-raises-alarm-over-afghan-heroin-flowing-through-canada.

79. Although the heroin reaches the United States from Afghanistan, its quantity is smaller than the heroin that reaches the United States from Mexico and some Latin American countries. This trend has been noted since 2012. For details, see *id.*; see also UNODC Drug Report 2014, *supra* note 22, at 31.

80. See *id.*; see also SOUTH AMERICA, CENTRAL AMERICA AND THE CARIBBEAN 2002, at 31 (Routledge, 10 ed. 2001) (detailing the drugs trafficked from South America to the United States); see also MARCUS E. ETHRIDGE & HOWARD HANDELMAN, *POLITICS IN A CHANGING WORLD* 461 (2014).

81. United Nations Office on Drugs and Crime, *Addiction, Crime and Insurgency: The transnational threat of Afghan Opium*, UNITED NATIONS OFFICE ON DRUGS AND CRIME 66 (2014), www.unodc.org/documents/data-and-analysis/Afghanistan/Afghan_Opium_Trade_2009_web.pdf [hereinafter *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*]

82. Int'l Narcotics Control Bd, *Report of the International Narcotics Control Board for 2006*, INTERNATIONAL NARCOTICS CONTROL BOARD 34 (2006), www.incb.org/documents/Publications/AnnualReports/AR2006/AR_06_English.pdf.

1. *Mexico–U.S. Drug Trafficking Route*

The Mexico–U.S. border has been considered the border most vulnerable to drug trafficking.⁸³ Its mountainous topography makes it difficult for US or Mexican law enforcement agencies to continuously and completely monitor for cross-border traffic.⁸⁴ Furthermore, cartels and smugglers are very proficient in digging tunnels surreptitiously from Mexico to the U.S. without being traced. By the time they are tracked down by law enforcement agencies, they have already trafficked a large amount of drugs across the border.⁸⁵ Recently, U.S. law enforcement agencies captured around two tons of cocaine from a hidden underground tunnel created by Mexican drug smugglers. The underground, cross-border tunnel was half a mile into California, connecting the state to Mexico.⁸⁶ Several other similar incidents of drug seizure and the revealing of underground tunnels have been reported in the U.S.; most notably, four drug trafficking tunnels were discovered in 2014 by U.S. law enforcement agencies.⁸⁷

The high magnitude of drug trafficking across the Mexico–U.S. border is due to the high amount of manufacturing of drugs, particularly heroin, cocaine, and other chemical drugs in Columbia, Bolivia, and Mexico.⁸⁸ These manufactured drugs are then trafficked to other regions via Mexico, particularly to the U.S. and Canada, so as to earn a high amount of revenue from this illicit trade.⁸⁹ Very powerful drug cartels and drug lords operate in Mexico, as well as in the nearby countries of Colombia and Venezuela, with the goal of increasing their wealth by expanding

83. SHAYLIH MUEHLMANN, *WHEN I WEAR MY ALLIGATOR BOOTS: NARCO-CULTURE IN THE U.S.-MEXICO BORDERLANDS* 5 (2014).

84. SERENA NANDA & RICHARD WARMS, *CULTURAL ANTHROPOLOGY* 235 (2014).

85. MICHAEL P. MORENO & KRISTIN C. BRUNNEMER, *TERM PAPER RESOURCE GUIDE TO LATINO HISTORY* 322 (2010).

86. Azadeh Ansari, *U.S.-Mexico drug tunnel spanned 800 yards, held 2 tons of cocaine*, CNN (Apr. 21, 2016), www.cnn.com/2016/04/20/us/u-s-mexico-drug-tunnel/index.html; see also *Huge US-Mexico Drugs Tunnel Found in San Diego*, BBC (Apr. 21, 2016), www.bbc.com/news/world-us-canada-36099336.

87. David Sim, *US-Mexico Drug Tunnels: Photos of secret underground cross-border smuggling routes between Mexico and US*, INTERNATIONAL BUSINESS TIMES (Apr. 21, 2016), www.ibtimes.co.uk/us-mexico-drug-tunnels-photos-secret-underground-cross-border-smuggling-routes-1556026.

88. *The Yearbook of the United Nations*, UNITED NATIONS YEARBOOK (2006), www.unmultimedia.org/searchers/yearbook/page.jsp?volume=2006&page=1&searchType=advanced; see SOUTH AMERICA, CENTRAL AMERICA AND THE CARIBBEAN 2002, *supra* note 80, at 31, for a list of the major producers of illicit drugs.

89. MARCUS E. ETHRIDGE & HOWARD HANDELMAN, *POLITICS IN A CHANGING WORLD* 461 (2014); see also VICTOR E. KAPPELER & LARRY K. GAINES, *COMMUNITY POLICING: A CONTEMPORARY PERSPECTIVE* 369 (2012).

their drug manufacturing and drug trafficking activities internationally.⁹⁰

Another reason for the high amount of heroin and other drugs trafficking to the U.S. from Latin American countries is the relatively higher revenue that the drug traffickers receive from selling the drugs in the U.S. This is due to the higher value of the U.S. dollar compared to the local currencies of Mexico and other Latin American regions.⁹¹ This incentive, when combined with the surreptitious but easier cross-border smuggling into the U.S., incites the drug traffickers to smuggle the drugs to the U.S. across the Mexico–U.S. border.⁹²

2. Pakistan–Afghanistan Border

Afghanistan has remained largely in a state of war over the last four decades. First, the Soviet Union attacked Afghanistan and the war continued from 1979 to 1988. The U.S. then, alongside NATO, attacked the Taliban regime in Afghanistan in 2001 and forces did not withdraw until the end of 2014.⁹³ In all these years, the law and order situation has worsened, encouraging smugglers, drug traffickers, and opium cultivators to resume their activities. This resumption, facilitated by Afghanistan's favorable atmosphere, has caused the region to become a hub for opium poppy, heroin, and cocaine cultivation and trafficking.⁹⁴ Furthermore, Afghanistan's porous borders with Pakistan and Iran have also paved the way for drug smuggling.⁹⁵

The 1510-mile (2430-kilometer) border with Pakistan⁹⁶ makes it too costly for the Afghan and Pakistani governments to install wire protection or build a wall to completely seal the border to prevent smugglers, criminals, traders, and local inhabitants from crossing the border without proper travel documents or passports.⁹⁷

90. BRIAN R. HAMNETT, A CONCISE HISTORY OF MEXICO 13-23 (2006).

91. *See* UNITED STATES. CONGRESS. SENATE. CAUCUS ON INTERNATIONAL NARCOTICS CONTROL, U.S. EFFORTS AGAINST INTERNATIONAL DRUG TRAFFICKING: HEARING BEFORE THE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL OF THE UNITED STATES SENATE 30 (U.S. GOVERNMENT PRINTING OFFICE, 1989).

92. *Id.*

93. MU.S. KHAN JALALZAI, WHOSE ARMY? AFGHANISTAN'S FUTURE AND THE BLUEPRINT FOR CIVIL WAR 17 (2014); *see also* SELÇUK ÇOLAKOĞLU & MEHMET YEGIN, THE FUTURE OF AFGHANISTAN AND TURKEY'S CONTRIBUTIONS 27 (2014).

94. ADAM PAIN AND JACKY SUTTON, *supra* note 35, at 215.

95. PETER THOMSEN, THE WARS OF AFGHANISTAN: MESSIANIC TERRORISM, TRIBAL CONFLICTS, AND THE FAILURES OF GREAT POWERS 135 (2011); *see also* SMALL ARMS SURVEY 2012: MOVING TARGETS 335 (2012); *see also* HOUSE OF COMMONS: INTERNATIONAL DEVELOPMENT COMMITTEE, RECONSTRUCTING AFGHANISTAN: FOURTH REPORT OF SESSION 2007-08, at 126 (2008).

96. IFTIKHAR HAIDER MALIK, PAKISTAN: DEMOCRACY, TERRORISM, AND THE BUILDING OF A NATION 13 (2010).

97. AKBAR AHMED, THE THISTLE AND THE DRONE: HOW AMERICA'S WAR ON

Due to this, a high volume of trade, as well as illegal trafficking, takes place on daily basis on the Pakistan–Afghanistan border.⁹⁸ The Torkham and Chaman borders are considered to be the gateways for a high volume of trade and smuggling. Sealed containers leave Afghanistan and reach Pakistani territory, from where the goods in them are shipped to the seaports or remain on the Pakistani market. Afghani drug manufacturers use these containers to traffic their drugs. Hence, in a similar fashion, the sealed containers of opium poppies and cannabis (primarily charas, cocaine, etc.) leave Afghanistan and travel to Pakistan from the Torkham gate of the Pakistan–Afghanistan border.⁹⁹

3. *India*

India has a significant population of individuals who use drugs either addictively or recreationally. Opium, cocaine, heroin, and hashish¹⁰⁰ are the most abused drugs in India. These drugs, from Afghanistan, reach India from its southwestern border, via Pakistan.¹⁰¹ According to Indian authorities, illegal manufacturers of heroin produce and smuggle low-quality heroin, along with brown sugar, across borders to Sri Lanka and Bangladesh alongside trading goods.¹⁰²

Indian governmental authorities have stated that almost half of the heroin in India originates from Pakistan. Pakistan responded by stating that the drugs actually originated in Afghanistan and are smuggled through the Pakistan–Afghanistan border by the drug mafias. The long, porous and mountainous border with Afghanistan makes it difficult to detect such surreptitious trafficking. Indian authorities have reported that most of the heroin that reaches India is then trafficked to Europe and North America, where the average price of heroin is much higher compared to in India. As per the recent estimates, the price of heroin in India is \$11 per gram, whereas the price for the same amount in the U.S. is \$200. In Europe, considering the cumulative average price of all European countries, it is \$100–\$400 per gram, as revealed by the Indian authorities, and \$100–\$300 as per the estimates provided by UNODC.¹⁰³

TERROR BECAME A GLOBAL WAR ON TRIBAL ISLAM 87 (2013).

98. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 121.

99. *Id.* at 122.

100. Marijuana (in India, marijuana is called hashish).

101. Man Aman Singh et al., *Punjab's war on Drugs: Such a short, toxic journey*, INDIAN EXPRESS (June 11, 2016), indianexpress.com/article/india/india-news-india/punjab-drugs-influx-pakistan-border-trade-canada-2846275/.

102. *Id.*

103. V.P. MALHOTRA, TERRORISM AND COUNTER TERRORISM IN SOUTH ASIA AND INDIA 20 (2011); Radhika Ramaswamy, *Marijuana, Cocaine, Heroin: In Mumbai, They Sell it Like How They Sell Veggies*, DNA INDIA (Feb. 11, 2016),

4. Golden Triangle

The Golden Triangle connects three Indian Ocean countries: Burma, Thailand, and Laos.¹⁰⁴ These areas produce a significant amount of opium. Burma (Myanmar) is considered the second largest producer of opium worldwide.¹⁰⁵ Almost 90 percent of the opium produced in these regions is trafficked to other countries: Australia and Southeast Asian countries via the Indian Ocean; Africa via the Indian Ocean; China via Hong Kong; and Europe via smuggling through airports or sea routes.¹⁰⁶

5. Balkan Route

The Balkan route runs from Afghanistan and Iran to Eastern and Central Europe through Turkey and Armenia.¹⁰⁷ Drugs are trafficked through this route all the way to Europe.¹⁰⁸ In the main, the trafficked drugs have their origins in Afghanistan. In this regard, the drug traffickers do not stick with particular roads; rather, they use different ones so as to not give hints to law enforcement agencies about the trafficking. For instance, they also use the northern channel (through the Central Asian Republics to Russia, and then to Europe); or, conversely, they use the southern channel, which begins in Pakistan and Iran and reaches Europe through Greece via the shores of the Mediterranean Sea.¹⁰⁹

B. Regional Legislation for Curbing Illicit Drug Trafficking

Antinarcotic legislation has been enacted in almost every state, particularly either those that are considered transit hubs of drug trafficking or those that are in these states' neighborhoods. The major antidrug laws in such international states are set out below.

www.dnaindia.com/mumbai/report-marijuana-cocaine-heroin-in-mumbai-they-sell-it-like-how-they-sell-veggies-1960956.

104. MARK A. KLEIMAN & JAMES E. HAWDON, ENCYCLOPEDIA OF DRUG POLICY 321 (Vol. 2, 2011).

105. KO LIN CHIN, THE GOLDEN TRIANGLE: INSIDE SOUTHEAST ASIA'S DRUG TRADE 115 (2009).

106. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 66.

107. LOUISE SHELLEY, DIRTY ENTANGLEMENTS: CORRUPTION, CRIME, AND TERRORISM 218 (2014).

108. GUS MARTIN, UNDERSTANDING TERRORISM: CHALLENGES, PERSPECTIVES, AND ISSUES 303 (2013).

109. *Id.*; *see also* UNODC DRUG REPORT 2016, *supra* note 36, at 30; *see also* UNODC Drug Report 2015, *supra* note 16, at 39, 43.

1. Mexico

The Mexico–U.S. international border is considered to be one of the main transit hubs of illicit drug trafficking.¹¹⁰ Consequently, it is pertinent to review the antinarcotic laws in this region. In Mexico, there have been a number of laws made for the purpose of preventing the trafficking of drugs within the country as well as across its international borders.¹¹¹ The production of drugs was made illegal in Mexico in 1923,¹¹² as was the importing of illicit drugs. In 1927, exporting them was outlawed.¹¹³ Since then, the illicit drug trade in Mexico has pursued illegal and surreptitious means for its insinuation and extension in the region.¹¹⁴

At present, the Law against Small-Scale Drug Dealing (*Ley de Narcomenudeo*) is the guiding antinarcotic drug law in Mexico.¹¹⁵ This law was introduced in 2009 by the Mexican government.¹¹⁶ Originally, it was the result of an amendment to Article 478 of the Federal General Health Law;¹¹⁷ however, its enforcement repealed and added certain clauses of the Federal General Health Law, the Federal Penal Code, and the Federal Code of Penal Proceedings.¹¹⁸ The law is also directed toward curbing the retail type of illicit drug trade in Mexico in order to discourage the open sale of illicit narcotic drugs.¹¹⁹ This law has been criticized by various circles in Mexico because it permits local legislative authorities permission to use the *arraigo* principle.¹²⁰ Specifically, the authorities have permission to detain a suspected drug trafficker for 80 days without bringing any charges against them.¹²¹ The *arraigo* principle is also included in

110. MUEHLMANN, *supra* note 83, at 5.

111. Ana P. Hernández, *Drug Legislation and the Prison Situation in Mexico*, WOLA 60, www.wola.org/sites/default/files/downloadable/Drug%20Policy/2011/WOLATNI-Systems_Overload-mexico-def.pdf (last visited Mar. 15, 2018) (for instance, the “Law against Small-Scale Drug Dealing”, Federal General Health Law, the Federal Penal Code, and the Federal Code of Penal Proceedings, Federal Criminal Code, etc. are the major laws that provide provisions for preventing drugs in Mexico).

112. MICHAEL WERNER, *CONCISE ENCYCLOPEDIA OF MEXICO* 173 (2015).

113. PETER ANDREAS, *BORDER GAMES: POLICING THE U.S.-MEXICO DIVIDE* 40 (2012).

114. *Id.*

115. Jorge H. Tinajero & Carlos Z. Angles, *Mexico: The Law Against Small-Scale Drug Dealing*, TRANSNATIONAL INSTITUTE 60-70 (Oct 2009), www.tni.org/files/download/dlr3.pdf.

116. *Id.*; see also JAY ALBANESE AND PHILIP REICHEL, *HANDBOOK OF TRANSNATIONAL CRIME AND JUSTICE* (2013).

117. Tim K. Mackey et al., *Mexico’s “Ley de Narcomenudeo” Drug Policy Reform and the International Drug Control Regime*, 11 HARM REDUCT J. 31 (2014).

118. See Tinajero & Angles, *supra* note 115, at 1.

119. See Hernández, *supra* note 111, at 62.

120. See Mackey, *supra* note 117.

121. See Hernández, *supra* note 111, at 61.

the Mexico's federal constitution.¹²² The decriminalization of certain narcotics, accomplished in 1994 by the Federal Criminal Code,¹²³ has now been amended and trafficking any narcotic drug is a crime in Mexico.¹²⁴ Furthermore, the minimum and maximum penalties for the drug-related offenses have also been levied to ten years and twenty-five years of imprisonment, respectively.¹²⁵ However, this law does not mention any prohibition on the personal use and possession of drugs,¹²⁶ while permitting consumerism and prohibiting addiction.¹²⁷

2. *The United States*

In the United States, the Drug Enforcement Agency (DEA) plays a leading role in levying penalties against illicit drug traffickers by enforcing the United States Controlled Substances Act.¹²⁸ Penalties of at least five years and at most forty years of imprisonment, as well as fines of up to twenty-five to fifty million dollars have been levied on every individual found to be involved in the trafficking of cocaine, fentanyl, heroin, LSD, and methamphetamine.¹²⁹ Penalties for trafficking marijuana and hashish (cannabis) are stricter, with imprisonment of at least five to ten years, up to whole life imprisonment, and fines of at least ten million to seventy-five million dollars on distinct amounts of marijuana and hashish trafficked.¹³⁰ The penalty is directly proportional to the amount of drug trafficked. For instance, a trafficker of an amount of less than 50 kg of marijuana, less than 10 kg of hashish, or less than 1 kg of hashish oil is charged with one million to five million dollars in fines and a maximum imprisonment of five years.¹³¹

3. *Afghanistan*

In addition to the U.S.–Mexico border, the Afghanistan–Pakistan border is another another major gateway for illicit drug

122. *Id.*

123. *See* Mackey, *supra* note 117.

124. *Id.*; *see also* Hernández, *supra* note 111, at 61.

125. *Id.*

126. *See* Mackey, *supra* note 117.

127. *See* Tinajero & Angles, *supra* note 115, at 2.

128. LARRY K. GAINES & VICTOR E. KAPPELER, COMMUNITY POLICING: A CONTEMPORARY PERSPECTIVE 369 (2012).

129. *See* *Federal Drug Trafficking Carries Significant Penalties*, FRANK A. RUBINO, ESQ. (2017), www.frankrubino.com/Federal-Crime/Federal-Drug-Trafficking-Penalties.shtml; *see also* ANNETTE E. FLECKENSTEIN ET AL., DRUGS AND SOCIETY 124 (2017).

130. *Id.*

131. *Id.*

trafficking.¹³² In this route, the illicit drugs are trafficked from Afghanistan to Pakistan, forcing the governments of both countries to work individually and in collaboration with their neighboring country, Iran, to curb illicit drug trafficking.¹³³

In Afghanistan, the Law on Campaign against Intoxicants, Drugs and their Control criminalizes the trafficking of illicit narcotic drugs.¹³⁴ Its Article 42 also levies punishments against traffickers of cocaine, heroin, and morphine of at least six months to ten years (maximum) depending on the amounts involved (i.e., less than ten grams and one kilogram, respectively).¹³⁵ Similarly, Article 46 approves the imprisonment of between one month and one year on trafficking certain amounts (ten grams and five kilograms, respectively) of hashish.¹³⁶ Furthermore, Article 47 of this law also prevents the trafficking of any substance that contains an amount of the aforementioned drugs in it, and it levies punishments on the violators.¹³⁷

4. *Pakistan*

On a similar note, the Pakistani government has enacted a number of laws to prevent the trafficking of illicit drugs.¹³⁸ The Control of Narcotic Substances (CNS) Act is the most prominent antinarcotics law in Pakistan, prohibiting not only the trafficking but also the financing of trafficking of illicit drugs.¹³⁹ In addition to the CNS Act 1997, the Drug Regulatory Authority of Pakistan Act 2012 and the Drugs Act 1976 are laws that criminalize the trafficking of illicit drugs.¹⁴⁰ These laws, the Drug Rules 1976, 1978, and 1986, and the Pharmacy Act 1967 regulate drug

132. PETER THOMSEN, *THE WARS OF AFGHANISTAN: MESSIANIC TERRORISM, TRIBAL CONFLICTS, AND THE FAILURES OF GREAT POWERS* 135 (2011).

