

Role of United Nations in Illicit Drug Control: An Analysis

Dr.E.Prema

Abstract

The drugs invention has always been in the process of helping and protecting the humankind. The drugs usage also has many demerits which cause various impacts to the society, like misuse of drugs, production of illegal drugs and trafficking of narcotic drugs. Consequently, there seems to be a gradual increase of drug abuse among children and younger generation and the international community is under a compulsion to control the illegal production and trafficking of narcotic drugs. There are many non-governmental organizations which work actively to control drug abuse. One such organization is the Federation of Non-Government Organizations Against Drug Abuse (FONGOADA). Article 71 of the UN Charter recognizes the role played by the NGOs in drug demand reduction. The UN Bodies like the United Nations International Drug Control Programme in cooperation with NGOs has emphasized in control of drug abuse. The United Nations Office on Drug and Crime (UNODC), apart from NGOs, involve in research work and collection of data for an effective control of drug abuse and illegal drug traffic. The member states have the responsibility to utilize the data and information provided by the UNODC in its annual reports and the World Drug Reports, to formulate the appropriate national policies for controlling illegal drug trafficking and drug abuse. India's effort in combating illegal drug trafficking and drug abuse is effective, but the question of increasing drug abuse cases during COVID-19 pandemic period establishes the ineffectiveness in the law enforcing mechanism. With a charge to create the earth as a safer place from all the drugs as well as the crime, the UNODC is working towards to assist the Member States to execute the 2030 Agenda for Sustainable Development Goals, as it has the ability to bring numerous elements together as a complete and forward- looking structure, which at one side clearly acknowledges the interconnection between sustainable development, and on the other side it helps the challenges regarding the issues related to drugs and crime, which includes corruption and terrorism. This paper will analyse the importance of the United Nations in illegal drug control and its related problems in South Asian countries on illegal drug trafficking.

Key Words: *Drug Trafficking, Abuse, World Drug Reports, United Nations, Sustainable Development Goals*

Introduction

The United Nations Sustainable Goal 3 “ensure healthy lives and promote well-being for all at all ages”. The World Drug Report 2020, has stated that around 269 million people used drugs. Realizing the truth that better knowledge provides greater international cooperation for confronting the impact caused because of the usage of illegal drug trafficking and drug abuse, the UN formulated the theme for the year 2020 as “Better Knowledge for Better Care” for International Day Against Drug Abuse and Illicit Trafficking. It is the poor and vulnerable who pay the price for the drug problems. The effect of drug is quite similar in any economy. On account of illegal drug trafficking and drug abuse, the developing countries along with the underdeveloped countries suffer at a larger rate. The ultimate is the health and social system which is brought to the edge. Economic constraints because of the global COVID- 19 seem to have been intensified the danger for the groups of people who are unprotected, like those consuming drugs. For instance, alterations in labour markets, like the rise in joblessness, seem to have increased the usage of drugs in the previous years, and the pandemic has compelled tens of millions of people in the world to become unemployed.¹

United Nations Office on Drug and Crime (UNODC)²

United Nations have a progressive vision and also have taken initiatives in fighting the abuse and illegal trafficking of drugs. It had three important treaties The Single Convention on Narcotic Drugs of 1961, The Convention on Psychotropic Substances, 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. Moreover, these treaties are mutually supportive and complementary. The first two Conventions establish and pave way to organize globally relevant control measures in distributing the drugs in illegal channels. Further, the 1988 Convention, besides combating illegal drug trafficking, it involves in controlling money- laundering as well. The three Conventions extent its potential purposes to the Commission on Narcotic Drugs and the International Narcotics Control Board.

Parties of 1961 Convention have agreed to limit in producing, manufacturing, exporting, importing, dispersing and stocking of, trading in, using and owning of the controlled drug like opium(natural products), and its derivatives, morphine, heroin and codeine. The 1961 Convention controls synthetic drugs as well like methadone and pethidine, cannabis and coca leaf. Every state must supervise on the process of production and distribution of the controlled drugs and its relevant issues like the license for controlled drugs. The state must provide particulars to the International Narcotic Control Board, through statistical means associating to quantities of the necessary drugs required, the details of production of the controlled drugs as well its utilization. It is the responsibility of the government to provide statistical returns regarding the quantities of the drug seized by police officers as well as the custom department.

