

ILLCIT DRUGS: CHALLENGES AND TENACITIES

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ABSTRACT

This paper examines the global phenomenon of drug addiction, analyses the historical trajectory of drug abuse, examines its categories, and considers response mechanisms in conjunction with local and international initiatives intended to reduce substance abuse. The paper emphasises the role of legal institutions at the local level and the way international actors and stakeholders collaborate to curb the threat. This presents opportunities for drug control through programs, rehabilitation sessions, and policy initiatives. It sketches a comprehensive and well-defined program that focuses on the role of legal institutions in preventing and treating drug addiction. It explores the challenges of drugs as a global hazard and provides policy frameworks for collective responses in place of government and non-government interventions. In this study, a doctrinal approach is employed along with an exploratory approach. This paper would contribute considerably to the understanding of the subject for all stakeholders.

KEYWORDS

Drug addiction, drug misuse, drug trafficking, harm reduction, Law Enforcing Agencies (LEAs), Smuggling

INTRODUCTION

Many individuals who develop substance use disorders (SUD) are also diagnosed with mental disorders, and vice versa.¹ The concept of drug abuse dates to around 5600 B.C. when people frequently consumed alcoholic beverages and hallucinogens. After discovering the long-lasting effects of drugs, people around the world began consuming large amounts, becoming entrapped in the vicious cycle of addiction. Consequently, the cases of drug use were first noticed in Armenia, ancient Greece, China, and Rome.²

Narcotics are therefore not a recent development. Since ancient times, they have been in the form of opium, belladonna, reserpine, senna, and ephedrine. However, in medicine, the first modern clinical application of opium was by Friedrich Serturmer (1804), a German researcher who singled out the sleep-inducing chemical and named it after the Greek god of sleep. Today, its production is mostly permitted and now restricted due to the detrimental effects on society.

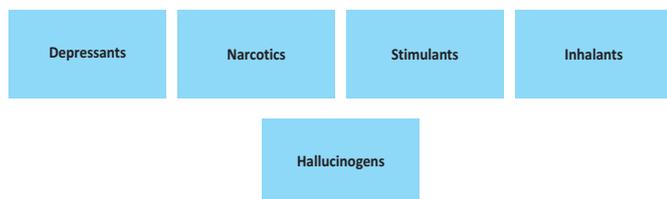


Figure 1: Drug classifications

Drugs are categorised according to their nature of effects on through chemical characteristics; The above drugs are distinctly classified based on the effects produced on the mind and body (Figure 1). Some leave the users refreshed and focused while others make the users unresponsive and lethargic.³

As per the World Drug Report 2021, issued by the United Nations Office on Drugs and Crime (UNODC), 275 million persons use drugs globally while 36 million suffer from drug-induced disorders.

"Lower perception of drug use risks has been linked to higher rates of drug use, and the findings of UNODC's 2021 World Drug Report highlight the need to close the gap between perception and reality to educate young people and safeguard public health," said UNODC Executive Director Ghada Waly.⁴

There were 307,400 substances use disorder (SUD) deaths in 2015, including 137,500 alcohol-related deaths, 122,100 opioid-related deaths, 12,200 amphetamine-related deaths, and 11,100 cocaine-related deaths. Globally, cannabis was consumed by about 200 million people in 2019, representing 4 percent of the population, and opioid use grew by 62 million.⁴

Around 20 million cocaine users exist worldwide, which means that 0.4 percent of the total global population uses the drug, resulting in a loss of life, family disruptions, and economic damage to communities.⁵

DRUG ABUSE IN PAKISTAN - THE TRUTH BEHIND THE STATISTICS

Drug abuse is a trending global issue affecting every region, and Pakistan is no exception. From the Mughal era until the British Empire, the inter-colonial region was known for its production of opium primarily for trade and local consumption. Years after independence in 1947, the growing concern of drug-related challenges was addressed by enforcing various laws. In keeping with traditional guidelines, the cultivation of poppy on a large scale was officially prohibited. Consequently, in the 1980s, opium production



decreased considerably as processing plants were demolished and related activities were curtailed. Additionally, international communities participated in making Pakistan a poppy-free society, efforts that continued through the mid-1990s.