133. United Nations Office on Drugs and Crime, *Afghanistan, Iran and Pakistan Strengthen Anti-Drug Trafficking Initiative*, UNODC, www.unodc.org/unodc/en/frontpage/2010/November/afghanistan-iran-and-pakistan-strengthen-unodc-brokered-anti-drug-trafficking-initiative.html (last visited Mar. 15, 2018).

134. *See Law on Campaign Against Intoxicants, Drugs and Their Control*, UNODC (June 14, 2010), www.unodc.org/res/cld/document/law-on-campaign-against-intoxicants--drugs-and-their-control_html/OG_01025.Law_on_Campaign_against_Intoxicants_Drugs_English.pdf.

135. *Id.* at 16.

136. *Id.* at 18.

137. *Id.* at 18-19.

138. For details about drug laws in Pakistan, *see* MERAJUDDIN FARANI, *MANUAL OF DRUG LAWS* (2004).

139. For details, *see Control of Narcotic Substances Act*, ANF.GOV (1997), anf.gov.pk/library/law/cns_act_1997_eng.pdf.

140. ZAHEER-UD-DIN BABAR, *PHARMACEUTICAL POLICY IN COUNTRIES WITH DEVELOPING HEALTHCARE SYSTEMS* 30 (2017); *see also* MIRA HARRISON-WOOLRYCH, *MEDICINES FOR WOMEN* 509 (2015).

manufacturing and distribution in the pharmaceutical industry in Pakistan.¹⁴¹

In addition, Pakistan has also formed antinarcotic agencies, including the Anti-Narcotics Force (ANF), which acts in accordance with the ANF Act 1997.¹⁴² The ANF was formed after uniting the two major antinarcotic agencies—the Pakistan Narcotics Control Board (PNCB) and the Anti-Narcotics Task Force (ANTF) - in 1995.¹⁴³ This agency works for the implementation of the CNS Act and the ANF Act, i.e., for curbing the trafficking and manufacturing of illicit drugs in the country.¹⁴⁴ Furthermore, besides the ANF, the Federal Investigation Agency (FIA) and the Drug Regulatory Authority of Pakistan (DRAP) are government-linked agencies that work to curb the trafficking of illicit drugs.¹⁴⁵ The latter is also responsible for regulating the interprovincial trade, export, and import of pharmaceutical drugs in accordance with the DRAP Act 2012 and the Drug Act of 1976.¹⁴⁶ Preventing the challengingly high influx of illicit drugs coming from Afghanistan is among the main goals of the aforementioned agencies in Pakistan.¹⁴⁷

5. The Golden Triangle

Now, let's consider the legislation in the Golden Triangle,¹⁴⁸ which is the center of the drug trade. Thailand has strict antinarcotic laws that exact the death penalty for trafficking heroin,

141. Ayesha Javeed & Khawaja Tahir Mahmood, *Community Pharmacy Practice in Pakistan: From Past to Present - A Review*, J. PHARM. SCI. & RES, 1703, 1705 (2012).

142. Hassan Awan, *Literature Review of Drug Related Laws and Policies in Pakistan*, SOCIETY FOR SUSTAINABLE DEVELOPMENT 13-16 (Nov. 30, 2009), www.ssd.com.pk/reports/Literature%20Review.pdf; see also AKIF MANZOOR, ENGR.ASIF MANZOOR & SAIMA MANZOOR, POLICE IN PAKISTAN 60 (2014).

143. Soufia Siddiqui, *Narcotics and Pakistan*, PAKISTAN INSTITUTE OF LEGISLATIVE DEPARTMENT AND TRANSPARENCY 8 (2010), www.pildat.org/publications/publication/governanceassessment/narcoticsandpakistan160310.pdf.

144. See Awan, *supra* note 142.

145. FIA, *DRAP Made 54 Raids to Curb Menace of Spurious Drugs*, PAKISTAN POINT, www.pakistanpoint.com/en/pakistan/news/fia-drap-made-54-raids-to-curb-menace-of-spu-26907.html (last visited Apr. 2017); see also ZAHEER-UD-DIN BABAR, PHARMACEUTICAL POLICY IN COUNTRIES WITH DEVELOPING HEALTHCARE SYSTEMS 30 (2017).

146. See Babar, *supra* note 140, at 30-34; see also Pakistan Pharmaceutical Manufacturers' Association, *Welcome to Drug Regulatory Authority of Pakistan*, PPMA, www.ppma.org.pk/drap/ (last visited Apr. 12, 2017); For details about the Drug Regulatory Authority of Pakistan Act (DRAP Act), see *Drug Regulatory Authority of Pakistan (Amendment) Act, 2016*, NATIONAL ASSEMBLY OF PAKISTAN, www.na.gov.pk/uploads/documents/1460536428_531.pdf (last visited Mar. 29, 2018).

147. *National Anti-Narcotics Policy 2010*, MINISTRY OF NARCOTICS CONTROL – GOVT. OF PAKISTAN, anf.gov.pk/library/acts/Policy%20Revised.pdf (last visited Apr. 22, 2017).

148. The Golden Triangle refers to Myanmar, Thailand, and Laos.

amphetamine, methamphetamine, LSD, and ecstasy.¹⁴⁹ Similarly, Laos has also levied the death penalty on severe violators of drug laws, especially against those who are found trafficking significant quantities of major illicit drugs.¹⁵⁰ This penalty has been raised from ten years imprisonment, which was the highest sentence for drug-related crimes.¹⁵¹ It is illegal to traffic and manufacture all major illicit drugs, especially opium, in Laos. Such an act is considered by domestic law to be a serious crime.¹⁵² The Laos government is working with the UNODC to curb illicit drug trafficking in the country, and they have initiated various campaigns together.¹⁵³ However, the Laos government has insufficient capacities and resources to control and prevent the trafficking of illicit drugs at its international border in the Golden Triangle region.¹⁵⁴

In contrast, Myanmar has not been able to legislate and implement sufficient laws or policies for curbing drug trafficking.¹⁵⁵ Furthermore, it has become the second largest producer of opium and the largest producer and supplier of methamphetamine.¹⁵⁶ Only a limited number of reforms in democratic policies have been made by the Myanmar government.¹⁵⁷ These reforms have been insufficient to control the ever-growing trafficking of illicit drugs in the region, despite the fact that the Myanmar police arrested 360 major drug traffickers last year.¹⁵⁸ Owing to such inefficacies, illicit drug trafficking is on the rise in the Golden Triangle region, and this region is responsible for supplying high amounts of illicit drugs to other regions of the world.¹⁵⁹

149. Pierre-Arnaud Chouvy, *Drug Trafficking in and out of the Golden Triangle. An Atlas of Trafficking in Southeast Asia. The Illegal Trade in Arms, Drugs, People, Counterfeit Goods and Natural Resources in Mainland*, IB TAURIS, 1, 20 (2013) halshs.archives-ouvertes.fr/hal-01050968/document.

150. *Id.*

151. Jeffrey Hays, *Illegal Drugs and Laos*, FACTS AND DETAILS, factsanddetails.com/southeast-asia/laos/sub5_3b/entry-2960.html (last visited Apr. 20, 2017).

152. *Id.*

153. *Id.*

154. WILLIAM R. BROWNFIELD, INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT 405 (2011).

155. *2016 International Narcotics Control Strategy Report*, U.S. DEPARTMENT OF STATE, www.state.gov/j/inl/rls/nrcrpt/2016/vol1/253246.htm (last accessed: Apr. 10, 2017) [hereinafter INCSR Report].

156. KO LIN CHIN, THE GOLDEN TRIANGLE: INSIDE SOUTHEAST ASIA'S DRUG TRADE 115 (2009); *see also* LIANA S. WYLER, BURMA AND TRANSNATIONAL CRIME 9 (2007).

157. *See* INCSR Report, *supra* note 155.

158. Hays, *supra* note 151.

159. *See* INCSR Report, *supra* note 155.

C. Global Traffickers of Drugs

A huge quantity of drugs is being trafficked worldwide by smugglers, drug traffickers, and drug cartels. They operate regionally and expand their drug trafficking activities and networks globally by using their earnings from drugs trafficking and selling.

1. Smugglers

In the Central and Latin American regions, predominantly Colombia and Mexico, smugglers coordinate with the farmers and take the raw coca bush to illegal laboratories or drug cartels to manufacture cocaine.¹⁶⁰ Similarly, smugglers and individual drug traffickers get opium, heroin, and cannabis from farmers in Afghanistan and smuggle them through the insecure and porous borders of Afghanistan, mainly to Iran, Pakistan, and India. They then export from these lands to Europe and the Americas to earn revenue, as the price of these drugs is higher in Europe and America compared to Asia and Africa.^{161 162}

2. Drug Cartels

A “drug cartel” is an organizations that produces and traffics illicit drugs.¹⁶³ These organizations work surreptitiously, with the core mission of supplying drugs globally and regionally.¹⁶⁴ There are often separate wings for illicit drug manufacturing and trafficking within a drug cartel, depending upon the size of the cartel and its trafficking scale.¹⁶⁵ Drug cartels also own arms and ammunitions, which they use for their protection from antidrug and police authorities, as well as for killing their opponents and competitors.¹⁶⁶ Drug cartels are considered to be the largest undercover traffickers and manufacturers of illicit drugs around the world.¹⁶⁷

Central and South America is supposed to be the hub for drug cartels. Several of the drug cartels have been identified working in this region, with the value of the drug trade worth billions of dollars.

160. KIRSTEN TAYLOR & RICHARD MANSBACH, INTRODUCTION TO GLOBAL POLITICS 400 (2012).

161. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 121.

162. PETER THOMSEN, THE WARS OF AFGHANISTAN: MESSIANIC TERRORISM, TRIBAL CONFLICTS, AND THE FAILURES OF GREAT POWERS 135 (2011).

163. J.D. ROCKEFELLER, NARCOMICS: BASICS ON HOW TO SUCCESSFULLY RUN A DRUG CARTEL 1 (2016).

164. MICHAEL ROTH, GLOBAL ORGANIZED CRIME: A REFERENCE HANDBOOK 220 (2010).

165. VIVIAN CHU, GUN TRAFFICKING AND THE SOUTHWEST BORDER 1 (2009).

166. *Id.*

167. HOWARD CAMPBELL, DRUG WAR ZONE: FRONTLINE DISPATCHES FROM THE STREETS OF EL PASO AND JUÁREZ 19 (2009).

Mexican and Colombian drug cartels have played a particularly significant role in manufacturing and smuggling drugs throughout the U.S., Europe, and Africa.¹⁶⁸

Drug cartels have also created underground tunnels for smuggling drugs, as well as for laundering money.¹⁶⁹ They have established undercover drug manufacturing labs¹⁷⁰ in caves and in villas of the drug lords,¹⁷¹ around which there is usually tight surveillance by armed members of the drug cartels who do not allow any unrecognized person into the area.¹⁷²

3. *Drug Lords*

The leader of a drug cartel is called a “drug lord,” responsible for controlling, supervising, and guiding the drug manufacturing and trafficking operations worldwide. They also appoint the members of the cartel to their roles and duties on regional and worldwide drug supplying tasks. In Central and South American states such as Mexico, Venezuela, and Columbia, drug lords notably also exercise political power and continue their drug cartels activities undercover.

For instance, Pablo Escobar, a prominent drug lord of a Mexican drug cartel, was elected to the Mexican Congress and served for some time,¹⁷³ during which he expanded his undercover drug trade by killing his opponents while remaining undercover. Eventually, he was dismissed from Congress in 1984 owing to the drug-related allegations against him. Despite this, he continued to expand his illegal drug manufacturing and trafficking activities for around a decade, which made him one of the richest persons alive but also, one of the most dangerous criminals in the world.¹⁷⁴ In the U.S. alone, he earned \$21 billion in one year by smuggling his refined manufactured cocaine to different regions of the U.S..¹⁷⁵ Upon the issuing of charges, he was arrested by authorities, however he fled from the prison with the assistance of

168. *Id.*; see also ROTH, *supra* note 164, at 220.

169. Michael Martinez, *Feds Raid Drug “Super Tunnel” with Railway on U.S.–Mexico Border*, CNN (Oct. 24, 2015), edition.cnn.com/2015/10/23/us/drug-super-tunnel-tijuana-san-diego/.

170. AL GATESON, *THE TRAIL OF THE SERPENT* 195 (2010).

171. ORGANIZED CRIME IN CALIFORNIA: ANNUAL REPORT TO THE CALIFORNIA LEGISLATURE 16 (2002).

172. CAROLYN BONNER & KIT BONNER, *ALWAYS READY: THE U.S. COAST GUARD* 27 (2004); see also DAVID KILCULLEN, *OUT OF THE MOUNTAINS: THE COMING AGE OF THE URBAN GUERRILLA* 269 (2013).

173. TOM FARER, *TRANSNATIONAL CRIME IN THE AMERICAS* 130 (1999).

174. James Mollison, *Rise and Fall of the Cocaine King*, *THE GUARDIAN* (Sept. 28, 2007), www.theguardian.com/world/2007/sep/29/colombia.drugstrade.

175. Amanda Macias, *Legendary Drug Lord Pablo Escobar Lost \$2.1 Billion in Cash Each Year – And it Didn’t Matter*, *BUSINESS INSIDER* (Sept. 24, 2016), www.businessinsider.com/pablo-escobar-and-rubber-bands-2015-9.

local policemen, whom he bribed. He was killed by the police in an encounter in 1993.¹⁷⁶

Similarly, the drug lord of the Mexican Sinaloa cartel, one of the largest drug cartels in the world, Joaquin Guzman, who is otherwise known under the name “El Chapo,” has also exercised political power and has had very close contacts with government administrators. He has trafficked billions of U.S. dollars’ worth of drugs to North America, particularly the U.S., and Europe. El Chapo is also notorious for constructing underground caves and tunnels for manufacturing and smuggling drugs.¹⁷⁷ Hence, the drug lords lead the drug cartels and organize the drugs trafficking by making it more furtive, disciplined, and less-traceable, which results in spreading the drug trafficking.

IV. USE OF DRUGS

Approximately 7.5 percent of people aged 15–64 in the world have used an illicit drug at least once in the last year.¹⁷⁸ This number represents around 200–300 million people.¹⁷⁹ Among them, 15 million use injections for illicit drugs, particularly for heroin.¹⁸⁰ Furthermore, approximately 40 percent of the people in the world used alcohol as a drug at least once in 2014. Among them, 17 percent had an alcohol addiction.¹⁸¹

A. Drug Use by Region

Drugs are used in every country of the world. The rich countries have more numbers of drug users than the poor countries.¹⁸² For instance, the three most powerful countries in the world, the U.S., Russia, and China, account for around 48 percent of the total number of people who inject drugs (PWID).¹⁸³ Tobacco cigarettes are the most used drug in the world, used by 22 percent of the world’s adult population (approximately one billion

176. See Mollison, *supra* note 174; see also SEAN K. ANDERSON AND STEPHEN SLOAN, HISTORICAL DICTIONARY OF TERRORISM 115 (2009).

177. Monte Reel, *Underworld: How the Sinaloa Drug Cartel Digs its Tunnels*, THE NEW YORKER (Aug. 3, 2015), www.newyorker.com/magazine/2015/08/03/underworld-monte-reel.

178. UNODC Drug Report 2014, *supra* note 22, at ix.

179. UNODC Drug Report 2015, *supra* note 16, at ix; see also UNODC DRUG REPORT 2016, *supra* note 36, at ix.

180. *Id.*

181. *Id.*

182. PETER REUTER, CAN PRODUCTION AND TRAFFICKING OF ILLICIT DRUGS BE REDUCED OR MERELY SHIFTED? 1 (2008).

183. UNODC Drug Report 2015, *supra* note 16, at 5.

people).¹⁸⁴ The current trends and statistics of drug usage of different regions are explained below.

1. *Europe*

Drug use in European countries is also directly proportional to per capita income. That is, the countries with the highest per capita income use more drugs, especially heroin, than lower-earning countries.¹⁸⁵ Among the drugs that are used the most in Europe are heroin, marijuana, cocaine, and opium. Alcohol and cigarettes are also commonly used by European citizens. France, Italy, the United Kingdom, and Germany are the European countries with the highest GDPs, as well as per capita incomes. Statistics show that the annual use of illicit drugs in these countries is the highest in the world.¹⁸⁶ According to statistics provided by the UN, five times more heroin is consumed by European citizens than in the rest of the world. Most heroin addicts choose to inject this illicit drug. Three million drug addicts in the EU inject drugs, accounting for 24 percent of the total people who inject drugs (PWID) worldwide.¹⁸⁷

Cocaine is also widely used, and statistics indicate that 0.45 percent of the EU population uses cocaine.¹⁸⁸ The UK, Spain, Denmark, Italy, France, and Norway are countries with the highest usage of cocaine among their adult and teenage populations.¹⁸⁹190 Marijuana has also penetrated European society with a large part of the teenage population becoming addicted to this drug. As per the estimates, 38 percent of teenagers in both France and the UK use marijuana.¹⁹¹ Forty percent use in Ireland and the highest rate is found in the Czech Republic, where around 43 percent of teenagers use marijuana.¹⁹² These percentages are extraordinary and must be given attention by law enforcement and antinarcotic agencies in Europe.

184. BARBARA MONTGOMERY DOSSEY & LYNN KEEGAN, *HOLISTIC NURSING* 514 (2013).

185. UNITED NATIONS OFFICE ON DRUGS AND CRIME, *WORLD DRUG REPORT 2010*, at 4 (2010).

186. HARLEY Y. TSE & RAPHAEL WONG, *DRUGS OF ABUSE: BODY FLUID TESTING* 260 (2005).

187. UNODC Drug Report 2015, *supra* note 16, at 5.

188. *Id.* at xv.

189. *Report of the International Narcotics Control Board for 2009*, INTERNATIONAL NARCOTICS CONTROL BOARD 113 (2009), www.incb.org/documents/Publications/AnnualReports/AR2009/AR_09_English.pdf.

190. *The Truth About Drugs*, FOUNDATION FOR A DRUG FREE WORLD 4 (2012) www.drugfreeworld.org/drugfacts/the-truth-about-drugs.html.

191. *Id.*

192. *Id.*

2. North America

An estimated 10–12 percent of the U.S. population uses illicit drugs,¹⁹³ and this percentage is constantly increasing. For example, it rose to 9.4 percent in 2013 from 8.3 percent in 2002.¹⁹⁴ Currently, around 28.6 million U.S. citizens aged 12 and over use illicit drugs.¹⁹⁵ Marijuana is the most commonly used illicit drug in the U.S., with around 22 million users.¹⁹⁶ It is used for pharmaceutical purposes as well as to feed drug addiction. Its high usage among Americans has also promoted a movement to legalize the usage of marijuana and seven states have legalized its usage.¹⁹⁷ According to Gallup and CNN, one in eight Americans use marijuana regularly. Alcohol is the second most used drug in the U.S.¹⁹⁸

Opium, and heroin are also used by a significant number of U.S. citizens. Most illegal drugs used in the U.S. are trafficked from Latino countries such as Mexico and Colombia,¹⁹⁹ as well as from South Asian states such as India and Afghanistan. For instance, a major proportion of the heroin used in the U.S., is trafficked from Latin American regions with a minority coming from Afghanistan. On the other hand, opium used in the U.S. is trafficked primarily from Afghanistan.