¹ The Executive Summary-Impact of COVID-19, Policy Implications. World Drug Report 2020.p-10 . Available at https://wdr.unodc.org/wdr2020/field/WDR20_BOOKLET_1.pdf Last accessed on 01.03.2021

² Official page of the Office on Drug and Crime. Available at <https://www.unodc.org/unodc/en/index.html>. Last accessed on 12.03.2021

The illegal drug traffic has various other related issues, against which the states work in establishing special legislations. The United Nations Office on Drugs and Crime under the auspicious of UN works in controlling drugs as well as its consequential issues like the organized crimes, corruption and terrorism. The world nations has the responsibility to take trafficking of drugs and its abuse as a serious issue and function cooperatively to combat the drugs related issues. To attain the Sustainable Development Goals, the UNODC is obliged to work along with the world nations. The 2030 Agenda distinctly acknowledges that the rule of law and fair, effective and humane justice systems, and also health-oriented responses to drug use, are considered as enablers for and part of sustainable development.³The functions of UNODC are spread out over 80 countries by the global network with its 115 field offices with 2,400 personnel. The UNODC's involvement in controlling the usage of drugs, in addition to other organizations like World Customs Organization(WCO) to carry out the Container Control Programme(CCP) to support the Member States to create an operating, multi-agency Port Control Units(PCUs)at recognized airports, seaports and land border crossing. The above mentioned is considered to be an effective role of UNODC which helps in improvising the safety of the international containerized trade supply chain as well as in detecting illegal goods in high-risk shipments.

In response, UNODC has assisted in executing the West African Epidemiology Network on Drug Use (WENU) as well as had an opportunity to publish initial report of network covering (2014-2017) in October 2019. This data was solely connected to drugs (treatment and drug seizures) which was presented by the 15 ECOWAS Member States and Mauritania, which throws light on drug trafficking and abuse being a threat to the socio- political strength as well as the financial strength of the region. Such developments have showcased the results which have raised the global efforts to diminish pessimistic outcomes relating to the dependence of drug on health, social cohesion as well as strength of the region. For instance, the Office have specially lent a hand of support to the Government of Senegal in the development of a National Drug Information System which is anticipated to be set out as a sub-regional observatory on drugs in other West African francophone countries in the coming years. In Nigeria, the government has been assisted by the UNODC regarding the design and execution of the country's first survey on cannabis cultivation.⁴

World Drug Report, 2020⁵

It is an immense challenge for the world nations to oppose and resist the illegal drug trade. Consequently, this seems to undermine the world at a larger scale. Moreover, it is essential for the international community to provide with a study and research regarding the illegal drug trafficking as well its various effects on the society. Subsequently, the United Nations Drug Control Programme in 1997 released its World Drug

³ About the United Nations Office on Drugs and Crime. Available at <https://www.unodc.org/unodc/en/about-unodc/index.html> . Last accessed on 01.03.2021

⁴*Ibid*

⁵ The World Drug Report provides an annual overview of the major developments in drug markets for the various drug categories, ranging from production to trafficking, including development of new routes and modalities, as well as consumption. Available at <https://www.un-ilibrary.org/content/periodicals/24118338>. Last accessed on 05.03. 2021

Control Report. The annual World Drug Report highlighted the current happenings in the drug markets as well as in many countries and has sustained to be as an international standard regarding data and analysis associated with drug issues of the world.

The World Drug Report comprises of six booklets which provides ample information. The World Drug Report, 2020 centers especially on the COVID-19 situation and also regarding the review of the illegal drug trafficking and abuse.

- i. **Booklet 1** This furnishes the particulars concerning the effect of -the pandemic on the drug markets. In both developed and developing countries the consumption of drugs is higher in urban areas compared to the rural areas. For instance, worldwide the utilization of cocaine is extensive in the developed nations. This means that the increase in wealth had alongside pavedway to the rise in drug consumption. Provided, the wealthier sectors is influenced by the increased usage of drug in the society. Ironically, transmission to drug usage disorder is further pervasive amidst those in the lower economy. There has been a prediction made that the farmers because of the impacts of COVID-19 on their likelihood, they might be forced to opt the illicit crop cultivation. At present the world is confronting an economic crisis where all the countries would concentrate on the most affected sectors which are directly connected to the economic development. The report further proclaims that the utilization of new psychoactive substances like synthetic cannabinoids may be stuck among the vulnerable group like homeless and prison inmates. Apart from this, in 2018 in high income countries, above 90 percent of all pharmaceutical opioids available for medical consumption. The trafficking of drugs like cocaine are shipped by alternative means. As an impact of COVID measures has led to stockpiling of drugs. This will result in oversupply of drugs that are of high-purity and low-cost and will pave way to a rise in the danger of drug overdose. People having disorders regarding their drug usage disorders are at higher risk and are prone to COVID-19 as well. Besides these issues, the rise in the burden of the citizen's well being generated by non-medical usage of pharmaceuticals, that has come up in some places, requests for national policies which can bring a correct stability so that access to medications is given, for instance to manage pain or for palliative care, while averting the progress of a market for non-medical usage of these kind of medications.⁶ The first Booklet of the Report also highlighted the issues of women and other vulnerable group who can become the target for the drug addicts who involve in offences. Finally, it is proposed that the international cooperation will direct the transnational nature concerning the drug issues.
- ii. **Booklet 2 which is on Drug use and Health Consequences:** this provides an overview concerning global trends in the usage of drugs including disorders as well as other health reactions. The individuals who are pertained to the disorders of drug use are the first who are left behind by the society. This booklet furnishes for the drugs demand for global epidemics like HIV and Hepatitis C. It also furnishes regarding the drugs available in some illegal market and also regarding the usage of