Currently, Afghanistan bordering FATA and Baluchistan points to the limited poppy production, however efforts to curb the source production is underway since 2003. Despite efforts, the country has been vulnerable to long-lasting unfavourable effects ranging from illegitimate production, manufacturing, trafficking, and misapplication of narcotics and psychotropic materials. While efforts to restrict the challenge are in progress, the health and wellbeing of Pakistanis is still in a predicament because of its geostrategic location.

Rendering to the UNODC report on Drug use in Pakistan in 2013, over 40% of illicit Afghan opiates are transited through Pakistani borders consequently labelling it as a shipment region carting illegal drugs planted in the neighbouring country.⁵

Notwithstanding, more than 6 million drug users in the country need crucial attention in terms of averting smuggling, trafficking, providing rehabilitation, and provision of demand reduction proposals. Moreover, 423 000 (0.4%) people injected drugs. Regular users who inoculated drugs shared syringes-73% of the time.⁶

Pakistan is maintaining itself as a poppy-free state. "More so with a burgeoning population, rampant joblessness, paucity of social safety nets, and bleak prospects for young people, drug use is escalating beyond control; there are both a demand and a seamless supply," said Dr. Sania Nishtar.⁶

KEY FINDINGS

Around 6% or 6.7 million of the local population indulged in drug usage including prescription drugs. Cannabis is the majorly used drug with a prevalence of around 3.6% of the population. 1.06 million people, aged 15 - 64 are using opiates, 860,000 are regular heroin users and 320,000 are opium users.

The usage of methamphetamine was untraced previously but is now being tracked with usage recounted to around 19000 people. Persons who inject substance (PWID) are around 430000 making it 0.4% of the total population. One-fifth of the population (1.6 million people) used prescription opioids (painkillers) for non-medical reasons.

Baluchistan reports the highest number of opium, heroin abuse constituting about 1.6% of the population. Punjab is with the largest population of PWID, users injecting drugs. Roughly 2.9 million Punjab residents are indulged in illegal substance use. Punjab followed by Sind, Baluchistan, and KPK consists of illicit drug users roughly reporting 80% of PWID. KPK and Baluchistan drug users require critical rehabilitation care with long-term treatment plans.

INSTITUTIONAL FRAMEWORK: NATIONAL LEGISLATION AND POLICY FORMULATION

Policy initiatives to protect the youth and children of Pakistan from illicit substance use are afoot. Local and regional institutions, as well as international actors, have devised policy agendas to implement long-term drug-free policies across the country.

This comprises: ensuring a poppy-free environment and adhering to the culture of a zero-tolerance policy against poppy farming and other narcotic hubs in the country; to prohibit, limit, suppressing, and treat the commercial cultivation of psychotropic substances and narcotics which leads to drug-related crimes such as smuggling, money laundering, organized offenses, and other activities; prevent drug trafficking from across the border and strengthen border protection by improving security and reinforcing law enforcement by providing necessary guidance through monitoring and intelligence-related schemes; sale and distribution regulation of drug supply and other psychotropic elements; better border control and oversight of unlawful trafficking network and; improved function of inter-agencies, provinces, and units

The National Anti-Narcotics Policy 2017 was devised to oversee Pakistan's prevalent issue of drug abuse and global level changes in the domain of narcotics. It effectively seeks to address existing and potential drug-related incidents, including drug supply from across the border. The policy highlights drug trafficking landscape routes at the regional level, threatening the national interest of Pakistan. It also addresses the increasing use of new psychoactive substances (NPS), and untraced drug sales via the internet, damaging the youth and children.

It also aims to work in collaboration with international parties, respecting transnational covenants, and pledges full compliance in reducing drug abuse. It provides guidance and confidence to the local law enforcement agencies, stakeholders and focuses on their capacity building to ensure a prolific and positive association with different units, working towards the same agenda of a drug-free society.

The strategy outlines the interconnection among inter-ministerial, inter-provincial, and inter-agency instruments, private and public sectors, to reinforce high-quality health and educational standards. It facilitates partnerships with appropriate global and domestic organisations to prevent, treat, and eradicate drug use in the country.⁷

Pillars of Anti-Narcotics Policy (Figure 2)



Figure 2: Essential Pillars of Anti-Narcotics Policy



To attain the highlighted goals, the Anti-Narcotics Policy of Pakistan intends to improve current mechanisms and initiatives to address pertinent issues in terms of drug supply-demand with international backing.