3. Latin America

Owing to the relatively high production of illicit drugs and the presence of drug cartels in Latin American countries, especially

193. Healthday, *Ten Percent of Americans Admit Illegal Drug Use*, CBS NEWS (Sept. 4, 2014), www.cbsnews.com/news/ten-percent-of-americans-admit-illegal-drug-use/.

194. For details see *Nationwide Trends: Drug Facts - Revised June 2015: Illicit Drug Use*, NATIONAL INSTITUTE ON DRUG ABUSE (June 2015), www.drugabuse.gov/publications/drugfacts/nationwide-trends.

195. *Drug Use Estimates*, DRUGWARFACTS.ORG (2016), www.drugwarfacts.org/chapter/prevalence [hereinafter *Drug Use Estimates*]. In 2014, 27 million U.S. citizens of aged 12 or above had used at least one illicit drug. For details, see Sarra L. Hedden et. al., *Behavioral Health Trends in the United States: Results from the 2014 National Survey on Drug Use and Health*, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (Sept. 2014), www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.htm. This indicates a rapid addition of 1.8 million U.S. citizens of age 12 or older into the category of illicit drug users.

196. *Drug Use Estimates*, *supra* note 195. These numbers are from a survey conducted in 2014. As per the recent statistics, there are currently 24 million users of Marijuana now.

197. Melia Robinson & Sky Gould, *This Map Shows Every State that Legalized Marijuana on Election Day*, BUSINESS INSIDER (Nov. 9, 2016), www.businessinsider.com/where-is-marijuana-legal-2016-11.

198. Aria Hangyu Chen, *One in Eight US Adults Says They Smoke Marijuana, Poll Says*, CNN (Aug. 8, 2016), edition.cnn.com/2016/08/08/health/marijuana-use-doubles-gallup-poll/.

199. CAMPBELL, *supra* note 167, at 19.

Colombia, Mexico, and Venezuela, a large quantity of drug use occurs in these countries. Cocaine is the region's most used illicit drug because of the widespread cultivation of the coca bush throughout the region. Drug manufacturers acquire the coca bush and convert it into cocaine.²⁰⁰

4. *Asia*

In Asia, the trend of drug use is inconsistent. For instance, in India, it is mainly alcohol and cannabis that are used, while Indian produced heroin is usually trafficked to Europe and North America. Owing to the high proportion of the world's production of opium (86 percent) and heroin (77 percent) in Afghanistan,²⁰¹ drug traffickers smuggle these drugs in bulk to Pakistan to sell, and also traffic them to Europe, India, North Africa, and America.²⁰² This makes the Pakistani and Afghan people vulnerable to these drugs. Furthermore, a recent trend has been noticed indicating that the use of synthetic and psychoactive drugs is also increasing in Asia. This includes amphetamine stimulants. Ecstasy is a similar drug, of which use is increasing in Asia, particularly in East and Southeast Asian countries.²⁰³

China and Russia are countries where drug usage is causing serious problems, as the governments of both countries have been unable to completely curb the usage of illicit drugs. The drug market in China has a value of around \$82.5 billion. According to the Chinese government authorities, 14.5 million people use illicit drugs.²⁰⁴ This is a very high number of drug addicts in a country; however, it accounts for only 1 percent of the total population of China.

On the other hand, in Russia 6 percent of the population use illicit drugs. The total number of illicit drug users is 8.5 million.²⁰⁵ This includes 1.8 million people who are addicted to injecting drugs, mostly heroin,²⁰⁶ but excludes the use of alcohol. Twenty million Russians are addicted to alcohol.²⁰⁷ 1.8 million people is the highest

200. UNODC DRUG REPORT 2016, *supra* note 36, at xii; *see also* TAYLOR & MANSBACH, *supra* note 160, at 400.

201. UNODC Drug Report 2015, *supra* note 16, at 42.

202. United Nations Office On Drugs and Crime, *Afghanistan: Opium Survey 2008*, UNITED NATIONS OFFICE ON DRUGS AND CRIME 162 (2010), www.unodc.org/documents/publications/Afghanistan_Opium_Survey_2008.pdf.

203. UNODC Drug Report 2015, *supra* note 16, at 71.

204. Shannon Tiezzi, *China's Growing Drug Problem*, THE DIPLOMAT (May 28, 2015), thediplomat.com/2015/05/chinas-growing-drug-problem/.

205. MARK GALEOTTI, NARCOTICS AND NATIONALISM: RUSSIAN DRUG POLICIES AND FUTURES 2 (2016).

206. PAUL VOLBERDING, SANDE'S HIV/AIDS MEDICINE: MEDICAL MANAGEMENT OF AIDS 2012, at 9 (2012).

207. Stan Fedun, *How Alcohol Conquered Russia*, THE ATLANTIC (Sept. 25, 2013), www.theatlantic.com/international/archive/2013/09/how-alcohol-conquered-russia/279965/.

number of PWID in any country.²⁰⁸ Heroin is the most used drug in Russia and the total value of the heroin industry is approximately \$6.1 billion.²⁰⁹ Opium is the second most consumed drug, with 1.7 million Russian heroin addicts.²¹⁰

5. *Africa*

There are no statistics on drug use in Africa. However, the UNODC and other agencies make estimates of African drug use based off the amount of drugs seized from different regions in Africa. According to estimates from the United Nations, there are 28 million people in Africa who use drugs regularly; nonetheless, this number is smaller than the collective number of drug users in Canada and the U.S. (31.9 million).²¹¹ South Africa has the highest percentage, at 15 percent of the total population who are drug addicts.²¹²

B. *Drug Usage Among Juveniles*

Juveniles use illicit narcotic drugs for recreation that later becomes addiction for them.²¹³ Drug usage by juveniles in the following region is the highest, in this regard.

1. *The United States*

The Centers for Disease Control and Prevention estimate that at least 20 percent of people between the ages of eleven and twenty drink alcohol. These young people consume 11 percent of the total amount of alcohol used in the U.S.²¹⁴ Furthermore, one third of high school students consume alcohol at least once a month.²¹⁵

208. BRIGIT TOEBES ET AL., *THE RIGHT TO HEALTH: A MULTI-COUNTRY STUDY OF LAW, POLICY AND PRACTICE* 363 (2014).

209. Sanya Khetani, *Russia's Anti-Drugs Agency Has Seized Almost 100 Pounds of Heroin in a St. Petersburg Raid*, BUSINESS INSIDER (Mar. 23, 2012), www.businessinsider.com/russia-drugs-agency-heroin-st-petersburg-raid-2012-3.

210. See TOEBES ET AL., *supra* note 208.

211. Leylah Ndinda, *Illegal Drug Use on the Rise in Africa*, DEUTSCHE WELLE (Feb. 20, 2013), www.dw.com/en/illegal-drug-use-on-the-rise-in-africa/a-16614023.

212. Vinayak Bhardwaj, *Do 15% of SA's Population Have a Drug Problem?*, AFRICA-CHECK (June 23, 2016), africacheck.org/reports/do-15-of-s-africans-have-a-drug-problem-we-fact-check-4-shocking-drug-statistics.

213. For instance, as elucidated by, DORIS LAYTON MACKENZIE ET AL., *CRIMES, DIFFERENT CRIMINALS: UNDERSTANDING, TREATING AND PREVENTING CRIMINAL BEHAVIOR* 163 (2014).

214. *Fact Sheets - Underage Drinking*, CENTERS FOR DISEASE CONTROL AND PREVENTION (Oct. 20, 2016), www.cdc.gov/alcohol/fact-sheets/underage-drinking.htm.

215. *Id.*

Shockingly, one in ten eighth-grade students drink alcohol frequently.²¹⁶ Marijuana is commonly used by the teenagers. Fifteen percent of eighth-, tenth-, and twelfth-grade students use marijuana.²¹⁷

Forty-four percent of high school students in the U.S. have confirmed that they have easy access to drugs or know a classmate who sells drugs.²¹⁸ Apart from marijuana, other drugs, such as cocaine, heroin, and ecstasy, are also sold in high schools in the U.S.²¹⁹ These numbers are very high and measures should be taken by U.S. law enforcement authorities to curb drug access in schools and colleges.

2. *Europe*

In Europe, the use of cigarettes and alcohol among teenagers is very high compared to that in the U.S. However, the use of illicit drugs is lower than in the U.S. Eighteen to 25 percent of students have used an illicit drug at least once in their school life. However, in most European countries, 60 percent of students have confirmed that they have very easy access to drugs. In some EU countries, such as the Czech Republic and Austria, this has been confirmed by 80 percent of high school students.²²⁰ Thirty-five percent of students have been found in episodic alcoholic drinking. Cannabis, cocaine, cigarettes, heroin, and alcohol are the substances used most frequently by teenagers in Europe.²²¹

3. *Africa*

The highest reported youth drug consumption is in South Africa, where more than 50 percent of students are confirmed to have used an illicit drug at least once in their school life.²²² Alcohol use is also very high among teenagers in South Africa. Estimates

216. *Id.*

217. *See Drug Use Estimates, supra* note 195.

218. Carl Azuz, *Survey: 17% of High Schoolers Drink, Smoke, Use Drugs During School Day*, CNN (Aug. 22, 2012), schoolsofthought.blogs.cnn.com/2012/08/22/survey-17-of-high-schoolers-drink-smoke-use-drugs-during-school-day/.

219. TERRY SINNETT, 40 CENT "HIGH ACE & THE BENGAL CHRONICLES" 22-23 (2011); *see also* MARK A. R. KLEIMAN & JAMES E. HAWDON, ENCYCLOPEDIA OF DRUG POLICY 71 (Vol. 1, 2011).

220. *Availability of Substances*, THE EUROPEAN SCHOOL SURVEY PROJECT ON ALCOHOL AND OTHER DRUGS, www.espad.org/report/situation/availability-of-substances (last visited Dec. 16, 2016).

221. European Monitoring Centre for Drugs and Drug Addiction, *ESPAD Report 2015*, EUROPEAN MONITORING CENTRE FOR DRUGS AND DRUG ADDICTION 11 (2016), www.espad.org/sites/espad.org/files/ESPAD_report_2015.pdf.

222. Andreas Pluddemann et al., *A Prospective Study of Methamphetamine Use as a Predictor of High School Non-Attendance in Cape Town, South Africa*, *Subst Abuse Treat Prev Policy*, PMC 5–25 (2010).

provide that around 50 percent of teenagers in South Africa use alcohol regularly.²²³ Tobacco and cannabis are the second and third most widely used drugs, respectively, by teenagers in South Africa. Thirty percent of teenagers use cigarettes, while 13% have used cannabis at least once in South Africa.²²⁴

4. Asia

Teenage drug use in Asia is lower than the rest of the world, despite the fact that the youth population in Asia constitutes 60 percent of world's youth. The adult population uses drugs more often than teenagers. Nonetheless, according to the International Narcotics Control Board (INCB), the use of methamphetamine is increasing in Southeast Asian countries and the youth, especially teenagers, are the most vulnerable to it.²²⁵ Moreover, illicit drugs, such as heroin, ecstasy, cocaine, cannabis, and alcohol, are not unknown to teenagers in Asian countries. Students in local colleges, high schools, and universities use drugs surreptitiously.

In China, the drug usage statistics among teenagers are not clear and there is no exact estimate of how many teenagers are among the 14.5 million drug addicts in China. The fact that the issue of teenage drug use is never highlighted in China also plays a role in the absence of statistics.²²⁶ In Russia, however, a few research studies have been conducted to estimate the number of teenage illicit drug use. For instance, a research survey conducted by the Russian Psychological Society in Lomonosov Moscow University found that around two-thirds of participating university students had used an illicit drug within the previous month.²²⁷ This indicates a high prevalence of drug use among Russian youth.

India is also facing the same problem related to increased drug usage among teenagers with three million teenage drug addicts in

223. This estimate is for children in grades eight through eleven. For details, see *A review of Literature on Drug and Substance Abuse amongst Youth and Young Women in South Africa*, SOUL CITY INSTITUTE FOR SOCIAL JUSTICE (2016), www.soulcity.org.za/research/literature-reviews/soul-city-institute-drug-abuse-youth-south-africa.pdf.

224. *Id.*

225. *Rise in Methamphetamine Abuse Among Youth in SE Asia*, UNODC (Feb. 28, 2012), www.unodc.org/southeastasiaandpacific/en/2012/02/incb-annual-report-launch/story.html.

226. Anisa Abraham, *Drug Use Among Local Teens Remains Hidden Because it is Rarely Addressed*, SOUTH CHINA MORNING POST (Nov. 11, 2013), www.scmp.com/lifestyle/family-education/article/1353463/drug-use-among-local-teens-remains-hidden-because-it.

227. Larissa A. Tsvetkova & Natalia A. Antonova, *The Prevalence of Drug Use Among University Students in St. Petersburg, Russia*, 6(1) PSYCHOLOGY IN RUSSIA: STATE OF THE ART 86 (2013), psychologyinrussia.com/volumes/pdf/2013/tsvetkova_antonova.pdf.

India.²²⁸ In Afghanistan and Iran, the statistics show that 11 percent of teenagers have used an illicit drug at least once in the last year.²²⁹

C. Regional Legislation on Drug Use

In addition to legislation against manufacturing and trafficking drugs, legislation related to the possession and use of illicit narcotic drugs is also in the constitutions of most states. In this regard, the use or possession of drugs is a crime in some states, while it has been decriminalized in others. Here, the major laws pertaining to the possession and use of drugs are set out.

1. North America

Legislation in the U.S., Mexico, and Canada will be elaborated in this section. In the United States, drug possession is a punishable crime at the federal level but, in some states, the possession of marijuana is not a crime.²³⁰ Nonetheless, growing marijuana is prohibited in the U.S. when it is for the selling of any marijuana product.²³¹ Furthermore, to possess or use marijuana, or any other legalized drug,²³² users are required to obtain a license from local authorities. The same rule applies to medical retailers of the drug.²³³ Moreover, the sale of narcotic drugs to juveniles is strictly prohibited in almost all the states in the US.²³⁴ For instance, in Washington state, such an action is regarded as a class C felony,

228. ROBERT FELDMAN & NANDITA BABU, *DISCOVERING THE LIFE SPAN* 239 (2011).

229. Saeed Momtazi & Richard A. Rawson, *Substance Abuse Among Iranian High School Students*, NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION (2010), www.ncbi.nlm.nih.gov/pmc/articles/PMC4479403.

230. See details at *State Drug Possession Laws*, FINDLAW, statelaws.findlaw.com/criminal-laws/drug-possession.html (last visited Apr. 22, 2017).

231. Decriminalization of marijuana is in effect in most of the states of the US. However, the decriminalization does not lift the prohibition on open sale and production of marijuana. Only small amounts of marijuana use and possession are allowed. For details see ANGELA HAWKEN ET AL., *MARIJUANA LEGALIZATION: WHAT EVERYONE NEEDS TO KNOW* 138 (2012).

232. For instance, the manufacturers and dealers of alcohol and tobacco require license from the Bureau of Alcohol, Tobacco, Firearms, and Explosives of the U.S. Treasury Department, as elucidated by, FRED S. STEINGOLD, *LEGAL GUIDE FOR STARTING & RUNNING A SMALL BUSINESS* 108 (2017). Furthermore, the distribution of pharmaceutical drugs also requires license from the government. For details see, GEORGE D. POZGAR, *LEGAL ESSENTIALS OF HEALTH CARE ADMINISTRATION* 167 (2009); see also MICHELLE MARKHAM, *THE TRANSFER PRICING OF INTANGIBLES* 96 (2005).

233. For details about the criteria of getting a license for using drugs see HAWKEN ET AL., *supra* note 231, at 220.

234. *Id.*; see also *Involving a person under eighteen in unlawful controlled substance transaction—penalty*, WASHINGTON STATE LEGISLATURE (2003), <http://app.leg.wa.gov/RCW/default.aspx?cite=69.50.4015>

punishable according to the locally implemented Uniform Controlled Substances Act.²³⁵

Different laws are implemented and followed in different states of the U.S. For instance, the New York Penal Law is enforced in New York state and city.²³⁶ Section 220 of this law is related to the possession and use of narcotic substances, including chemical and psychotropic narcotic drugs. Section 221, on the other hand, is related to the possession and use of marijuana.²³⁷ New York's Penal Law prohibits the possession of any narcotic drug by juveniles and adults.²³⁸

Furthermore, Article 60 of the New York Penal Law also endorses the imprisonment of a juvenile if any narcotic drug is found in their possession.²³⁹ The length of the imprisonment is at the discretion of the court and its maximum limit can vary from three to ten years of imprisonment. This depends upon the amount of narcotic substance seized from the juvenile and on the level of offense committed.²⁴⁰ However, in the case of murder, the juvenile can also be sentenced to life imprisonment, as stipulated in Article 70 of the New York Penal Law.²⁴¹ The names of the prohibited chemical substances are also mentioned in Section 220.60.²⁴²

On a similar note, comprehensive laws prohibit the possession of narcotic drugs, especially in the states closer to the Mexican border, which is a main transit hub for drug smuggling.²⁴³ The states of Arizona, California, Texas, and New Mexico have an international border with Mexico.²⁴⁴ In California, the California Health and Safety Code prohibits the possession of narcotic drugs and it also defines the minimum amounts of marijuana (28.5 grams) and cannabis (8 grams) possessing which can penalize the owner with a fine of up to \$500 and an imprisonment of up to six months or one year, respectively.²⁴⁵ Those who are below the age of eighteen, if found guilty of possessing the drug beyond the aforementioned amount, are given a community service educational course on the negative effects of narcotic drugs.²⁴⁶

On a similar note, the Texas Health and Safety Code prevents the possession of narcotic drugs in Texas, including chemical and

235. *Id.*

236. N.Y. PENAL LAW (McKinney 2017).

237. N.Y. PENAL LAW § 221 (McKinney 2017).

238. *Id.*

239. N.Y. PENAL LAW § 60.10 (McKinney 2017).

240. *Id.*

241. N.Y. PENAL LAW § 70.20 (McKinney 2017)..

242. N.Y. PENAL LAW § 220.60 (McKinney 2017).

243. DAVID W. DENT, *ENCYCLOPEDIA OF MODERN MEXICO* 98 (2002).

244. LAWRENCE A. HERZOG, *WHERE NORTH MEETS SOUTH: CITIES, SPACE, AND POLITICS ON THE UNITED STATES-MEXICO BORDER* 35 (1990).

245. CAL. HEALTH & SAFETY CODE §§ 11350-11651 (West 2017).

246. *Id.*

psychotropic drugs.²⁴⁷ It also levies a penalty of at least one year of imprisonment plus a \$4000 fine up to a maximum of life imprisonment and a fine of \$250,000, depending upon the type and amount of illicit drugs possessed by the culprit.²⁴⁸ Possessing marijuana is also banned in Texas and violators can face imprisonment of up to six months plus a \$10,000 fine for possessing up to two ounces of the drug, or up to life imprisonment with a \$50,000 fine for possessing more than 2000 pounds of marijuana.²⁴⁹

As illustrated above, there are comprehensive laws in the United States related to the possession of narcotic drugs. These types of laws are also present at the state and city levels.²⁵⁰ These laws levy distinct penalties on the possessors of illicit narcotic drugs. Juveniles are also dealt a certain level of punishment and sometimes ordered to participate in community educational service programs to prevent them from becoming involved in using illicit narcotic drugs.