⁶The Executive Summary-Impact of COVID-19, Policy Implications. World Drug Report 2020.p-31. Available at https://wdr.unodc.org/wdr2020/field/WDR20_BOOKLET_1.pdf . Last accessed on 13.03.2021

drugs like cannabis, cocaine and heroin. This booklet showcases the data of drug users of this kind in comparison to past year with 2018.

- iii. **Booklet 3 focuses drug supply:** The booklet discusses the drug supply along with a review of illegal crop cultivation. Additionally, it also furnishes about the trends relating to trafficking at both universal and regional level. The data on drug seizures in 2018 is a treasure of information. Cannabis-5,610 tons, cocaine 1,311 tons, opium 704 tons, 228 tons of methamphetamine, 139 tons of heroin and morphine, pharmaceutical opioids- 73 tons, 21 tons of amphetamine and 12 tons of ecstasy were seized in 2018. According to the report most of the opiates seized are said to be around from the main opium production areas. Thus Asia, stands as a host to more than 90 per cent of global illegal opium production as well as the world's largest opium consumption market. Moreover, for about 80 per cent of all opiates captured worldwide is from the Asian continent, as expressed in heroin equivalents, in 2018.⁷
- iv. **Booklet 4 provides for cross-cutting issues: evolving trends and new challenges:** This explains the matters and complexity prevailing in the current universal drug market like the latest materials setting foot in the market as well as enlarging the drug market. This booklet will support the governments to implement operational measures to control illicit drug trafficking. It also focuses on the emerging issues like polydrug trafficking, polydrug use and the increasing use of pre-cursors and designer precursors. Moreover, the impact of new technologies such as encrypted communications software and the darknet which facilitate the global illicit drug trade.
- v. **Booklet 5 explain about socio-economic characteristics and drug use disorders:** This booklet provides proof of link between socioeconomic characteristics and drug usage disorders by not assembling a proper conclusion related to the cause and effect. Conceivable mechanisms which can describe how various factors like genetic factors, psychological characteristics, family and peer dynamics, adverse life events and stress, social networks and neighbourhood dynamics, might donate to the possibility of creating the drug usage disorders. Reviews and evidence on subpopulation groups which have the ability to influence differently by drug usage disorders, like women, sexually diverse groups, indigenous and aboriginal groups, ethnic and immigrant groups, displaced persons, and those living in rural settings.⁸
- vi. **Booklet 6 is on other drug policy issues:** This booklet clarifies the sequence between drugs and violence. It also showcases the review of criminal justice system along with its related issues like arrest and women incarcerated for the crime of drug law and its consequences.

⁷ United Nations Office on Drugs and Crime, Booklet 3, World Drug Report. 2020 P.13. Available at https://wdr.unodc.org/wdr2020/field/WDR20_Booklet_3.pdf. Last accessed on 14.03.2021

⁸ Socio Economic Characteristics and Drug Use Disorders. World Drug Report, Booklet 5. P-7. Available at https://wdr.unodc.org/wdr2020/field/WDR20_Booklet_5.pdf. Last accessed on 16.03.2021

UNODC and Sustainable Development Goal⁹

The 2030 Agenda does not restore or overthrow the important mandates of UNODC, but instead it assists the Office to locate and communicate on its work on the larger context of having priorities related to the sustainable development at the national and global level on. Therefore UNODC, gives the Member States a meaningful assistance to achieve the Sustainable Development Goals (SDGs) through results-based perspective in both the project and programme management.¹⁰