The Ministry of Narcotics Control, headed by the minister, is responsible to draft, monitor, and outline Pakistan's drug-related agenda and vision. It is allocated with responsibilities which include: policy formulation to address and reduce substance abuse, psychotropic drugs, narcotics, and other harmful chemicals focusing on the source production, promotion, marketing, import, export, trans-border circulation, and smuggling; drafting legislation to holistically approach narcotics issues in cooperation with subdivisions, ministries, and units; focusing on bilateral and multilateral alliances with international parties and countries to limit and control drug trafficking from and across borders; enforcing regulations with mutual partnership and assistance respecting bilateral and multilateral agreements; tracking implementation of policies; laying out the educational and insightful outline and schemes to educate harmful effects of long-term drug usage; rehabilitation and treatment to drug addicts and provision of international and local assistance programs to the users; complying by international legislations, narcotics trade agreements, covenants, and objectives for a drug-free community.

Under the Ministry, the Government of Pakistan formulated three sub-bodies designated to make the transition to a drug-free society quicker and smoother including National anti-narcotics Council (NANC), National Narcotics Control Committee (NNCC), and Inter-agency Task Force (IATF),⁸ (Figure 3).

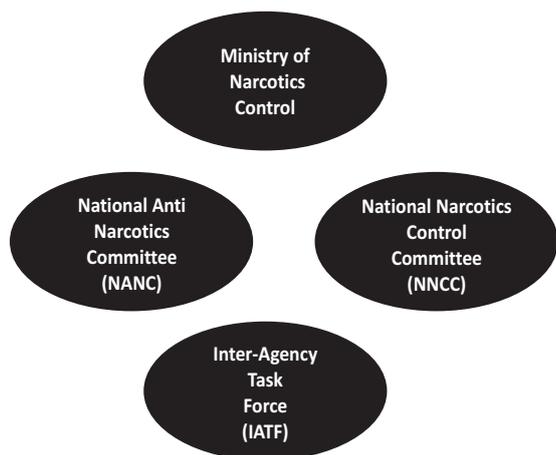


Figure 3: Three sub-bodies of the Government of Pakistan designated for drug free society.

Control of Narcotic Substances (CNS) Act 1997, initially enacted in 1995, comprises a variety of functions, encompassing both holistic components and a comprehensive approach considering the country's existing drug problem and countermeasures.⁹

It goes deep to the fundamental level by highlighting and indicting illegal cultivators through the enforcement of the "agricultural land" amendment in section 10 of this act. The Act ensures the seizure of drug-derived assets and conducts legal sessions in special courts introduced by the government for practical implementation.

National Fund for the Control of Drug Abuse (NFCDA) is subsidized by the assets paid under the legislation to some extent. Through this legislation, the government aims to consolidate and expedite the enforcement of drug-related laws by amending and upgrading the laws and by providing rehabilitation support and treatment facilities to addicts and users in need of care.⁹

Moreover, the Drug Regulatory Authority of Pakistan Act, 2012 subsequently established the Drug Regulatory Authority of Pakistan. As per this decree, effective and improved coordination and enforcement of a drug-free society are predicted along with balanced interprovincial trade and the presence of rehabilitation platforms.¹⁰

The Drug Regulatory Authority of Pakistan (DRAP) enforces the Drugs Act 1976 for the movement and commerce of therapeutic goods. By national laws and international best practices, the Organisation's mission is to ensure the availability of high-quality and safe therapeutic goods.

As per the Control of Narcotics Substances Act 1997, the ANF¹¹ has been allotted the principal authority in undertaking drug trafficking concerns. It safeguards the prevalence of a drug-free society relieved of transfer, movement, and mismanagement of narcotics and the consumption of psychotropic substances. It gathers intelligence-related data, makes arrests, seizes drugs, inspects, and explores drug sources through offenders. It devises strategies to reduce demand, grab hold of drug-related assets, address money laundering offenses, and formulate programs to curtail the issue at the grassroots level.⁸

Additionally, the Provincial Police Forces and the Excise Departments have been allotted the roles of supervising drug trafficking and drug circulation from the drug hubs of the country. The role of the police is integral, which is to catalyse ANF's role in assessing the intake of narcotics, as police are directly related to the public as street patrollers.