On the other hand, in Mexico, which is a neighboring country to the U.S., the laws are slightly different in terms of prohibiting and penalizing the possession of illicit drugs. The Federal Criminal Code Act²⁵¹ of Mexico levies penalties of imprisonment of between 10 months and 25 years, depending upon the scale of possession and on the possessors of illicit drugs.²⁵²

Mexican laws also regulate the maximum amount of drug that can be used for medication. For example, the General Health Act 2010 in Mexico defines the maximum dose of a drug that can be used by a person for medication or similar health purpose.²⁵³ The maximum amount of dose cannot be above 2 grams (for opium), 500 milligrams (for cocaine), 5 grams (for cannabis or marijuana), 50 milligrams (for heroin or diacetylmorphine), 0.0015 grams (for LSD), 40 milligrams (for MDA or MDMA drug), or 40 milligrams (for methamphetamine).²⁵⁴

Antinarcotic laws are also active in Canada. The Controlled Drugs Substances Act 1996 is the leading law in Canada and it prohibits the trafficking, possessing, and selling of illicit narcotic drugs and related chemical substances in the country.²⁵⁵ It also

247. TEX. HEALTH & SAFETY CODE ANN. §§ 481.115-481.123 (Westlaw 2017).

248. *Id.*

249. *Id.*

250. For details see KATHLEEN MAGUIRE, SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS 1995, at 1 (1996).

251. Legislated in 1994 and amended in 2009.

252. Secretaria de Gobernacion, *Código Penal*, DIPUTADOS.GOB.MX. www.diputados.gob.mx/LeyesBiblio/ref/cpf/CPF_orig_14ago31_ima.pdf (last visited Mar. 24, 2018).

253. See Hernández, *supra* note 111, at 62.

254. Secretaria de Gobernacion, *supra* note 252; for details see Hernández, *supra* note 111, at 62.

255. See *Controlled Drugs and Substances Act*, GOVT. OF CANADA (1996), laws-lois.justice.gc.ca/eng/acts/C-38.8/page-3.html#h-7 (last visited Mar. 29,

regulates pharmaceutical drugs and prohibits medical practitioners from giving any person drug-related medicine unless that person provides a proper and valid reason for requiring that drug material.²⁵⁶ Any person who acquires any drug-related material without a permit or valid medical reason is considered an offender.²⁵⁷ Furthermore, the practitioner can also face a penalty if they give the drug to a person without a substantiated and valid reason.²⁵⁸ The minimum penalty for both can be between six months and seven years of imprisonment.²⁵⁹

In addition to this law, the Access to Cannabis for Medical Purposes Regulations provides a control on the use of cannabis for medication.²⁶⁰ This law prohibits the open sale of cannabis and any related chemical material.²⁶¹ If a person needs this drug for medication purposes, then proper proof must be presented in order to obtain and possess that drug.²⁶² Similarly, the producer or distributor of this drug is also required to obtain a permit or license prior to producing or distributing this drug to anyone in the country.²⁶³

In addition, the Industrial Hemp Regulations prohibit any production unit to manufacture or possess industrial hemp²⁶⁴ or related chemicals without acquiring the proper permit or license.²⁶⁵ The license or permit must be acquired under the Narcotic Control Regulations.²⁶⁶ These regulations provide a license according to the rules defined by the UN Convention on Narcotic Drugs 1961.²⁶⁷ Furthermore, the seeds of such a plant, if possessed by a farmer for the purpose of cultivating this substance, have to be tested according to the Canada Agricultural Products Act in addition to obtaining a permit or license under the Narcotic Control Regulations.²⁶⁸ In addition, the Canadian Food Inspection Agency

2018).

256. See *Controlled Drugs and Substances Act*, *supra* note 255, at Art. 4 (2).

257. *Id.*

258. See *Controlled Drugs and Substances Act*, *supra* note 255, at Art. 4(7).

259. *Id.*

260. See *Access to Cannabis for Medical Purposes Regulations*, GOV. OF CANADA (2016), laws-lois.justice.gc.ca/eng/regulations/SOR-2016-230/index.html (last visited Apr. 23, 2017).

261. See *Access to Cannabis for Medical Purposes Regulations*, *supra* note 260, at Sec. 1, Art. 3.

262. *Id.*

263. See *Access to Cannabis for Medical Purposes Regulations*, *supra* note 260, at Subdivision G, Art. 94.

264. Industrial hemp or “hemp” is a type of cannabis plant.

265. See *Industrial Hemp Regulations*, GOVT. OF CANADA, laws-lois.justice.gc.ca/eng/regulations/SOR-98-156/page-1.html#h-1 (last visited Apr. 24, 2017).

266. See *Industrial Hemp Regulations*, *supra* note 265, at Art. 1.

267. *Id.*

268. See *Industrial Hemp Regulations*, *supra* note 265, at Art. 31 (b), Art. 8 (1) (k); for details, see also *Canada Agricultural Products Act*, GOVT. OF CANADA, laws-lois.justice.gc.ca/eng/acts/C-0.4/ (last visited Apr. 24, 2017).

and the Canadian Seed Growers Association are the two authorities that can approve the industrial hemp seed in Canada.²⁶⁹ Without the approval and testing of seed by these agencies and laws, no one is allowed to cultivate, manufacture, or distribute industrial hemp or other kinds of cannabis material.²⁷⁰

2. *Europe*

In Europe, there are certain laws that regulate the possession and use of illicit drugs. Nonetheless, in most European countries the decriminalization of drugs has been legislated,²⁷¹ preventing high penalties for the possession of illicit drugs.²⁷² For instance, in Portugal, Switzerland, the Czech Republic, and the Netherlands, antidrug laws and penalties are not strict.²⁷³ The governments of these countries give more effort to counseling and rehabilitating drug-addicted citizens than to punishing them.²⁷⁴ Similarly, the antidrug laws are weak in France and Germany, where cannabis and certain other drugs are very common in use.²⁷⁵ The Netherlands has legalized the use of cannabis.²⁷⁶ The situation is similar in other European regions including the Balkans and Eastern Europe, where drug use has increased significantly.²⁷⁷

On the other hand, antidrug laws in the UK are quite strict,²⁷⁸ which prohibit the use of illicit narcotic drugs by UK residents, especially juveniles.²⁷⁹ The most significant antinarcotic law in the UK is the Misuse of Drugs Act 1971, which regulates the use of psychoactive and chemical substances that are also recognized as illicit narcotic substances.²⁸⁰ This Act levies penalties on the illegal

269. See *Industrial Hemp Regulations*, *supra* note 265, at Art. 39(1).

270. See *Industrial Hemp Regulations*, *supra* note 265, at Art. 39(3).

271. SHAHID M. SHAHIDULLAH, CRIME POLICY IN AMERICA: LAWS, INSTITUTIONS, AND PROGRAMS 112 (2008).

272. *Id.*

273. See details at, GARY L. FISHER & NANCY A. ROGET, ENCYCLOPEDIA OF SUBSTANCE ABUSE PREVENTION, TREATMENT, AND RECOVERY 264 (2009); see also FRANK E. HAGAN, INTRODUCTION TO CRIMINOLOGY: THEORIES, METHODS, AND CRIMINAL BEHAVIOR 447 (2010).

274. Thor Benson, *These 5 Countries Have the Best Drug Laws in the World*, ATTN (May 8, 2015), www.attn.com/stories/1604/countries-with-the-most-progressive-drug-laws-world.

275. BRICE DE RUYVER & CYRILLE J.C.F. FIJNAUT, THE THIRD WAY: A PLEA FOR A BALANCED CANNABIS POLICY 83 (2015).

276. ALISON WILSON, ET AL., SOCIAL WORK AND DRUG USE 17 (2012).

277. DIRK CHASE ELDREDGE, ENDING THE WAR ON DRUGS: A SOLUTION FOR AMERICA 163 (2000).

278. PARLIAMENTARY ASSEMBLY, OFFICIAL REPORT OF DEBATES, 2002 SESSION (FIRST PART) (2002).

279. JONATHAN WOLFF, THE REGULATION OF RECREATIONAL DRUGS: PHILOSOPHICAL ARGUMENT AND PUBLIC POLICY 16 (2007).

280. For details see *Misuse of Drugs Act 1971*, GOVT. OF UK, www.legislation.gov.uk/ukpga/1971/38/contents (last visited Apr. 22, 2017).

possessors of illicit drugs.²⁸¹ The penalties range from a minimum of six months of imprisonment with a £5,000 fine to a maximum of fourteen years of imprisonment with an unlimited fine.²⁸² Such penalties are initially incurred from the Temporary Class Drug Orders and then ratified under The Misuse of Drugs Act after Parliament reviews and approves the penalties.²⁸³

In addition, the UK government has also levied different punishments for different drugs. The penalty is seven years of imprisonment with an unlimited fine for possessing cocaine, MDMA, LSD, heroin, methamphetamine, and methadone, compared to life imprisonment with an unlimited fine for trafficking or manufacturing these drugs.²⁸⁴ For possessing cannabis and amphetamine, the penalty is up to five years of imprisonment with an unlimited fine, compared to fourteen years of imprisonment with an unlimited fine for trafficking or producing these drugs.²⁸⁵ In addition to amphetamine, the UK government has also banned certain chemical substances, including anabolic steroids, benzodiazepines, buprenorphine, BZP, codeine, DMT, ecstasy, GHB, khat, ketamine, mephedrone, methadone, methoxetamine, methylone, morphine, NRG-1, NRG-3, naphyrone, PMMA, subutex, and 5-MeO-DMT.²⁸⁶ Possessing any of these chemical substances is regarded as an offense by the UK government and is punishable under the Psychoactive Substances Act 2016. Penalties range from at least two years of imprisonment and a fine to a maximum of fourteen years imprisonment.²⁸⁷ Trafficking or manufacturing these substances can result in life imprisonment with an unlimited fine.²⁸⁸

If those under the age of 18 are caught by the police for using illicit drugs, their parents or guardians are informed.²⁸⁹ In such an event, the police can either give an official warning with a £90 fine or levy a punishment of up to two years of imprisonment, depending upon the type and amount of drug found on the juvenile.²⁹⁰ In addition, the Children and Young Persons Act 1933 prohibits children under the age of five from being given alcohol, except for

281. *Id.*

282. *What are the UK drug laws?* DRUGWISE, www.drugwise.org.uk/what-are-the-uk-drug-laws/ (last visited Apr. 22, 2017) [hereinafter Drug Laws].

283. *Id.*

284. *Drugs penalties*, GOV.UK, www.gov.uk/penalties-drug-possession-dealing (last visited Apr. 22, 2017) [hereinafter Drug Penalties].

285. *List of Controlled Drugs*, RELEASE, www.release.org.uk/law/list-controlled-drugs (last visited Apr. 22, 2017).

286. *Id.*

287. *See* Drug Laws, *supra* note 282.

288. *Id.*

289. *See* Drug Penalties, *supra* note 284.

290. *Id.*

medication purposes, while those under the age of eighteen must not be sold alcohol or tobacco cigarettes.²⁹¹

3. *Africa*

Antidrug laws in Africa have been insufficient to curb the use and trafficking of illicit drugs in the region,²⁹² despite each African country enacting legislation for that purpose.²⁹³ For instance, in Nigeria, the National Drug Law Enforcement Agency Act is active in curbing illicit narcotic drugs at the national level.²⁹⁴ The Act criminalizes the possession, use, manufacture, sale, and trafficking of illicit drugs in Nigeria.²⁹⁵ It also levies penalties on offenders.²⁹⁶ The minimum penalty can be up to two years, while the maximum penalty can range from fifteen years to life imprisonment.²⁹⁷

Similarly, in Ghana, the Narcotics Control Board works to curb illicit drugs in the country. The Narcotic Drugs Control and Enforcement Law 1990 and the Criminal Offences (Amended) Act 2002 are the most prominent pieces of legislation intended to curb illicit drugs in Ghana.²⁹⁸ In addition, Ghana has also collaborated with other states including the UK, the U.S., Canada, Greece, and Egypt to combat narcotic drugs and has made the Mutual Assistance Legal Act. This act allows the extradition of criminals for offenses related to the possession, sale, and trafficking of illicit drugs.²⁹⁹

Similarly, in South Africa, the manufacturing and possessing of “dangerous” illicit drugs, namely heroin, methadone, and fentanyl, are banned and punishable under law.³⁰⁰ The penalties for trafficking and manufacturing are up to twenty-five years imprisonment, while the penalty for possessing or using any of these drugs is up to fifteen years imprisonment.³⁰¹ Cannabis is also banned in the country. However, the decriminalizing of this drug is

291. See Drug Laws, *supra* note 282.

292. INT’L NARCOTICS CONTROL BD, REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD FOR 2008, at 47 (2009).

293. INT’L NARCOTICS CONTROL BD, REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD FOR 2006, at 34 (2007).

294. Camino Kavanagh, *Harmonizing Drug Legislation in West Africa - A Call for Minimum Standards*, GLOBAL COMMISSION DRUGS 7 (2014), www.globcommissionondrugs.org/wp-content/uploads/2017/02/20140804-Harmonizing-Drug-Legislation-in-West-Africa.pdf.

295. *Id.*

296. *Id.*

297. *Id.*

298. *Id.* at 9.

299. *Id.* at 10.

300. Hanibal Goitom, *Decriminalization of Narcotics: South Africa*, LIBRARY OF CONGRESS (July 2016), www.loc.gov/law/help/decriminalization-of-narcotics/southafrica.php.

301. *Id.*

also in progress, which will make any user of cannabis not guilty of an offense under national law.³⁰²

4. Southeast Asia

In Asia, particularly in Southeast Asia, antidrug laws are the strictest and have the most severe penalties. In Cambodia, the Law on Control of Drugs is the main legislation, mandating punishments of several years to life imprisonment for the possessing and trafficking of illicit drugs.³⁰³ In Malaysia, the Dangerous Drugs Act 1952 is still active and prohibits the use, sale, and trafficking of illicit drugs in the country.³⁰⁴ Traffickers or possessors of illicit drugs can be imprisoned for life, sentenced to death, or deported from the country, depending upon the amount and type of drug confiscated.³⁰⁵ In addition, the Control of Drugs and Cosmetics Regulation 1984 regulates pharmaceutical-related use and possession of drugs.³⁰⁶

In Indonesia, the penalty for possessing marijuana is twenty years imprisonment. For possessing other drugs, the penalty is up to twelve years imprisonment.³⁰⁷ However, the sale of drugs in Indonesia carries the death penalty.³⁰⁸ The death penalty is also levied in Thailand for possessing any narcotic drug under the Narcotics Control Laws of Thailand.³⁰⁹ The Narcotics Act 1979 is the major antinarcotic law in Thailand, which places penalties (including the death penalty) on the possession and use of drugs.³¹⁰

In the same way, in the Philippines, those carrying an amount of more than one-third of an ounce of any illicit drug are sentenced to death in accordance with the Philippines Dangerous Drugs Act.³¹¹ Similarly, in Vietnam, those who are found with an amount of more

302. *Id.*

303. Michael Aquino, *Harsh Punishments for Drug Use in Southeast Asia*, TRIPSAVVY (Apr. 22, 2017), goseasia.about.com/od/travelplanning/a/seasia.htm.

304. GERALDINE DE MELLO ET AL., *ISLAMIC PERSPECTIVES RELATING TO BUSINESS, ARTS, CULTURE AND COMMUNICATION* 481 (2015).

305. *Id.*; see also ACADEMY OF EUROPEAN LAW, *COLLECTED COURSES OF THE ACADEMY OF EUROPEAN LAW* 20 (1999).

306. DEBASIS BAGCHI, *NUTRACEUTICAL AND FUNCTIONAL FOOD REGULATIONS IN THE UNITED STATES AND AROUND THE WORLD* 450 (2014).

307. *The 20 Countries with the Harshest Drug Laws in the World*, DRUGABUSE.COM, drugabuse.com/the-20-countries-with-the-harshest-drug-laws-in-the-world (last visited Oct. 17, 2017).

308. *Id.*

309. *Id.*; see also Jennifer Patin, *Thailand Tourist Information: A Guide to Laws in Thailand*, THAILAND LAW FORUM (May 11, 2011), www.thailawforum.com/tourst-guide-laws-Thailand-4.html.

310. *Id.*

311. DAVID T. JOHNSON & FRANKLIN E. ZIMRING, *THE NEXT FRONTIER: NATIONAL DEVELOPMENT, POLITICAL CHANGE, AND THE DEATH PENALTY IN ASIA* 114 (2009).

than 1.3 pounds of heroin are sentenced to death according to Article 203 and Article 96a of the Vietnamese Criminal Code.³¹² The situation is similar in Singapore, where the death penalty is levied for possessing even a very small amount of any illicit drug.³¹³ The death penalty and life imprisonment sentences in Singapore are levied in accordance with the Misuse of Drugs Amendment Act, which was enacted in November 2002.³¹⁴ Additionally, the National Singapore Police Narcotics Division has authority to prevent drug possession and use in Singapore.³¹⁵

5. *The Middle East*

The death penalty is mandatory on possessors and traffickers of illicit drugs in Saudi Arabia, and no concession is made to this penalty in any case of drug possession.³¹⁶ On the other hand, in Dubai and other cities of the UAE, the punishment for possessing and trafficking illicit drugs is up to four years of imprisonment and then deportation from Dubai.³¹⁷

Even if a person fails a drug test, they are deported immediately from Dubai, whether any drug is actually found on them.³¹⁸

6. *India*

In India, possessing a narcotic drug has been criminalized under the Narcotic Drugs and Psychotropic Substances (NDPS) Act 1985, which is the main law against illicit narcotic drugs.³¹⁹ Amendments to this law were made in 1989, 2001, and 2014.³²⁰ It penalizes the possessors and traffickers of narcotic drugs.³²¹ The penalty is based on the amount of drugs possessed by a user or trafficker: an amount beyond 5 grams of heroin or morphine, 25 grams of opium, 2 grams of cocaine, methadone, amphetamine, or THC, 0.002 grams of LSD, 100 grams of cannabis resin or coca leaf, and 1000 grams of ganja cannabis leads to a punishment of a

312. *Id.* at 391; *see also* DRUGABUSE.COM, *supra* note 307.

313. KAYE STEARMAN, THE DEBATE ABOUT THE DEATH PENALTY 37 (2007).

314. CAROLYN HOYLE & ROGER HOOD, THE DEATH PENALTY: A WORLDWIDE PERSPECTIVE 161 (2015).

315. THOMAS G. BLACKLOCK, BREAKFAST IN KERSEY: TALES OF A FEDERAL NARC 163 (2010).

316. *See* DRUGABUSE.COM, *supra* note 307.

317. *Id.*

318. *Id.*

319. P.V. Subba Rao, *Drug Laws in India – Drug Information Sheet*, ANTIDRUGS.GOV (2017), www.antidrugs.gov.il/download/files/indian_drug-laws.pdf.

320. Tripti Tandon, *Drug Policy in India*, INTERNATIONAL DRUG POLICY CONSORTIUM 2-4 (2015), idhdp.com/media/400258/idpc-briefing-paper_drug-policy-in-india.pdf.

321. *Id.*

maximum penalty up to one year of imprisonment and a fine of 10,000 Indian rupees.³²²

On the other hand, imprisonment of up to 10 to 20 years, with a fine of 0.1 to 0.2 million Indian rupees, is levied for the possession of 250 grams of heroin or morphine, 2.5 kilograms of opium, one kilogram of cannabis resin, two kilograms of coca leaf, 20 kilograms of ganja cannabis, 100 grams of cocaine, 50 grams of methadone, amphetamine, or THC, or 0.1 grams of LSD.³²³ In addition to the NDPS Act, The Juvenile Justice Act 2000 is also active in India., which has the core principle of caring for and protecting children.³²⁴ This Act focuses on the rehabilitation of drug-addicted juveniles.³²⁵ It provides regulated protection to juveniles, and ordinary penalties are not levied on them under the directions of this law.³²⁶

7. *Australia and New Zealand*

Australia and New Zealand also punish illicit drug possessors and traffickers. The law in Australia levies a penalty of imprisonment of fifteen to twenty-five years,³²⁷ but the law does not impose the death penalty on any drug offender, no matter the amount.³²⁸

D. *Drug Use in Pakistan*

Cannabis, cocaine, and opium are the more common drugs in Pakistan. In Pakistan, drug use is most common among people aged 25–39 years.³²⁹ As per the estimates, there are seven million drug addicts in Pakistan.³³⁰ Among them, 6.7 million are adults aged 25–

322. *Id.* at 5; see also *Punishment for Offences*, DEPT OF REVENUE – MINISTRY OF FINANCE, GOVT. OF INDIA (May 29, 2014), www.dor.gov.in/Punishment_for_Offences.