United Nations have established the Sustainable Development Goals (SDGs) to achieve equity by meeting the requirements of poor, disadvantaged, women and children so that “no one is left behind”. Sustainable Development Goal 3 is provided for the good health and well-being and the target 3.5 states: Stabilize the treatment and also prevention of substance abuse, along with the narcotic drug abuse and injurious alcohol usage. This anticipates the nation states’ cooperation to combat the drugs abuse which impacts humans both physically and mentally. Almost 16 SDGs are related to health or their achievement will contribute to health indirectly. The Container Control Programme of UNODC assists the Member States in the attainment of the SDGs by providing to: SDG Target 15.7 on implementing immediate measures to stop poaching and trafficking of the preserved species of flora and fauna; SDG Target 16.4 on fighting every types of the organized crime; and SDG Target 17.9¹¹ on earmarking the capacity building in the developing countries to assist with the national plans to execute the 2030 Agenda. The SDGs are the obligations agreed upon by the state parties to execute each goal in the development process irrespective of various sectors. India has the obligation to achieve the SDGs in the issues relating to drug abuse as the children are vulnerable to drug abuse and the health of younger generation must be given a top priority. The psychological issues is one of the worst impact in the drug abuse which India must have a broader vision to protect the children. As per the target 17.9, India having numerous national policies, must adapt some successful policies followed by other member states by cooperative operations to combat drug abuse and illegal drug trafficking.

UNODC and South Asia

The South Asian area is the chief transit route for psychotropic drugs, because it produces a majority of them in the world. The smuggled heroin including the locally developed narcotics like cannabis and opium,

⁹ The 2030 Agenda for Sustainable Development. Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>. Last accessed on 18.03.2021

¹⁰ UNODC and the 2030 Agenda for Sustainable Development. Available at <https://www.unodc.org/unodc/about-unodc/sustainable-development-goals/sdgs-index.html>. Last accessed on 18.03.2021.

¹¹ Indicators and a Monitoring Framework. The Sustainable Development Solution Network. Available at <https://indicators.report/targets/17-9/>. Last accessed on 20.03.2021.

is considered as one of the important source of violence in those countries. In South Asia, a strong nexus among the terrorist groups, drug dealers, and the money launders has entrenched this threat. The illegal trafficking along with the abuse of drugs in the belt stretching from South East Asia to Central Asia has been intensified by porous borders between countries as well as inadequate or corrupt surveillance and monitoring mechanisms. The majority of the countries in the region are signatories to one or more UN's drug-trafficking conventions, but their provisions are not incorporated effectively in the domestic laws. Consequently, the regulatory structures in these countries seem to be inadequate to cope with such a trade's dynamics.¹² The South Asian countries experienced much more challenges related to law and public health as an outcome of the drug abuse and trafficking. UNODC mandates to combat the circumstances and move forward for programmes that are regional and has long-term objectives which will help not only to address national problems but also the regional problems which relate the illicit drug trafficking. It traces a rational framework of activities and some results that encounter the prior necessities as well as the suppositions of South Asian countries and its regional organizations. Primary objective of Regional Programme for South Asia (2018-2021) is to provide a wider perspective of the UNODC's present work programme in South Asia along with its diversity to include essential components regarding the avoidance of crime and rule of law at national, regional and inter-regional levels, while taking into account every existing problems identified by governments of that region. It traces a rational framework of activities and some outcomes which meets with the prior necessities as well as the suppositions of South Asian countries and its regional organizations.¹³

South Asian drug policy is primarily centred on the zero-tolerance perspective with disciplinary legislation which relies solely on confinement for individuals who involve themselves in crime related to drugs. In India, the latest progress of the Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 2014, has raised the penalization for illegal ownership of drugs in little amounts where the individual will be imprisoned for about 6 months to 1 year. Usage of drugs is punishable as well for about 6 months to 1 year imprisonment and/or a fine.¹⁴ The 2018 Report of the International Narcotics Control Board of the UN states that the international internet-facilitated illegal dealing of drugs, where few online sellers of drugs were found through the darknet are from South Asia. Especially, the study recognized thousands of drug listings from India which were issued across 50 online crypto-market platforms.¹⁵

India

¹² N. Manoharan, *Drug-trafficking in South Asia: A Profile*, Institute of Peace and Conflict Studies, 2013. Available at http://www.ipcs.org/comm_select.php?articleNo=1113. Last accessed on 21.04.2021.