323. *Id.*

324. National Institute of Social Defence, *The Juvenile Justice (Care and Protection of Children) Act 2000*, MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT - GOVERNMENT OF INDIA (2000) images.aarogya.com/addiction/pdf/jjact.pdf.

325. See *The Juvenile Justice (Care and Protection of Children) Act*, AANGANINDIA 47-55 (2000) <http://aanganindia.org/pdf/Juvenile-Justice-Care-Protection-Children-Act.pdf>

326. *Id.*

327. Queensland Legislation, *Drugs Misuse Act 1986*, QUEENSLAND GOVERNMENT, www.legislation.qld.gov.au/view/pdf/2017-03-30/act-1986-036 (last visited Mar. 29, 2018).

328. Laws in Australia and New Zealand have the core purpose of harm minimization; therefore, the death penalty is never levied in Australia and New Zealand. For details see BETSY THOM ET AL., *THE SAGE HANDBOOK OF DRUG & ALCOHOL STUDIES: SOCIAL SCIENCE APPROACHES* 149 (2016).

329. UNODC, *REPORT ON DRUG USE IN PAKISTAN 2013* (2014) [hereinafter *REPORT ON DRUG USE IN PAKISTAN*].

330. *Around 7 Million Drug Addicts in Pakistan, Senate Told*, DAWN (July 6, 2015), www.dawn.com/news/1192715.

39 who used drugs in the last year.³³¹ Approximately four million adults in Pakistan are addicted to cannabis³³² and 430,000 drug addicts inject drugs.³³³

Most Indian adults regularly use tobacco.³³⁴ Around 250–300 billion Pakistani rupees are spent by Pakistanis each year on cigarettes. Sixty-four billion cigarettes were smoked by Pakistanis in 2014 and more than 70 billion were smoked in 2015.³³⁵ Eighty percent of drug addicts in Pakistan are men as drug addiction is less common in Pakistani women.³³⁶

Although drug usage among juveniles is less common in Pakistan,³³⁷ the alarming concern is that most of the students in Pakistani colleges and universities assert that they consume drugs for fun and recreation.³³⁸ Drug dealers secretly approach such students, make friends with them, and sell drugs to them regularly, making these students dependent on drugs. Some of these students, upon finding no employment, start selling drugs and become suppliers of drugs to their fellow students, as well as to students of other colleges and universities.

E. Drug Use Legislation in Pakistan

In Pakistan, the Control of Narcotic Substances Act 1997 (CNS Act) and the Anti-Narcotics Force Act 1997 prohibit the possession of illicit narcotic drugs in Pakistan.³³⁹ Imprisonment, fines, and confiscation of property are the penalties levied on possessors of illicit narcotic drugs as well as those who are found to assist possessors, manufacturers, or traffickers.³⁴⁰

Using and possessing any kind of narcotic drug for purposes other than medication is banned in Pakistan.³⁴¹ This includes the psychotropic chemical substances, LSD, and other harmful drugs.³⁴² In addition, selling drugs is also banned and punishable under the

331. REPORT ON DRUG USE IN PAKISTAN, *supra* note 329.

332. Hasan Mansoor, *Over One Million Pakistanis Hooked on Opiates: Study*, DAWN (Dec. 12, 2014), www.dawn.com/news/115028.

333. REPORT ON DRUG USE IN PAKISTAN, *supra* note 329.

334. Faiza Ilyas, *Pakistan Among Top Four Countries with Rising Tobacco Use*, DAWN (May 27, 2015), www.dawn.com/news/1184351.

335. Shahid Iqbal, *Rs300 Billion Goes Up in Smoke Every Year*, DAWN (Nov. 7, 2015), www.dawn.com/news/1217965.

336. REPORT ON DRUG USE IN PAKISTAN, *supra* note 329.

337. *Id.*

338. Mohammed Raza, *Is Socialisation Promoting the Drug Culture in Pakistan?*, THE EXPRESS TRIBUNE (Aug. 5, 2015), blogs.tribune.com.pk/story/28867/is-socialisation-promoting-the-drug-culture-in-pakistan/.

339. *Control of Narcotic Substances Act*, GOVT. OF PAKISTAN CH. II, ART. 6 (July 7, 1997) anf.gov.pk/library/law/cns_act_1997_eng.pdf.

340. *Id.*

341. *Id.*

342. *Id.*

CNS Act.³⁴³ Selling tobacco to those under the age of 18 years is not allowed in Pakistan.³⁴⁴

Furthermore, the law in Pakistan also prevents smoking in public places, including at restaurants, universities, hospitals, health care units, public service transports, and schools.³⁴⁵ Another tobacco drug, which has recently become popular under the name of sheesha, has also been banned by the government of Pakistan. Any hotel, restaurant, or shop owner found to be selling this drug is penalized according to the law.³⁴⁶

V. EFFECTS OF DRUG USE

Illicit drug use causes detrimental effects to human health, discipline, and law and order in society. A high number of people suffer from fatal diseases owing to illicit drug use and many die each year owing to drug overdoses. The prominent effects of drug usage are described below.

A. Health Impacts

Disorders, fatal diseases, and disabilities are some of the effects of drugs on human health. Twenty-nine million people have some sort of mental or physical disorder caused by the overuse of drugs.³⁴⁷ In this regard, the use of alcohol and cannabis is causing major disorders. In some countries, it has been observed that the sharing of injections is also common, particularly in prisons.³⁴⁸ This raises the risk of HIV and hepatitis C, which are both deadly diseases. As per estimates from the UNODC, the WHO, and the World Bank, thirteen million people inject drugs (PWID) and, among them, 51 percent (6.6 million) have hepatitis C and 13 percent (1.8 million) have HIV.³⁴⁹

Hepatitis C can cause further damage to health in terms of liver failure, kidney failure, and liver cancer. Approximately 2.2 percent of the total world population has hepatitis C,³⁵⁰ which is

343. *Id.*

344. *Minimum Legal Ages for Smoking and Purchase of Tobacco Around the World*, MIYACHIYO KATO CLINIC, www.geocities.jp/m_kato_clinic/mini-age-tobacco-eng-1.html (last visited Oct. 10, 2017).

345. *Pakistan - Tobacco Control Policies*, TOBACCO CONTROL LAWS (July 21, 2016), www.tobaccocontrolaws.org/legislation/factsheet/policy_status/pakistan.

346. Nasir Iqbal, *Sheesha Tobacco Import Banned, Govt Tells SC*, DAWN (Oct. 19, 2016), www.dawn.com/news/1290900; See the relevant litigations at *Decisions Citing the Law*, TOBACCO CONTROL LAWS (July 21, 2016), www.tobaccocontrolaws.org/Legislation/law_listing/pk/2.

347. UNODC DRUG REPORT 2016, *supra* note 36, at ix.

348. *Id.* at ix-x.

349. *Id.* at 10.

350. *Id.*

more prevalent in Southwest Asia, Eastern Europe, Africa, and Southeast Asia. Across these regions, around 27.8 percent of PWID in Eastern Europe and Central Asia have Hepatitis C Virus along with HIV, while 19 percent of PWID in Africa have HIV, respectively.³⁵¹ Women have a greater vulnerability than men to HIV-AIDS from sharing used needles for drugs.³⁵²

It is important to mention that some drugs also have a hypnotic effect. For instance, LSD, ecstasy, and psychedelic drugs have hypnotic and mind-diverting effects on their users. These are very harmful drugs and their users may become entirely addicted to them and may also reach a state of ecstasy (madness).

B. Premature Deaths

Premature death implies “death at an early age.”³⁵³ Drug use raises the possibility of premature death. As per estimates over the last five years, around 100,000–250,000 deaths have been caused by the overuse of drugs annually. The number of deaths was 190,000 in 2013 and 207,400 in 2014.³⁵⁴ This number includes road accidents. Driving under the influence of alcohol or drugs can cause a severe accident, leading to harm to the driver as well as to the lives of anyone on the road. It is also among the major causes of death in the U.S.³⁵⁵ The use of tobacco is the cause of death for 11 percent of men and 6 percent of women each year worldwide, while alcohol causes 6 percent of deaths in men and 1.1 percent of deaths in women.³⁵⁶

Furthermore, the overuse of psychoactive substances, (i.e., heroin, cannabis, cocaine, etc.) can all result in premature death with every dose. Heart failure or stroke can also be the result of a high overdose of any of these drugs. Europe has the highest rate of drug-related deaths, with around 21–25 percent of deaths caused by the overdose of drugs.³⁵⁷ However, the pace is increasing faster in the U.S., where the number of drug-related deaths has increased

351. For details, see *More than 2 million people coinfecting with HIV and hepatitis C*, WORLD HEALTH ORGANIZATION, (2017), www.who.int/hiv/mediacentre/news/hep-hiv-coinfecting/en/.

352. UNODC DRUG REPORT 2016, *supra* note 36.

353. Different definitions for the term ‘premature death’ have been presented. As per the popular definition, the death before the life expectancy is regarded as premature death. For a detailed discussion about it, see ANN GOLDMAN ET AL., OXFORD TEXTBOOK OF PALLIATIVE CARE FOR CHILDREN 6 (2006).

354. UNODC DRUG REPORT 2016, *supra* note 36, at ix.

355. See EDWARD P. SARAFINO & TIMOTHY W. SMITH, HEALTH PSYCHOLOGY: BIOPSYCHOSOCIAL INTERACTIONS 181 (2014).

356. For details, see WORLD HEALTH ORGANIZATION, GLOBAL HEALTH RISKS: MORTALITY AND BURDEN OF DISEASE ATTRIBUTABLE TO SELECTED MAJOR RISKS 21 (2009).

357. EUROPEAN DRUG REPORT 2016 (2016).

four times, reaching 8200 deaths owing to overdoses of heroin in 2013.³⁵⁸ As per the new estimates, 17465 people died due to an overdose of Heroin and Cocaine in 2014;³⁵⁹ whereas in 2015, the deaths from Heroin alone were around 13000.³⁶⁰

C. *Environmental Damage*

Some drugs also cause damage to the environment. For instance, the cultivation of coca bushes and the converting of coca into cocaine results in hazardous environmental impacts. In Colombia, it has caused deforestation of around 300,000 hectares³⁶¹ of forest over the last decade. The use of dangerous chemicals as fertilizers further aggravates the environmental damage caused by coca.³⁶² Other drugs also have negative environmental implications. Smoking marijuana, tobacco, etc. can pollute the air and the cigarette smoker damages not only his own health but also the health of others near them when they are smoking.

VI. PROMOTERS OF DRUGS

There are many instigators that promote drug usage. These instigators are prevalent in every demographic. Among the prominent instigators and promoters of drugs, some are explained below.

A. *Media Advertisements*

The media are some of the foremost promoters of drugs. Advertisements of cigarettes and alcoholic beverages are broadcast on different television channels.³⁶³ Moreover, social media platforms, where drug addicts post pictures of drug use to attempt to show themselves as cool, also promote drugs.³⁶⁴ Billboards and posters are also used by cigarette and beer and liquor companies to

358. Maggie Fox, *Heroin Deaths Quadrupled in U.S.*, NBC NEWS (July 7, 2015), www.nbcnews.com/health/health-news/heroin-deaths-quadruple-across-us-n388006.

359. Kim Bellware, *Here's How Many People Fatally Overdosed on Marijuana Last Year*, HUFFINGTON POST, (Dec. 30, 2015), www.huffingtonpost.com/entry/marijuana-deaths-2014_us_56816417e4b06fa68880a217.

360. For details see *Overdose Death Rates*, NATIONAL INSTITUTE ON DRUG ABUSE (Sept. 2017), www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates.

361. This is equal to 741316.144 acres of area.

362. UNODC DRUG REPORT 2016, *supra* note 36, at 83; *see also* UNODC Drug Report 2015, *supra* note 16, at 56.

363. SHANE BLACKMAN, CHILLING OUT: THE CULTURAL POLITICS OF SUBSTANCE CONSUMPTION, YOUTH AND DRUG POLICY 127 (2004).

364. *Social media can influence teens with pro-drug messages*, NATIONAL INSTITUTE ON DRUG AND ABUSE (2014), www.drugabuse.gov/news-events/news-releases/2014/07/social-media-can-influence-teens-pro-drug-messages.

promote their products.³⁶⁵ Price discounts and other promotions are also offered to customers. The concern here is that these drugs—cigarettes and alcohol—pave the way to using illicit drugs, such as cocaine, opium, ecstasy, etc., which can all be smoked in the same fashion as cigarettes. This is also the case with beer, which can cause addiction in its users, particularly when alcohol is consumed at parties or during binge drinking.³⁶⁶ Thus, the promotion of drugs through the media is a precursor of the spread of drugs in our society.

B. 5.2. Music

Music, by contrast, appears at first sight to be solely a form of aural enjoyment with nothing to do with drugs. However, the facts go against this assertion. A lot of songs have historically included drug terminology.³⁶⁷

1. Psychedelic Rock Music

This form of pop music was widely famous in the 1960s and 1970s. Since then, it has been revived in numerous other forms of music, for instance rap music and rock music concerts.³⁶⁸ This type of music involves mind-altering exercises that are carried out after consuming psychedelic drugs and then singing or listening to rock music.³⁶⁹ Trance music is mostly common in pubs, bars, night concerts, etc., and is a form of psychedelic music. It can leave hypnotic effects on the mind by changing peoples' moods and perceptions while listening to it.³⁷⁰ It actually lures listeners and keeps them connected with the music.

LSD has also been observed to have penetrated the music industry. These drugs have made their impact in the lyrics of several songs of famous singers. In 1969, the Woodstock Festival was the pinnacle of psychedelic music.³⁷¹ However, U.S. authorities

365. PAUL MANNING, DRUGS AND POPULAR CULTURE IN THE AGE OF NEW MEDIA 108 (2014).

366. Five or more drinks at a time is called binge drinking. See A. JEROME JEWLER ET. AL, STEP BY STEP TO COLLEGE AND CAREER SUCCESS 117 (2007); see also RICHARD ISRALOWITZ, DRUG USE, POLICY, AND MANAGEMENT 97 (2002).

367. See GEOFFREY GIULIANO, BEHIND BLUE EYES: THE LIFE OF PETE TOWNSHEND 117 (2002); see also RUPERT TILL, POP CULT: RELIGION AND POPULAR MUSIC 40 (2010); see also MICHAEL STORRY & PETER CHILDS, ENCYCLOPEDIA OF CONTEMPORARY BRITISH CULTURE 161 (2013).

368. MICHAEL BURGAN, POPULAR CULTURE: 1960–1979, at 16 (2013).

369. DAVID STEIGERWALD & MICHAEL FLAMM, DEBATING THE 1960S: LIBERAL, CONSERVATIVE, AND RADICAL PERSPECTIVES 65 (2008).

370. STELLA LAU, POPULAR MUSIC IN EVANGELICAL YOUTH CULTURE 121 (2012).

371. GINA MISIROGLU, AMERICAN COUNTERCULTURES: AN ENCYCLOPEDIA OF NONCONFORMISTS, ALTERNATIVE LIFESTYLES, AND RADICAL IDEAS IN U.S. 627 (2009).

eventually became familiar with the drug promotion aspect of psychedelic music and banned the use and promotion of LSD.

C. Movies

Some movies also promote drugs use. In many movies, there are scenes of actors smoking marijuana, using cigarettes, and drinking alcohol, particularly binge drinking in bars. For instance, many movies include scenes when an actor visits a bar and drinks alcohol or smokes cigarettes when he is depressed.³⁷² People follow their favorite actors and use cigarettes and alcohol in the same way, particularly when they are tense or nervous in their daily life. Teenagers, in particular, try to imitate celebrities and indulge in alcohol use and other illicit activity. Movie scenes leave a deep mark on the minds of their watchers, especially on teenagers.

D. Prisons

Prisoners are at a high risk of illicit drug use and addiction. Every third person in prison has used a drug at least once in prison, while every eighth prisoner consumes drugs regularly.³⁷³ Among the commonly used drugs in prisons worldwide, cannabis has the highest usage.

Cannabis is followed by cocaine, heroin, and ecstasy. Research studies also reveal that the use of drugs and the associated risk of HIV and hepatitis C are fourteen times higher in prisons than outside them.³⁷⁴

E. Fun and Recreational Motives

Many people use drugs for recreational purposes. The ecstatic state of mind makes them feel pleasure, which further induces them to use the drugs again. Their minds feel drugged and this feeling makes the mind addicted to the drug.³⁷⁵ Hence, whenever they use the drugs, the addiction of their mind to the drugged feeling satisfies them and keeps them entangled in the drug usage, which they pursue intermittently.³⁷⁶

372. ANNETTE FLECKENSTEIN ET AL., DRUGS AND SOCIETY 460 (2009).

373. UNODC Drug Report 2015, *supra* note 16, at 4.

374. *Id.*; *see also* DAVID SHEWAN & JOHN DAVIES, DRUG USE IN PRISONS: AN INTERNATIONAL PERSPECTIVE (2013).

375. PHILIP WOLNY, ABUSING PRESCRIPTION DRUGS 9 (2008).

376. SARAH MEDINA, KNOW THE FACTS ABOUT DRUGS 32–33 (2010).

F. Drug Mafia's Organized and Secret Dissemination of Drugs

The drug mafia works furtively and tries to penetrate in the society by making friends with young people, particularly in colleges, high schools, and universities.³⁷⁷ In such friendships, students try out drugs and some get addicted to them and become long-term customers of drug dealers.³⁷⁸ In this regard, the drug mafia usually adopts two approaches. First, it recruits agents in the schools.³⁷⁹ These agents are enrolled in these academic institutions and are incentivized by earning considerable amounts of money by selling drugs to their classmates.³⁸⁰ The money lures students as they usually have no source of income. Many of the students accept the offer from the drug mafia, with whom they are already in contact and buying drugs, and they start selling drugs secretly to other students in the same manner as they themselves were approached by the drug mafia, i.e., by making friendships.³⁸¹

The second approach is by making close contact with the antinarcotic and law enforcement agencies, who might inform them in the event of any probable operation against them that might lead to the seizure of their drugs and their arrest.³⁸² Some drug dealers and even senior policemen are on drug mafia's payrolls.³⁸³ Hence, the two approaches go hand in hand, and the drug mafia keeps approaching more youth to sell them drugs while also saving their drug inventory from seizure by law enforcement authorities. The drug mafia not only approaches the academic institutions but also sells drugs in prisons and makes it possible for the drugs to be frequently available for prisoners by smuggling the drugs behind bars or through the assistance of the officers in the jail by bribery.³⁸⁴

377. For some relevant examples see LARRY LENO, *BREAKING NEWS: THE HIGH SCHOOL MAFIA UPDATE*, 1, in, ANTONIO DI ANGELO, *POETIC LICENCE* 37 (2013).

378. *See id.* at 37.

379. For instance, as explained by Larry Leno an incident regarding Christian who became a drug seller. For details, *see id.*

380. For instance, Marlo was enrolled in a school where he met Christian. Later on, Marlo quit the study of his high school at the age of sixteen and started selling drugs like Christian used to.

381. For instance, Christian made friendship with Marlo, and then, Marlo started the supply and sale of drugs. *See id.* at 38.

382. The drug dealers can bribe the officials. *See* INDONESIA INVESTMENT AND BUSINESS GUIDE 20 (2007).

383. BRENT TURVEY & CRAIG M. COOLEY, *MISCARRIAGES OF JUSTICE: ACTUAL INNOCENCE, FORENSIC EVIDENCE, AND THE LAW* 67 (2014).