¹³ Regional Programme for South Asia (2018-2021). Available at <https://www.unodc.org/southasia/en/topics/frontpage/2009/regional-programme-for-south-asia-2018-2021.html>. Last accessed on 21.04.2021

¹⁴ South Asia. Available at <https://idpc.net/policy-advocacy/regional-work/south-asia>. Last accessed on 21.04.2021

¹⁵ Shagun Kapil, *India is one of the major hubs for illicit drug trade*, Down to Earth (online news), 6th March 2019 Issue. Available at <https://www.downtoearth.org.in/news/health/-india-is-one-of-the-major-hubs-for-illicit-drug-trade--63470>. Last accessed on 21.04.2021.

Ministry of Health and Family Welfare, after the United Convention on Psychotropic Substances, 1971, laid an Expert Committee to look into the problems that are related to the usage of drug and alcohol in India. This resulted in the Drug De-addiction Programme which was established for drug demand reduction. Simultaneously, the country also accepted an effective legislation which is the Narcotic Drugs and Psychotropic Substances Act, 1985(NDPS). This was laid to fight the drug abuse and illegal trafficking. The NDPS also sanctions with some national policies which works on controlling drug abuse. Likewise, the Mental Health Care Act, 2017 has included the alcohol and drug use disorders within its limits. There were two surveys conducted national wide on drugs by the Ministry of Social Justice and Empowerment and results were later published in the years 2004 and 2019. This survey revealed that without any debate there seems to be a constant growth in the usage of drug in India. For instance, it was identified that the usage of Opioid has risen from 0.7 percent to a little > 2 percent- in terms of magnitude from two million to more than 22 million¹⁶. Moreover, it also revealed that there is a replacement of heroin with the natural opioids-opium & poppy husk considered as the most commonly abused opioids. The 2019 National Survey on Substance Abuse in India (after a gap of over 15 years). This finding showed that there is a more prevalence in the usage of opioids and opiates than the previous estimation. The latest data which is quite reliable has significantly improvised the accuracy of overall estimation of drug use in the regional and global level. From a medical perspective, there seems to be a high risk of exponential growth in the usage of opiates globally. This may result in more deaths because of the overdose and also of the increased levels of HIV infection. Generally, it is insufficient to treat the people affected by substance use disorders.

Conclusion

It is true that the covid-19 has plugged the whole world into an uncommon setback. Specifically, special care and protection is necessary for the children and youth who come from the financially weak circumstances, who have left their household because of the pandemic, and those who are undergoing mental health problems or substance abuse, as they seem to have a high risk. Latest UNODC in 2019 has pointed out the rise in the amount of immigrant black-market boats which travels from Sri Lanka to La Reunion Island. The Indian government is involved in effective and efficient drug abuse schemes. But the initiatives taken for illicit drug trafficking is inadequate. In India, there are about 400 Non-Governmental Organizations which are functioning as Integrated Rehabilitation Centre for Addicts. The 2030 Agenda showcases the change in universal thinking as to how the crosscutting problems - including the rule of law and fair, effective and humane justice systems, and the health-oriented responses to drug use - have been facilitators for development,

¹⁶AjitAvasthi and Abhishek Ghosh, *Drug Misuse in India: Wher do we stand & where to go from here?* Indian Journal of Medical Research, June ,2019. Available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6755770/>. Last accessed on 20.03.2021

and how their absence disrupts the development in almost every country regardless of their economic positions. Therefore, this Agenda ensures that the efforts in every level is both holistic and inclusive, supported by multi-stakeholder partnerships and assisted with a raise in policy coherence and mainstreaming, as well as a reduction in the addressing of crime prevention and drug control problems in silos that are not completely unified into development methods.¹⁷ India must co-operate and function with the developed nations to achieve the SDGs in combating illicit drug trafficking and drug abuse. Provided, India also needs to look in to the international drug trafficking -trade, where majorly India's economy is affected. The SAARC Convention on Narcotic Drugs (1990-effect from 1993) indicated the need for co-operation, sharing of knowledge and information, common legal framework to address drug problems in the region under the framework of the SAARC. However, poor institutions, insufficient support, regional animosity and armed conflicts have contributed towards the failed realization of this Convention. SAARC seem to have no major role in this region and has been quite passive in recent years. In the end, the international organizations and the civil societies have portrayed a distinguishing part to support the evidence and human rights-based policies in the region, instead of the region's conventional harsh punitive approaches.

¹⁷ UNODC and the 2030 Agenda for Sustainable Development. Available at <https://www.unodc.org/unodc/about-unodc/sustainable-development-goals/sdgs-index.html>. Last accessed on 20.03.2021