384. *See* ELAINE CAREY, *WOMEN DRUG TRAFFICKERS: MULES, BOSSES, AND ORGANIZED CRIME* 74 (2014); *see also* INDONESIA INVESTMENT AND BUSINESS GUIDE 20 (2007).

VII. CRIMINAL LINKS OF DRUG DEALERS

The links of most of the drug dealers have also been found to be attached to other criminal organizations, which may use their drug money to continue their illicit undercover operations. For instance, terrorist organizations, smugglers, money launderers, human traffickers, and anti-state agencies either establish connections with the drug dealers or themselves enter the drug dealing business in order to finance their activities.³⁸⁵

A. Terrorism Financing

Drug dealers have been identified to be connected with terrorist organizations.³⁸⁶ The terrorist organizations enter the drug industry to earn revenue to finance their terrorist activities.³⁸⁷ For instance, this connection has been found in Pakistan, where the army is carrying out operations against terrorists. The former chief of the army staff, General Raheel Sharif, has reiterated on numerous occasions that the terrorists in Pakistan use drug money³⁸⁸ to finance their terrorist activities in Pakistan.³⁸⁹ The Rangers Army has also captured several terrorists in Karachi and investigations have revealed that they were also involved in the selling of illicit drugs.³⁹⁰

Terrorists also kidnap teenagers, brainwash them, and give them high doses of LSD to cause hypnotic effects on their minds. These terrorist groups coordinate with drug dealers for this purpose.³⁹¹ These drugged teenagers are then used by terrorists for

385. For instance, see relationship between terrorist organizations and drug dealers, human traffickers, and arms traffickers, as elucidated by, HUSEYIN DURMAZ, UNDERSTANDING AND RESPONDING TO TERRORISM 245 (2007); *see also* the details of a relationship among money launderers and drug dealers and terrorists as explained by FRANK SHANTY & PATIT PABAN MISHRA, ORGANIZED CRIME: FROM TRAFFICKING TO TERRORISM 367 (2008); *see also* the elucidation of relationship among money launderers, drug traffickers, and smugglers in ANTHONY DE STEFANO, THE WAR ON HUMAN TRAFFICKING: U.S. POLICY ASSESSED 131 (2007); *see also* the relationship among money launderers, human traffickers and drug dealers, as explicated by ALEXIS A. ARONOWITZ, HUMAN TRAFFICKING, HUMAN MISERY: THE GLOBAL TRADE IN HUMAN BEINGS 69 (2009); *see also* the relationship explained among terrorism, money laundering, and narcotics in PREVENTING MONEY LAUNDERING AND TERRORIST FINANCING: A PRACTICAL GUIDE FOR BANK SUPERVISORS XI (2009).

386. CHERIF BASSIOUNI, INTERNATIONAL CRIMINAL LAW: SOURCES, SUBJECTS AND CONTENTS 864 (2008).

387. CAROLE DORSCH SCHWEITZER & GLENN SCHWEITZER, A FACELESS ENEMY: THE ORIGINS OF MODERN TERRORISM 176 (2002).

388. Money earned through the selling drugs.

389. Mateen Haider, *Nexus Between Drug Dealers, Terrorists Will Be Broken*: COAS, DAWN (Aug. 3, 2015), www.dawn.com/news/1198133.

390. *Id.*

391. *Terror Groups Rely on Drugs to Recruit Suicide Bombers*, ARAB NEWS

suicide bombings and other criminal activities.³⁹² The drugged feeling prevents them from becoming aware of their grave actions and they explode themselves in a lack of self-consciousness. The investigations of the 2015 terrorist incident in Paris supported this assertion, as the suicide bomber was, in fact, heavily drugged.³⁹³ Mass shootings in the U.S. are another example, as some shooters were found to be on drugs before opening fire at a public gathering.³⁹⁴ Psychiatric medicines have also been found in the systems of culprits of mass shootings.³⁹⁵

B. Money Laundering

Drug trafficking is also closely connected to money laundering.³⁹⁶ Drug dealers prefer to avoid making bank transactions to avoid scrutiny from bank officials or law enforcement agencies over the cash flow. In the case of trafficking drugs to a foreign country, they get the money through laundered means, which makes them guilty of a serious financial crime alongside the selling of drugs. Furthermore, black money, i.e., the income earned from selling the drugs, is whitened by buying property or making investments.³⁹⁷ In this way, drug dealers continue to traffic drugs alongside earning revenue and establishing giant property empires.³⁹⁸ They have enough wealth to bribe any individual of authority who may prevent their illegal drug trafficking or money laundering activities, which gives persistence and continuation to their illegal business.³⁹⁹

(July 13, 2016), www.arabnews.com/node/952996/saudi-arabia.

392. Iftikhar Firdous, *What Goes into the Making of a Suicide Bomber*, THE EXPRESS TRIBUNE (July 20, 2010), tribune.com.pk/story/28976/what-goes-into-the-making-of-a-suicide-bomber/.

393. Camilla Turner, *Paris Attacks Suicide Bomber 'Drank, Smoked and Ran Drugs Den'*, THE TELEGRAPH (Nov. 16, 2015), www.telegraph.co.uk/news/worldnews/europe/france/11999576/Paris-attacks-suicide-bomber-drank-and-ran-drugs-den.html.

394. Dan Roberts, *Every Mass Shooting Shares One Thing in Common & it's not Weapons*, AMMOLAND (Apr. 1, 2013), www.ammoland.com/2013/04/every-mass-shooting-in-the-last-20-years-shares-psychoactive-drugs/#axzz4udtrq3xj.

395. *Id.*; see also DONALD DAHLIN, HOW TO "FAST-FORWARD" CHANGES IN OUR LIVES USING FACEBOOK: THE PROBLEM SOLVER 55 (2014).

396. DESTEFANO, *supra* note 385, at 131; see also FR. FLORIANA C. ROA, BUSINESS ETHICS AND SOCIAL RESPONSIBILITY 165 (2007).

397. *Noe Handbook, Chapter 9: Illegal Production*, OECD 155-57 (2002), www.oecd.org/std/na/noe-handbook-%20chapter9.pdf (last visited Dec. 26, 2016).

398. FR. FLORIANA C. ROA, *supra* note 396.

399. For instance, as elucidated by, MARGARET E. BEARE, CRITICAL REFLECTIONS ON TRANSNATIONAL ORGANIZED CRIME, MONEY LAUNDERING AND CORRUPTION 252 (2003).

C. Smuggling

Drugs are surreptitiously moved from one region to another by smuggling. Drug trafficking inherently involves the smuggling of drugs.⁴⁰⁰ Therefore, drug traffickers are performing multiple crimes, including smuggling, when they are trafficking drugs, and money laundering, when they get the drug money in return to their trafficking of drugs.

Smuggling takes place at airports, across borders, and on cross-city, cross-province routes. Smugglers clandestinely smuggle the drugs to another region and in return get cash. This cash is then hidden from law enforcement authorities. Smugglers act very sharply and dodge law enforcement agency at the airports and borders. For instance, the Pakistan–Afghanistan border is considered to have massive traffic flows both ways across the border. A huge volume of trade also takes place. The smugglers take the benefit of these heavy traffic inflows and hide the drugs with the traded goods and traffic them across the border to Iran, Pakistan, and Central Asian states.⁴⁰¹ This has also become a major concern for Pakistani law enforcement agencies as well, since the drugs are also trafficked to the cities and people of Pakistan, particularly to the youth, who are becoming the victims of drug addiction. Nonetheless, the Pakistani antinarcotic agencies are working hard to prevent the smuggling of drugs in Pakistan and have also captured drug dealers and confiscated high volumes of heroin, cocaine, and other drugs from them.⁴⁰²

D. Anti-state Agencies

Anti-state elements have been found to be involved in the selling of drugs. Their main purpose is to brainwash the youth, especially teenage students who are the future of a nation. The anti-state elements, during selling drugs to students, also propagate sectarian, racial and ethnic hateful ideas to them. They may also spread extremist and violence-related theologies to them by making propaganda against the state. Thus, they develop negative ills and anti-state perceptions in the minds of the youth by making them addicted to drugs. For instance, hate speeches, sectarianism and violence-promoting materials have been captured from the extremist sectarian and religious organizations, and many agents and commanders of banned groups have also been arrested⁴⁰³ and

400. DESTEFANO, *supra* note 385, at 131.

401. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 122.

402. *Around 7 Million Drug Addicts in Pakistan, Senate Told*, *supra* note 330.

403. Faraz Khan, *Banned Outfit Commander Among 8 Militants Arrested in Karachi*, THE EXPRESS TRIBUNE (Mar. 9, 2015), tribune.com.pk/story/850371

prosecuted in Karachi by the Rangers Army and police.⁴⁰⁴ These groups spread hate and anti-state notions among the youth by brainwashing them and spreading sectarianism. This must be prevented because each kind of sectarianism is anti-state,⁴⁰⁵ since they can provoke violence on a massive scale in the country at any time.⁴⁰⁶ These groups use drug money as their means of finance.⁴⁰⁷

Links between drug dealers and terrorists and anti-state agencies exist. Their coordinated illicit actions can be detrimental to our society and can harm the peace by spreading sectarian, anti-state, and rebellious notions amongst the people. Substantial efforts are required to curb the spread of drugs and to destroy the links of drug dealers with terrorist and anti-state elements.

VIII. INTERNATIONAL COLLABORATIVE EFFORTS TO CURB DRUGS

The international community is collaborating to curb drug trafficking by confiscating drugs found at airports and on cross-border routes by arresting the drug traffickers. The antinarcotic agencies of different countries collaborate and share information with each other to capture the members of drug mafias and to prevent the smuggling of drugs at the international level.⁴⁰⁸ Governments also collaborate to curb anti-state, antipeace, and terrorist agencies, which are also involved in drug trafficking. The United Nations provides them with a forum for collaboration.⁴⁰⁹ Successes have also been achieved in this regard, as tons of cocaine and opium and very significant quantities of other drugs, such as heroin, have been confiscated.

A. Conventions by the United Nations

A number of conventions have been formulated with the core purpose of drug prevention. The United Nations organizations are committed to combating drugs globally. The United Nations Office for Drug and Crimes (UNODC) actively works on combating illicit

/banned-outfit-commander-among-8-militants-arrested-in-karachi/.

404. Safdar Sial, *Comprehensive review of NAP: Action against sectarian terrorists*, PAKPIPS 2–8 (2016), pakpips.com/downloads/pdf/SSial-Action-Against-Sectarian.pdf.

405. Razeshta Sethna, *Karachi's Sectarian Backyard*, DAWN (Nov. 7, 2016), www.dawn.com/news/1080324.

406. *Sectarianism is anti-state*, BUSINESS RECORDER (Nov. 13, 2016), epaper.recorder.com/2016/11/13/11-page/613211-news.html.

407. Mateen Haider, *Nexus Between Drug Dealers, Terrorists Will Be Broken: COAS*, DAWN (Aug. 3, 2015), www.dawn.com/news/1198133.

408. REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD FOR 2005, at 43 (INCB – UN 2005).

409. JOANNE MAHER, EUROPA WORLD YEAR 41 (2004).

drugs and is also responsible for providing accurate data on the manufacturing, cultivation, trafficking and use of drugs, and on drug addiction.⁴¹⁰ Furthermore, a number of conventions and regulations have been put forward and adopted by the UN for the prevention of drugs and related illicit crimes.⁴¹¹ The Convention against Transnational Organized Crime, adopted in 2000 by the General Assembly of the United Nations, is the basis of UN action against drug trafficking and connected crimes.⁴¹²

Similarly, the International Convention for the Suppression of the Financing of Terrorism is intended to curb the various means of financing terrorism, i.e., drug trafficking, money laundering, and other serious crimes.⁴¹³ The Single Convention on Narcotic Drugs 1961, which was amended in 1972, is focused on combating narcotics and their trafficking.⁴¹⁴ The Convention on Psychotropic Substances 1971 was specifically adopted to combat the chemical drugs that cause illicit effects on human health and consciousness.⁴¹⁵ The Convention Against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances focuses on preventing the use, addiction, and spread of illicit drugs at the regional and international levels.⁴¹⁶

B. International Antinarcotic Agencies

Several antinarcotic agencies are working to curb illicit drug manufacturing and trafficking. The International Narcotics Control Board (INCB) is an international organization with the core function of implementing the antidrug conventions of the UN.⁴¹⁷ Almost every country has its own antinarcotic agency, which works

410. See United Nations Office on Drugs and Crime, *The Executive Director*, UNITED NATIONS OFFICE ON DRUGS AND CRIME (2013), www.unodc.org/documents/hlr/V1388514e.pdf.

411. M. CHERIF BASSIOUNI, CRIMES AGAINST HUMANITY: HISTORICAL EVOLUTION AND CONTEMPORARY APPLICATION 479 (2011).

412. M. CHERIF BASSIOUNI, INTERNATIONAL CRIMINAL LAW, VOLUME 1: SOURCES, SUBJECTS AND CONTENTS 43 (2008); see also COMMONWEALTH SECRETARIAT, COMBATING MONEY LAUNDERING AND TERRORIST FINANCING: A MODEL OF BEST PRACTICE FOR THE FINANCIAL SECTOR, THE PROFESSIONS AND OTHER DESIGNATED BUSINESSES 18 (2006).

413. SOUTH AFRICA: REPORT ON THE OBSERVANCE OF STANDARDS AND CODES-FATF RECOMMENDATIONS FOR ANTI-MONEY LAUNDERING AND COMBATING THE FINANCING OF TERRORISM 2 (International Monetary Fund 2004).

414. MARY LOU BERTUCCI, ENCYCLOPEDIA OF HUMAN RIGHTS 386 (1996).

415. EDMUND JAN OSMANZYK, ENCYCLOPEDIA OF THE UNITED NATIONS AND INTERNATIONAL AGREEMENTS: A TO F, at 1512 (2003); see also ETZEL CARDENA & MICHAEL WINKELMAN, ALTERING CONSCIOUSNESS: MULTIDISCIPLINARY PERSPECTIVES 93 (2011).

416. ROBIN WARNER & STUART KAYE, ROUTLEDGE HANDBOOK OF MARITIME REGULATION AND ENFORCEMENT 96 (2015).

417. *Our Mission*, INTERNATIONAL NARCOTICS CONTROL BOARD (2016), www.incb.org/.

to prevent the illicit manufacturing and selling of drugs within the country. The UN's international conventions and the INCB play their role of coordinating the antinarcotic agencies of different countries at the international level to arrest the powerful drug mafias.⁴¹⁸ The antinarcotic agencies are under the control of their governments, so their collaboration ensures cooperation between governments of different countries to curb drugs and related crimes such as smuggling, trafficking, terrorism financing, and money laundering.

C. Antinarcotic Initiatives by the U.S. at the International Level

The U.S. has created several strategies, policies, and organizations for curbing the illicit manufacturing and trafficking of drugs, not only in the U.S. but also in other countries. For instance, in Africa it has established the West Africa Cooperative Security Initiative (WACSI), which has a core aim of combating crimes related to smuggling, drug trafficking, human trafficking, terrorism, and regional security in Africa.⁴¹⁹ The U.S. works in coordination with the local governments in African countries to develop and suggest policies and road maps for dealing with transnational organized crimes⁴²⁰ in Africa.⁴²¹

The U.S. has also established policy frameworks and organizations for Central America and the Latin American region. For instance, in Mexico, it has created the Mérida Initiative and Strategy in coordination with the Mexican government. Its major purpose is to curb transnational crimes, primarily drug trafficking, money laundering, human trafficking, and security-related threats.⁴²² The U.S.'s Colombia Strategic Development Initiative (CSDI) is a pledge from the U.S. government to cooperate with the Colombian government to countering narcotics, terrorism, law and order problems, peace and security-related threats, and regional conflicts. It also covers justice, human rights, environmental protection, governance, and institutional stability.⁴²³ In this regard, the Mérida Initiative and Strategy and the Colombia Strategic

418. *Id.*

419. The West Africa Cooperative Security Initiative (WACSI) – Fact Sheet (Bureau of International Narcotics and Law Enforcement Affairs, US DEPARTMENT OF STATE (2016).

420. *West African Regional Training Center*, CTP (2016), www.ctp-inc.com/government-sector/african-training-center/.

421. *The West Africa Cooperative Security Initiative*, US DEPARTMENT OF STATE (2016), www.state.gov/documents/organization/166329.pdf.

422. *Merida Initiative*, US DEPARTMENT OF STATE (2008), www.state.gov/j/inl/merida/.

423. *The Colombia Strategic Development Initiative (CSDI) Bureau of Western Hemisphere Affairs*, US DEPARTMENT OF STATE (2000), www.state.gov/p/wha/rls/fs/2012/187926.htm.

Development Initiative (CSDI) are also called Plan Mexico and Plan Colombia, respectively, by their critics.

The Central American Citizen Security Partnership and the Caribbean Basin Security Initiative (CBSI) are the other two initiatives for strengthening regional security and peace, as well as curbing transnational crimes such as drugs and human trafficking, violence, and terrorism.⁴²⁴

In Afghanistan, the U.S. has formulated the U.S. Counter-Narcotics Strategy for Afghanistan to combat illicit drugs.⁴²⁵ However, this initiative has not proved to be successful and there is still a high volume of opium, opioid, and heroin produced and trafficked from Afghanistan. In this regard, the Office of National Drug Control Policy (ONDCP) is behind the formation of antidrug policies in the U.S., as well as at the international level.⁴²⁶ Furthermore, other organizations are also contributing to the formation of antidrug policies and curbing drugs in the U.S. as well as in Central and South America and other regions of the world. These are:

- U.S. Department of State
- U.S. Department of Justice
- U.S. Agency for International Development
- U.S. Department of Homeland Security
- Federal Bureau of Investigation (FBI)

D. Strict Security Checks at Airports

All international airports have been advised by the United Nations and international antidrug agencies to apply strict security to detect and prevent the smuggling of illicit drugs and material. Standard security protocols have therefore been implemented by each country at its international airports. However, some drug traffickers and smugglers are intelligent enough to bypass the security protocols by deceptive appearances. Nonetheless, incidents of arresting smugglers and drug traffickers have been reported at airports by local antinarcotic and airport security authorities.⁴²⁷ The arrested smugglers are investigated and the sources of the drugs are tracked to confiscate them.

424. *Caribbean Basin Security Initiative Bureau of Western Hemisphere Affairs*, US DEPARTMENT OF STATE (2013) www.state.gov/p/wha/rls/fs/2013/218460.htm (last visited Dec. 29, 2016).

425. *U.S. Counter-narcotics Strategy for Afghanistan*, US DEPARTMENT OF STATE (2010).

426. OFFICE OF NATIONAL DRUG CONTROL POLICY 2016 (2016).

427. UNODC DRUG REPORT 2016, *supra* note 36; *see also* UNODC Drug Report 2015, *supra* note 16.

IX. SUCCESS IN CURBING NARCOTICS: RESULTS OF ANTINARCOTIC REGIONAL LEGISLATION AND INTERNATIONAL COLLABORATIONS

To some extent, successes in curbing drugs have been achieved in terms of the seizure of illicit drugs in large quantities and the arrest of drug traffickers and members of drug mafias. Significant amounts of drugs have been confiscated in Europe, South Asia, South, Central and North America, and Africa by local law enforcement and antinarcotics authorities. As far as the seizure of heroin and opium is concerned, Afghanistan, Iran, and Pakistan, three neighboring countries, have confiscated the most heroin and opium since 2001.⁴²⁸

A. *Latin America*

Large amounts of cocaine have been confiscated by law enforcement authorities in the Central and Latin American regions. The highest seizure was in Colombia, where 469 tons of cocaine were confiscated in 2012 and 2013. These seizures occurred despite the high resistance faced by Colombian law enforcement authorities from the cultivators of coca bush and manufactures of cocaine.⁴²⁹

In the Caribbean region, the amount seized in 2013 was 162 tons.⁴³⁰ Other countries—Panama, Costa Rica, and Trinidad and Tobago—also reported record seizures, reporting their respective seizures of cocaine in 2013 at 41 tons, 20 tons, and 2.2 tons. In Brazil, the number of seizures doubled, and around 40 tons of cocaine were confiscated in 2013. Twenty-seven tons of cocaine were also seized in Venezuela in 2013.⁴³¹

Cannabis confiscation was also noted as the second highest, after North America (which saw 47 percent of the world's seizures). A total of 5765 tons of cannabis plants were confiscated in the Central and Latin American regions in 2013–2014, representing 30 percent of global confiscation. The UNODC also reports that 1425 tons of cannabis resin was confiscated.⁴³² These numbers indicate a high level of success achieved by law enforcement agencies in terms of seizing high amounts of cocaine and cannabis in the Latin American region.

428. UNODC Drug Report 2015, *supra* note 16, at 42.

429. *Id.* at 53.

430. *Id.*

431. *Id.* at 54.

432. UNODC Drug Report 2014, *supra* note 22.

B. Iran

Iran has played a crucial role in drug seizures in Southwest Asia. Its law enforcement agencies have captured the highest amount of opium. Three-fourths of all seizures of opium in the world are done by Iranian law enforcement agencies.⁴³³ It has also set the record for the largest amount of opium seized in a year. Its antinarcotics agencies captured 438 tons of opium in 2013.⁴³⁴ Its cooperation with the Afghan, Turkish, and Pakistani law enforcement agencies has shrunk the trafficking of drugs in the Iran–Pakistan coastal area. Drug traffickers are now using alternate routes, which are being tracked by the law enforcement authorities of Pakistan and Iran.⁴³⁵

C. Pakistan

Pakistani law enforcement agencies played a notable role in confiscating illicit drugs smuggled by drug traffickers from Afghanistan. In this regard, the most-confiscated drug is opium, and Pakistan, working together with Iranian and Afghan antinarcotic agencies, has confiscated around 90 percent of the globally confiscated amount of opium and heroin since 2001.⁴³⁶ Over the last five years, this ratio, however, has reduced to 30 percent of global seizures of opium, yet the percentage of seizures is the highest of all drugs. Similarly, a 75 percent seizure rate has been reported for morphine confiscated by Pakistan officials, in cooperation with Afghan and Iranian antidrug agencies, since 2005.⁴³⁷

In 2014–2015, the amounts seized were reported to be 34 tons of opium and 14 tons of morphine. The major seizures took place at the Pakistan–Afghanistan and Iran–Pakistan borders, as well as at the seaports of Pakistan and Iran.⁴³⁸ The Anti-Narcotics Force (ANF) of Pakistan seized and destroyed 350 metric ton of illicit drugs, which amounted to a total monetary value of around 4.3 billion Pakistani rupees.⁴³⁹ The drugs destroyed included cannabis, hashish, ecstasy, heroin, opium, poppy straw, cocaine, amphetamine, Meth, spirit ammonia, and precursor chemicals.⁴⁴⁰

Seizures of opium, cocaine, and heroin have also been reported at the airports and intercity road routes. The amount of cannabis

433. UNODC DRUG REPORT 2016, *supra* note 36, at 29.

434. UNODC Drug Report 2015, *supra* note 16, at 42.

435. UNODC DRUG REPORT 2016, *supra* note 36.

436. UNODC Drug Report 2015, *supra* note 16, at 42.

437. UNODC DRUG REPORT 2016, *supra* note 36, at xiii.

438. UNODC Drug Report 2014, *supra* note 22.

439. For details see the official website of *Anti-Narcotics Force, Drug Free Society*, ANF (2017) www.anf.gov.pk/wdd.php.

440. *Id.*

confiscated almost doubled: 315 tons of cannabis resin were captured in 2013, compared to 160 tons in 2012. In addition, tons of cocaine were also captured in 2013, which is a record amount of cocaine captured in the South Asian region.⁴⁴¹

Pakistani antinarcotic agencies have captured considerable quantities of illicit drugs at Pakistan's seaports since 2008. The seizure of heroin has hit record levels each year since 2009 and has continued to rise each year since then. In 2013, the amount seized was highest at the seaports as the ANF captured 1.2 tons of heroin at the seaport near Iran.⁴⁴² Pakistani law enforcement agencies also sealed illicit drug laboratories and captured around 500 kilograms of heroin in 2014.⁴⁴³ Recently, 27 kilograms of heroin were seized in a Pakistan International Airlines aircraft destined for Europe.⁴⁴⁴

High volumes of other drugs, particularly opium and cocaine, have also been confiscated in recent years. Upon investigation, these drugs have been identified to be from Afghanistan. Similarly, drugs captured from different areas in Pakistan have also been reported as having originated in Afghanistan and been smuggled over the Pakistan–Afghanistan border.⁴⁴⁵

D. India

The Indian Directorate of Revenue Intelligence (DRI), Border Security Forces (BSF), and Narcotics Control Bureau (NCB), together with other Indian law enforcement agencies, have confiscated very large amounts of illicit drugs over the last decade. The major seizures occurred from 2011 to 2013, after the tightening of security in India due to terrorism-related threats. Over this period, the Indian authorities confiscated a record 105,173 tons of illicit drugs, which included different amounts of heroin, opium, cocaine, and marijuana (hashish). The highest amounts seized were reported in Punjab, with 7230 tons, and Assam, with 1500 tons. Hundreds of foreigners who were smuggling illicit drugs to India have been arrested at different Indian airports, with the 267 Nepalese at the top of the list. It is notable to mention here that the number of seizures taking place from 2011 to 2013 was 450 percent higher than previous years.⁴⁴⁶ This sudden increase in drug seizures

441. UNODC Drug Report 2015, *supra* note 16, at 59.

442. *Id.* at 28.

443. *Id.* at 40.

444. Javed Chaudhry, *27kg Heroin Recovered from PIA Aircraft at Karachi Airport*, DAWN (May 25, 2016), www.dawn.com/news/1260566.

445. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 121-22.

446. Chaitanya Mallapur, *India's Soaring Drug Problem: 455% Rise in Seizures*, INDIASPEND (June 26, 2015), www.indiaspend.com/cover-story/indias-soaring-drug-problem-455-rise-in-seizures-26787.

is attributable to the noteworthy efforts of Indian law enforcement agencies, which gave such successful results.

E. Africa

African antinarcotic agencies have also confiscated high amounts of illicit drugs over the past five years, with cannabis and heroin seizures reported to have been the largest in this region. The seizures in Algeria, Egypt, Morocco, Kenya, Tanzania, and Nigeria have been reported as 213 tons, 85 tons, 106 tons, 376 kilograms, 33,000 liters (of liquid heroin), 1029 kilograms, and 25 kilograms, respectively, in 2013–2014.⁴⁴⁷ The total of these seizures gives the highest amount of seizures of heroin in Africa in a year and it is 31.4 percent higher than 2012–2013.⁴⁴⁸

In this regard, most of the heroin was captured at the coastal areas of these countries and had come from seaports in Iran and Pakistan and some from Indian coasts.⁴⁴⁹

F. Southeastern Europe

Very high quantities of heroin have been confiscated from the Southeastern European region, including the Balkan states. The total amount seized was the highest in 2013, when 30 percent of global heroin seizures took place in this region. Turkey confiscated the highest amount of heroin, 25.5 tons, from 2012 to 2013. Armenia, with 916 kilograms, and Georgia, with 591 kilograms, were the other two countries with significant seizures of heroin in Southeastern Europe.⁴⁵⁰ The high amount seized in Turkey is attributable to a recent surge of drugs trafficking from Iraq to Turkey via Kurdistan. However, the Turkish government authorities have been successful in foiling the trafficking by confiscating a high amount of trafficked drugs in the region.⁴⁵¹

G. Western and Central Europe

Heroin, cocaine, cannabis, and opium seizures have been made by law enforcement agencies in Central and Western Europe. Belgium reported a record seizure of heroin in 2013 as its law enforcement authorities confiscated 1.23 tons of heroin. In previous years, its highest confiscated amount had been merely 110 kilograms.⁴⁵²

447. UNODC Drug Report 2015, *supra* note 16, at 59.

448. *Id.*

449. *Id.* at 45.

450. *Id.* at 43.

451. *Id.* at 44.

452. *Id.* at 47.

Cannabis has been seized in Spain in very high quantities and the seizure in 2013 was around 22.9 percent of the world's cannabis resin seizure in 2013.⁴⁵³ The maritime security agencies also captured smaller amounts of cocaine and opium that were being smuggled by individuals. The overall security checks at the seaports and airports have also been strengthened.

H. China

Successful operations against drugs trafficking have also been made by Chinese law enforcement authorities. The 8.55 tons of heroin confiscated in 2015 can be compared to the previous best of 7.3 tons seized in 2012.⁴⁵⁴

China has also implemented a strict security checking procedure at the border with Myanmar, from where the largest quantity of drugs has been smuggled to China. Chinese law enforcement authorities also hold a world record, confiscating around 1.3 metric tons of cannabis in a year (2002). Since then, it has arrested several drug traffickers and leaders of drug cartels and criminal mafias and has prosecuted some of them as well as implemented strict security checks on international borders and intercity routes. According to sources, the total quantity of drugs confiscated last year was 50 percent higher than that of 2014,⁴⁵⁵ which illustrates an increase in the efforts of Chinese law enforcement authorities in curbing drugs.

I. United States

An increase in confiscation of illicit drugs has also been observed in North America, particularly in the U.S. The amount of heroin captured in 2013 was 6.3 tons, which is the highest since 2006.⁴⁵⁶ In three years, the combined seizure reached 16.6 tons of heroin. Two tons of cocaine from a secret drug trafficking tunnel was also recovered by US law enforcement authorities. The tunnel connected the U.S. to Mexico and was used by smugglers to traffic drugs.⁴⁵⁷

453. *Id.* at 59.

454. *Id.* at 49.

455. Julie Makinen, *Drug Seizures Soar in China; Most Suspects are "Farmers and Unemployed"*, LOS ANGELES TIMES (Feb. 18, 2016), www.latimes.com/world/asia/la-fg-drugs-china-meth-ice-20160218-story.html.

456. UNODC Drug Report 2015, *supra* note 16, at 46.

457. Azadeh Ansari, *U.S.-Mexico drug tunnel spanned 800 yards, held 2 tons of cocaine*, CNN (Apr. 21, 2016), www.cnn.com/2016/04/20/us/u-s-mexico-drug-tunnel/index.html.

J. Australia and East Asia

Australia and New Zealand captured significant amounts of heroin at their airports and coasts. The highest seizure, 1.1 tons, took place in 2012.⁴⁵⁸ Globally, most confiscations of amphetamine-type stimulants were in East Asia. From 2011 to 2012, the amount seized doubled to 143 tons, the highest amount captured in the last two decades.⁴⁵⁹

The statistics shown for all regions mentioned above are quite extraordinary and indicate a significant increase in the quantity of drugs confiscated over the last five years. The efforts are proving successful for combating illicit drugs; however, there is still much room left as at present the global drug industry is worth billions of U.S. dollars.

X. HURDLES IN CURBING NARCOTICS

There are many hurdles in the way of completely preventing the use, manufacturing, and trafficking of illicit drugs. These hurdles allow the growth and strengthening of drug cartels and smugglers, as well as other crimes, such as corruption, fraud, money laundering, and bribery.

A. Surreptitious Spread

The dominant issue is that drugs are smuggled and sold surreptitiously, which makes it difficult for law enforcement agencies to track them. Drug manufacturers keep drugs in secret places and do not leave clues for antinarcotic agencies to the manufacturing of illicit drugs.⁴⁶⁰ Similarly, the clandestine movement of drugs within cities, colonies, and states is also an issue that requires particular attention.⁴⁶¹ Upon miscalculated operations by antidrug authorities, people complain about violations of their privacy. Therefore, there is a limit to security checking at the airports, as well as on cross-border or intercity routes. Raiding at houses is also criticized by citizens, particularly if no evidence or drugs are found in the house.⁴⁶² In such instances, the person whose house has been raided can file a legal case against the raiding agency. As a result, law enforcement agencies do not raid unless there is 100 percent accurate information about the

458. UNODC Drug Report 2014, *supra* note 22, at 21.

459. UNODC Drug Report 2015, *supra* note 16, at 68.

460. HAWDON, *supra* note 104, at 120.

461. PAMELA DONOVAN, DRINK SPIKING AND PREDATORY DRUGGING: A MODERN HISTORY 6 (2016).

462. For instance, as elucidated by BRIAN K. PAYNE AND RANDY R. GAINES, DRUGS AND POLICING: A SCIENTIFIC PERSPECTIVE 67 (2005).

presence of illicit drugs or smugglers or members of drug mafia in a house.⁴⁶³ This keeps law enforcement away from those who are running drug-related businesses secretly.

B. Availability of Dealers

Another problem is that drug dealers have a presence in almost every city or state/province of all countries. They are closely connected with the people and sell drugs surreptitiously to them by making them addicted to drugs.

The main issue is that they remain unnoticed by law enforcement authorities because of their deceptive appearance and undercover drug selling.⁴⁶⁴

Furthermore, drug sellers expand their presence by recruiting some of their permanent customers, who show a willingness to earn high incomes by selling drugs and allocating certain regions to them to sell drugs. These new dealers are assigned monthly or yearly drug sale targets. This cycle continues indefinitely unless they stop selling drugs or are tracked down by law enforcement authorities. Even if one drug dealer is arrested, others resume their drug selling assignments in other locations and remain undetected by changing their appearance.

The main reason behind the availability of drug dealers in every region is that they get significant income from selling drugs.⁴⁶⁵ The money they make may be more than what they would earn working for meager salaries.⁴⁶⁶ On the other hand, it is possible that they become stuck in unemployment and the poverty trap and adopt drug dealing as their means of subsistence.⁴⁶⁷ As a result, they remain dedicated to their drug dealing and work hard to earn money while also remaining undercover so as to not ruin their only way of earning. Unemployment and poverty are, therefore, the leading promoters of drug dealing and related financial crimes.⁴⁶⁸ Young people are most vulnerable to unemployment and poverty, particularly, if government policies do not generate jobs for them.⁴⁶⁹

463. For instance, the clandestine drug laboratories create hazards for the law enforcement agencies in making raids, when they could not be traced or located accurately by the law enforcement agencies. For details see CHRISTINE HESS ORTHMANN & KÄREN M. HESS, *CRIMINAL INVESTIGATION* 568 (2012).

464. *Id.*

465. DAVID KERR, *THE VOICES OF INTEGRITY: COMPELLING PORTRAYALS OF ADDICTION* 142 (2015).

466. MARCELLUS WILLIAM ANDREWS, *THE POLITICAL ECONOMY OF HOPE AND FEAR: CAPITALISM AND THE BLACK CONDITION IN AMERICA* 193 (1999).

467. MARJORIE LARMOUR & WILLIAM TREGGA, *THE PRISONERS' WORLD: PORTRAITS OF CONVICTS CAUGHT IN THE INCARCERATION BINGE* 286 (2009).

468. ALICE WUERMLI, *CHILDREN AND YOUTH IN CRISIS: PROTECTING AND PROMOTING HUMAN DEVELOPMENT IN TIMES OF ECONOMIC SHOCKS* 211 (2012).

469. BERNARD HEALEY & ROBERT ZIMMERMAN JR., *THE NEW WORLD OF HEALTH PROMOTION* 181 (2010).

C. Close Contact with Government Officials

A major problem that restricts the antinarcotic operations of government agencies is the fact that the drug lords and members of drug mafias have close contact with powerful government officials. If they do, they can continue their illicit drug trade alongside their legal business, smuggling drugs abroad, along with the products they export for their business. They use their close contact with government officials to escape the law enforcement authorities. Many of the drug smugglers have contact with airport security or law enforcement agencies, who then clear their luggage containing illicit drugs without them being detected in the scanners. Hence, in this way, they continue the trafficking of drugs without getting tracked.

D. Drug Cartels

Drug cartels create hurdles in law enforcement agencies' efforts of curbing drugs. Drug cartels are the powerful organizations that manufacture and traffic drugs on a massive scale;⁴⁷⁰ they also have quantities of weapons and safe havens for drug traffickers and illicit drugs. They create massive resistance upon any action taken against them by the antidrug agencies and finance terrorist activities as a show of power to their opponents, as well as to state authorities, particularly in response to any legal action that is taken against them.⁴⁷¹

The drug cartels create giant but organized networks that continue manufacturing and trafficking narcotics while staying undercover.⁴⁷² These networks ensure the manufacturing and trafficking of drugs, as well as protecting drug cartel leaders from being tracked by law enforcement authorities. Usually they traffic millions, and sometimes billions, of dollars of illicit drugs.⁴⁷³ Mexico, Colombia, and Venezuela are considered the hubs for drug cartels. Ironically, leaders, called drug lords, and members of drug cartels take part in political campaigns and acquire political power by winning elections. Eventually, they use their political power to support and safeguard their illegal drug trafficking business.⁴⁷⁴

470. ROCKEFELLER, *supra* note 163, at 1.

471. CHU, *supra* note 165, at 1.

472. CAMPBELL, *supra* note 167, at 19.

473. ROTH, *supra* note 164, at 220.

474. FARER, *supra* note 173, at 130.

E. Weaknesses of Law Enforcement Agencies

The weakness of law enforcement and antinarcotic agencies is a major reason for failure in preventing the expansion of drug manufacturing and trafficking activities.⁴⁷⁵ The deficiency of resources and effective infrastructure available to the law enforcement agencies of developing and poor countries is a reason for their weakness.⁴⁷⁶

Moreover, a lack of antidrug policies and inefficient implementation of existing policies are also reasons for the failure of law enforcement and antidrug authorities in curbing drugs.⁴⁷⁷ In this regard, corruption is also another major factor, preventing the accurate allocation and usage of resources, as well as the effective implementation of antidrug policies by law enforcement agencies.⁴⁷⁸

F. Meager and Contradictory Legislation

In some countries, there are insufficient laws to curb the trafficking, cultivation, and sale of illicit narcotic drugs. For instance, in Myanmar and Afghanistan, which are the top two producers of opium, the law is inadequate.⁴⁷⁹ Myanmar is also included in the Golden Triangle, which is the center of global illicit drugs trafficking.⁴⁸⁰ Owing to its insufficient legislation, drug traffickers have made it a transit hub for trafficking illicit narcotic drugs to Southeast Asia, Australia, and Africa.⁴⁸¹ Myanmar has also been criticized by the United States Drug Enforcement Agency for its ineffective and insufficient measures for curbing drugs trafficking to North America.⁴⁸²

On the other hand, in Mexico, there is no office for drugs policy.⁴⁸³ This means there is a lack of a dedicated authority to regulate, supervise, and control antidrug measures. Furthermore,

475. See PETER ANASSI, *CORRUPTION IN AFRICA: THE KENYAN EXPERIENCE* 66 (2004).

476. U.S.IBP, *PHILIPPINES JUSTICE SYSTEM AND NATIONAL POLICE HANDBOOK 22* (Vol. 1, 2013).

477. ANASSI, *supra* note 475, at 66.

478. *Id.*

479. Vanda Felbab-Brown, *The Drug-Conflict Nexus in South Asia: Beyond Taliban Profits and Afghanistan*, BROOKINGS.EDU 95, www.brookings.edu/wp-content/uploads/2016/06/05_regional_counternarcotics_felbabbrown.pdf (last visited Dec. 28, 2016); see also *China's Drug Habit Fuels Return of the Golden Triangle*, BBC NEWS (Sept. 17, 2015), www.bbc.com/news/world-asia-34268572.

480. HAWDON, *supra* note 460.

481. *2016 International Narcotics Control Strategy Report*, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS (2016), www.state.gov/j/inl/rls/nrcrpt/2016/vol1/253246.htm; see also BILL HEBENTON ET. AL, *HANDBOOK OF ASIAN CRIMINOLOGY* 119 (2012).

482. *Id.*

483. See Hernández, *supra* note 111, at 61.

it creates an ambiguous situation where antinarcotic laws are in effect but are not supervised by any office. Rather, antidrug measures are entrusted to the Ministry of Public Security and Defense,⁴⁸⁴ despite the fact that this department has nothing to deal with drugs policy. It is probably a result of this such absence of a dedicated authority or office that antinarcotic policy is not implemented and monitored as efficiently as it ought to be. The Mexico–U.S. international border is a main transit hub for drug traffickers, smugglers, and drug lords.⁴⁸⁵ Therefore, it inevitably demands coordinated legislation and the implementation of effective antidrug policies.

Unfortunately, the gun laws in certain states in the U.S. are also negatively affecting the implementation of Mexican antidrug laws.⁴⁸⁶ Drug cartels and traffickers are acquiring guns on a large scale, placing difficulties on local police whenever an encounter between police and drug cartels takes place on either side of the Mexico–U.S. border.⁴⁸⁷ Furthermore, guns are acquired from the U.S. and transported to Mexico by smugglers.⁴⁸⁸ Hence, in fact, the gun laws in the U.S. are favoring the drug industry in Mexico and encouraging/facilitating drug lords to make/in making their drug cartels more powerful in the Mexico–U.S. border region.⁴⁸⁹ This, in turn, is facilitating the trafficking and manufacturing of illicit drugs on a large scale. Here, one can assert that the gun laws in southern U.S. states are harmful to the successful implementation of antinarcotic drug policies and laws, both in Mexico and in the U.S.

G. Bribery

Bribing officials at airports and borders has become a major factor facilitating the trafficking of drugs across these borders and at airports.⁴⁹⁰ This activity takes place surreptitiously and it is very difficult to track it.⁴⁹¹ The smugglers give a chunk of money to guards or senior security officials to clear their baggage and themselves for travel, and thus traffic the drugs.⁴⁹² The drug dealers

484. *Id.*

485. MUEHLMANN, *supra* note 83, at 5.

486. Christopher Ingraham, *Why Mexico's Drug Cartels Love America's Gun Laws*, THE WASHINGTON POST (Jan. 14, 2016), www.washingtonpost.com/news/wonk/wp/2016/01/14/why-mexicos-drug-cartels-love-americas-gun-laws/?utm_term=.1c79fd184b95.

487. *Id.*

488. *Id.*

489. *Id.*

490. FRANKLIN P. WILLIAMS & MARILYN D. MCSHANE, DRUG USE AND DRUG POLICY 338 (1997); *see also* SAYAKA FUKUMI, COCAINE TRAFFICKING IN LATIN AMERICA: EU AND US POLICY RESPONSES 62 (2016).

491. *Id.*

492. ALEC DUBRO & DAVID KAPLAN, YAKUZA: JAPAN'S CRIMINAL UNDERWORLD 255 (2012); *see also* DAVID BOAZ, THE CRISIS IN DRUG

also use bribery when arrested to escape imprisonment or to continue their drug trafficking in jail.

H. Decriminalizing Narcotics

A number of countries have decriminalized the possession and sale of narcotic drugs.⁴⁹³ For instance, the South African parliament has endorsed a bill that has legalized the production, possession, use, distribution, and sale of cannabis throughout the country.⁴⁹⁴ Similarly, Switzerland, the Netherlands, the Czech Republic, and Uruguay are other countries that have legalized the use of marijuana.⁴⁹⁵ Cannabis is also common in Germany and it is almost getting legal status in France.⁴⁹⁶

On a similar note, Canadian Prime Minister has promised in a recent debate of the Liberal Party in Canada, that recreational cannabis will be decriminalized.⁴⁹⁷ Furthermore, Uruguay has also legalized the sale, use, and distribution of cannabis throughout the country.⁴⁹⁸ Such decriminalization of drugs may increase the drugs' use and trafficking as it may invite drug traffickers to smuggle more amounts of illicit drugs to these countries and to their neighboring states.⁴⁹⁹

Decriminalizing narcotic drugs can help only if special policy measures are implemented by countries to curb the use of illicit drugs. For instance, Portugal has implemented effective policies for

PROHIBITION 70 (1991).

493. SHAHID M. SHAHIDULLAH, *CRIME POLICY IN AMERICA: LAWS, INSTITUTIONS, AND PROGRAMS* 112 (2008).

494. Hanibal Goitom, *Decriminalization of Narcotics: South Africa*, LIBRARY OF CONGRESS, www.loc.gov/law/help/decriminalization-of-narcotics/outhafrica.php (last visited Apr. 22, 2017).

495. Thor Benson, *These 5 Countries Have the Best Drug Laws in the World*, ATTN (May 8, 2015), www.attn.com/stories/1604/countries-with-the-most-progressive-drug-laws-world.

496. BRICE DE RUYVER & CYRILLE J.C.F. FIJNAUT, *THE THIRD WAY: A PLEA FOR A BALANCED CANNABIS POLICY* 83 (2015).

497. Reuters in Toronto, *Canada to Introduce Legislation to Decriminalize Recreational Cannabis*, THE GUARDIAN (Apr. 20, 2016), www.theguardian.com/world/2016/apr/20/canada-legislation-decriminalize-recreational-cannabis-weed-marijuana.

498. Thor Benson, *These 5 Countries Have the Best Drug Laws in the World*, ATTN (May 8, 2015), www.attn.com/stories/1604/countries-with-the-most-progressive-drug-laws-world.

499. The drug use will surely increase owing to the decriminalization of drugs, but it will increase only in the short run. According to him, there are other benefits that can be achieved by decriminalizing drugs as a result of curbing drug-related problems. See GLENN D. WALTERS, *DRUGS, CRIME, AND THEIR RELATIONSHIPS* 442 (2013). The criminalization of drugs creates problems, whereas the decriminalization may also increase the usage and possession of illicit drugs. See ANTHONY HARRIOTT ET AL., *CARIBBEAN DRUGS: FROM CRIMINALIZATION TO HARM REDUCTION* (2013).

rehabilitating drug-addicted people.⁵⁰⁰ It has decriminalized all drugs with the rationale of spending on the rehabilitation of drug-addicted people instead of punishing them.⁵⁰¹ Astonishingly, the use of illicit drugs and related problems have declined significantly since the decriminalization of drugs in Portugal.⁵⁰² However, such policies are not being implemented efficiently in other countries that have decriminalized narcotic drugs. This has resulted in an increase in their respective legalized drug use in the aforementioned countries.

XI. PLAN OF ACTION (RECOMMENDATIONS) TO CURB ILLICIT DRUG CULTIVATION, USE, AND TRAFFICKING

A few recommendations for curbing the addiction to and selling, smuggling, manufacturing, and trafficking of illicit drugs are provided below.

A. Strict Checks on Intercity and Interprovince Routes

Strict security checking should be applied on intercity and interprovince routes, as these routes are used by drug traffickers for supplying drugs within cities, as well as between provinces. A strict security check would impede the trafficking and selling of drugs in a country, which would eventually prevent the rapidly increasing use of and addiction to illicit drugs.

B. Strict Checks at Schools, Colleges, and Universities

Strict security checking should be applied in schools, colleges, and universities to prevent their students from approaching drug dealers and vice versa. A very high percentage of students have been found to be using illicit drugs in almost every region of the world. Therefore, they should be monitored and, if any drug seller contacts them, the person should be tracked and reported to law enforcement authorities. Students are the future of a nation and making them drug addicts is akin to damaging the future of a country; as a result, students must be protected from the drug mafia as illicit drug dealers can destroy the lives of the students by making them addicts to illicit drugs in the name of momentary recreation and fun.

500. DONALD E. KLINGNER & ROBERTO MORENO ESPINOSA, USING THE "NARCOTRAFICO" THREAT TO BUILD PUBLIC ADMINISTRATION CAPACITY BETWEEN THE US AND MEXICO 30 (2014).

501. *Id.*; see also DANIEL REUBEN YABLON, THE EFFECT OF DRUG DECRIMINALIZATION IN PORTUGAL ON HOMICIDE AND DRUG MORTALITY RATES 2 (2011).

502. See KLINGNER & ESPINOSA, *supra* note 500, at 30.

C. Strict Monitoring of Commercial and Public Places

A strict security check should also be maintained at businesses, as well as public places such as restaurants, plazas, and parks. Any drug user or seller found at such places should be arrested or fined heavily to prevent that person, and others in society, from using drugs in public.

D. Mechanism to Track Drug Sellers

A proper mechanism and joint cooperation should be established by law enforcement authorities and antinarcotic agencies for tracking, detecting, and preventing illicit drug smuggling. This mechanism must also use state-of-the-art technological applications and systems to keep track of drug addicts and drug sellers, as well as to monitor public places and commercial business plazas to identify any kind of illicit drug trade.

E. Strict Check on Employees of the Airport Authorities

A strict check on the employees of the airport authorities should also be maintained because the drug traffickers and criminals bypass airport security protocols with the assistance of one or more airport authority employees. Strict monitoring will flag whether employees take bribes from any passenger who comes to or leaves the airport. Hidden cameras at airports near checking areas and near employees can also be installed to keep an eye on luggage checking and on employees to check whether they take bribes from specific passengers or work diligently. This will also prevent money laundering and smuggling, alongside curbing drug trafficking.

F. Scanning Containers at the Torkham Border

As mentioned above, sealed containers of drugs travel from Afghanistan to Pakistan via the Torkham border.⁵⁰³ Therefore, applying strict security checks at the Torkham gate and checking the sealed containers can reduce drug trafficking from Afghanistan to a great extent. Scanners should be applied at Torkham and other significant trading routes. It is difficult for the Pakistani government to install a fence or wall along the whole Durand Line; however, securing some key trafficking routes, such as Torkham, would not only significantly reduce the drug trafficking across the Pakistan–Afghanistan border but would also discourage drug

⁵⁰³ *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*, *supra* note 81, at 121.

traffickers from smuggling drugs through the key gates of the Pakistan–Afghanistan border.

G. New Anti-Drug Legislation Required

New legislation is required at both the national and international levels. Such laws are required to impose a ban on the cultivation, promotion, possession, and trafficking of illicit narcotic drugs. For instance, the media plays a role in promoting certain drugs, particularly tobacco and alcohol. Therefore, new laws are required that prohibit TV channels, movies, and other media screens to promote or show any drug on the screen. Any TV program or movie that depicts a famous actor smoking or using any other drug, i.e., weed, alcohol, etc., that program or movie should have heavy fines imposed or temporarily banned from the screen, or its producers should be penalized showing drug use.

On a similar note, such laws should be legislated and implemented actively that may allow public or private school authorities to inspect the bags of every student to check if any student has any suspicious illicit drug, even a cigarette, in their school bag. If such a drug is found, the parents of the student must be immediately informed of it. Furthermore, primary, secondary, and high school authorities should be permitted by new legislation to monitor the activities of their students and investigate anyone found to be suspiciously contacting strangers or anyone in the school on regular basis. Drug sellers are covertly spreading illicit drugs to school students by making friendships with them, and by selling the drugs to them on particular regular basis.

In addition, new laws are required in the countries that are considered either the transit hubs of drug trafficking or the largest producers of certain illicit narcotic drugs. For instance, new laws with stricter punishments for cultivating and trafficking illicit drugs are required in Afghanistan, where the current law has not provided fruitful results in curbing the large-scale cultivation and trafficking of narcotic drugs. Furthermore, in Mexico, which is the main route of trafficking narcotic drugs to U.S. and Canada, current antidrug laws need to be implemented effectively. For this purpose, it is suggested that a separate department needs to be created by the government that should have the goal of curbing the trafficking and manufacturing of illicit narcotic drugs, as at present there is no proper office or department that is regulating or controlling drug policy in Mexico.⁵⁰⁴ Only ministers in the Ministry of National Defense and Security Department are supervising the national drug policy⁵⁰⁵ However, these ministers already have so much on their

504. *See* Hernández, *supra* note 111, at 61.

505. *Id.*

plate, i.e., the responsibilities of the national security and defense ministry, that they are unable to give priority attention to the implementation of the Mexican antidrug policy. Myanmar, which is also included in the Golden Triangle, is in a similar position.⁵⁰⁶ Such legislative deficiencies need to be tackled first to curb the trafficking and manufacturing of narcotic drugs from the main transit hubs of drug trafficking.

Another suggestion is to create special antinarcotic courts at the state level, which may hear only cases related to the trials of offenders against national drug policies. The performance of these courts should be reviewed on an annual basis by the national authorities to check if they are penalizing culprits or whether criminals had been released. There should be a zero-tolerance policy for drugs traffickers and producers, especially in regions where drugs trafficking and manufacturing are prevalent.

In addition to the penalties, drug rehabilitation centers should be created as well. These centers should provide treatment for drugs addicts free of cost and should be funded by state authorities. Furthermore, such centers should also be made in the jails, where drugs are prevalent. Legislation can be made for implementing the aforementioned policies and suggestions.

Furthermore, possessing, using, trafficking, selling, and manufacturing all illicit narcotic drugs should be banned and criminalized at the federal, provincial, and district levels. The only exception to this rule should be the use of drugs for medical purposes, and a permit should be made necessary for using, selling, or buying any illicit drug for medical purposes. If the drug is required in an emergency and the permit is not available, then the permit needs to be acquired after the use of drug, else the action of using the drug should be recognized as an offense to the law.

XII. CONCLUSION

Drug addiction has become a significant problem as a significant number of people use illicit drugs. HIV-AIDS, Hepatitis C, and premature deaths are some of the consequences of high drug use.⁵⁰⁷ Drug dealers are present worldwide and traffic drugs to teenagers and adults, men and women, in every country of the world. Certain regional routes, such as the Balkan route (near the Balkan states),⁵⁰⁸ the Golden Triangle (Burma, Thailand, and Laos),⁵⁰⁹ the Pakistan–Afghanistan border,⁵¹⁰ and the Mexico–U.S.

506. HAWDON, *supra* note 460.

507. UNODC DRUG REPORT 2016, *supra* note 36, at ix.

508. LOUISE SHELLEY, *DIRTY ENTANGLEMENTS: CORRUPTION, CRIME, AND TERRORISM* 218 (2014).

509. HAWDON, *supra* note 460.

510. SMALL ARMS SURVEY 2012: MOVING TARGETS 335 (2012).

border,⁵¹¹ are considered transit hubs for the trafficking of illicit drugs. Opium, cannabis, heroin, alcohol, and amphetamines are the most used illicit drugs. Afghanistan produces 85.8 percent and 77 percent of the world's opium and heroin, respectively.⁵¹² Burma is the second largest producer of opium.⁵¹³ Central and South American countries, namely Mexico, Colombia, and Venezuela, produce the highest amounts of cannabis.⁵¹⁴

Unemployment, poverty,⁵¹⁵ weak law enforcement regulations,⁵¹⁶ ineffective antidrug policies,⁵¹⁷ and corruption in law enforcement agencies are contributing factors. When combined with a favorable climate and atmosphere, fertile soil, and arable land for drug plantation, this induces local farmers to cultivate crops suitable for illicit drugs.⁵¹⁸ Drug cartels, smugglers, and drug dealers approach drug cultivators and traffic raw drug plants to illicit laboratories or other countries or convert them into powder or similar form for consuming and selling.⁵¹⁹

Europeans and Russians have the highest demand for heroin,⁵²⁰ while U.S. citizens prefer marijuana and alcohol.⁵²¹ Other countries have different numbers for the use of illicit drugs. Drugs are promoted by music, movies, TV advertisements,⁵²² posters, social media,⁵²³ etc. Drug dealers approach the youth, particularly students at colleges and universities, make friends with them, and sell them drugs to make them addicted. In this regard, the drug dealers manufacture, sell, and traffic drugs surreptitiously, which makes it difficult for law enforcement agencies to track them down.⁵²⁴ When caught, many drug dealers, particularly drug lords,

511. MUEHLMANN, *supra* note 83, at 5.

512. UNODC Drug Report 2015, *supra* note 16, at 42.

513. KO LIN CHIN, THE GOLDEN TRIANGLE: INSIDE SOUTHEAST ASIA'S DRUG TRADE 115 (2009).

514. BRIAN HAMNETT, A CONCISE HISTORY OF MEXICO 13–23 (2006).

515. ALICE WUERMLI, CHILDREN AND YOUTH IN CRISIS: PROTECTING AND PROMOTING HUMAN DEVELOPMENT IN TIMES OF ECONOMIC SHOCKS 211 (2012).

516. U.S.IBP., *supra* note 476.

517. ANASSI, *supra* note 475, at 66.

518. ADAM PAINE & JACKY SUTTON, RECONSTRUCTING AGRICULTURE IN AFGHANISTAN 215 (2008).

519. TAYLOR & MANSBACH, *supra* note 160, at 400.

520. UNODC Drug Report 2015, *supra* note 16, at 5.

521. Substance Abuse and Mental Health Services Administration, *Results from the 2013 National Survey on Drug Use and Health: Summary of National Findings*, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (2013), www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf

522. SHANE BLACKMAN, CHILLING OUT: THE CULTURAL POLITICS OF SUBSTANCE CONSUMPTION, YOUTH AND DRUG POLICY 127 (2004).

523. *Social media can influence teens with pro-drug messages*, *supra* note 364.

524. PAMELA DONOVAN, DRINK SPIKING AND PREDATORY DRUGGING: A MODERN HISTORY 6 (2016).

escape from prison by bribing police officials.⁵²⁵ Drug lords are the leaders of drug cartels and are responsible for managing the drug manufacturing and trafficking activities of their cartel. Drug cartels are the global undercover organizations that manufacture and traffic drugs on an international scale.⁵²⁶ They traffic drugs worth billions of dollars, mainly to Europe, North America, East Asia, Southeast Asia, and different other regions of the world.⁵²⁷

Links between drug traffickers and terrorist and anti-state agencies have been discovered. Terrorist organizations also traffic drugs to finance their illicit terrorist activities. The United Nations Drug Control Program has provided a forum for connecting the international antinarcotic and law enforcement agencies for curbing drugs.⁵²⁸ Antinarcotic agencies in different countries collaborate with each other to curb these links, as well as to arrest the culprits. For instance, the joint operations of the antinarcotic agencies of three neighboring countries, Pakistan, Iran, and Afghanistan, have together captured more than 90 percent of the opium and 75 percent of the heroin seized in the world.⁵²⁹ By enhancing the cooperation and security protocols at the airports, cross-border, interstate and intercity routes, the drug curbing strategies can generate more profound results.⁵³⁰

525. ALEC DUBRO & DAVID KAPLAN, *YAKUZA: JAPAN'S CRIMINAL UNDERWORLD* 255 (2012)

526. CAMPBELL, *supra* note 167, at 19.

527. ROTH, *supra* note 164, at 220.

528. BARBARA KWIATKOWSKA & HARM DOTINGA, *INTERNATIONAL ORGANIZATIONS AND THE LAW OF THE SEA* 239 (2001).

529. UNODC Drug Report 2015, *supra* note 16, at 42.

530. *Afghanistan, Iran and Pakistan Strengthen Anti-Drug Trafficking Initiative*, UNITED NATIONS OFFICE ON DRUG AND CRIME (Nov. 25, 2010), www.unodc.org/unodc/en/frontpage/2010/November/afghanistan-iran-and-pakistan-strengthen-unodc-brokered-anti-drug-trafficking-initiative.html.