Pakistan Rangers is responsible for maintaining the internal sovereignty of the country, including the assessment and checking of drug hotspots. They are organized at the regional level and categorized under the Ministry of Interior. The maritime security agency created in 1986, the paramilitary force is assigned the duty of patrolling in partnership with the navy and army especially interdicting narcotics usage.

Various provincial health departments have been advised to provide urgent care and rehabilitation services to the addicts. More so, the federal government has exclusive jurisdiction for narcotics rules regulation and policies, health info dissemination, coordinated interprovincial health care, and features of human capitals that pertain to trade.



“Provincial governments need to develop policies and plans to increase public financing for health, restructure public facilities, establish public–private engagement, develop 18th Constitutional Amendment compliant policy for human resources, and ensure capacity for provincial drug regulation.”¹²

LEGISLATIONS AND PROPOSALS

Pakistan has ensured its positive status in the realm of international drug-free cooperation strategies. The administration is dynamically participating in wide-ranging transnational programs and is a countersigner of all UN introduced drug control pacts. Pakistan has joined the SAARC Convention on Drug Control and is the signatory of Memorandums of Understanding (MOUs) with 26 countries, expulsion agreements with 28 countries along with a contract with the Economic Cooperation Organization (ECO).

Pakistan has also requested narcotics assistance from various countries including Iran, the United Arab Emirates, Kyrgyzstan, Uzbekistan, China, and India.¹³ Pakistan is a member of the World Customs Organization's International Convention on Prevention, Investigation, and Repression of Customs Offenses (the Nairobi Convention). Pakistan in cooperation with Iran and UNODC were signatories of an MOU which was signed in May 1994.

In 1994, Regional cooperation through SAARC and ECO aimed to expedite control of trans-frontier drug smuggling. USA, UK, and UNODC are extending financial, operational, and technical assistance to national agencies such as ANF, Frontier Corps, Special Development Unit (SDU) etc. To curb criminal activities and incidents on the international platform, Mutual Legal Assistance treaties and MOUs have been effectively signed and ratified for cooperation among international actors. Such initiatives are essential to curb Drug Trafficking Organizations and High-Value Targets, adversely influencing the world dynamics and thus putting more pressure on law enforcement due to easy access to high-tech communication and technical developments.

Interestingly Pakistani government has recently approved Opioid Substitution Therapy (OST) to keep deadly diseases from spreading and to control the spread of drugs. By providing OST for injecting drug users (IDUs), one could minimize HIV risk behaviours, as well as harm associated with injecting (such as abscesses, Septicaemia, and endocarditis), overdoses, and criminal activity, thereby improving the health and quality of life of IDUs.

A controlled project with qualified personnel licensed to prescribe relevant medications in specified hospitals is to be monitored closely to determine the results. There will initially be seven centres located in four provinces beside Islamabad, GB, and AJK. Upon satisfactory results after 12 months, the number of centres is expected to expand.

Correspondingly, Ministry of Science and Technology plan to legalise hemp for fibre, cannabinoid derivative (CBDs)-based medicines and textile as a substitute for cotton, as well as paper products that can reap revenue from this plant's growth in the region, a practice already in vogue in China, India, European countries, and Canada.

COOPERATION AND PACTS BY PAKISTANI LAW ENFORCEMENT AGENCIES

In addition to participating in sub-regional collaborations and implementing international agreements, Pakistan's law enforcement agencies have joined hands to eradicate the drug menace. The Inter-Government Technical Committee (IGTC) and Senior Law Enforcement Officers (SLO) under the sponsorship of UNODC seek to advance trilateral cooperation and boost cross-border relations among Pakistan, Afghanistan, and Iran.

A revitalized Pakistan Border Management Project (PBP) meeting is held annually where representatives work together. In addition, UNODC plans to arrange training sessions and educational excursions for the officers of the three countries. A vision of the IGTC and SLEO is to enhance mutual partnership and boost confidence to curb the drug epidemic.

Pakistan's efforts to confront the drug movement nationally and regionally are commendable. The ANF partakes on the international level and extends support to global actors intended to achieve mutual goals. Ministry of Narcotics and sub-groups proposes to create training opportunities for the LEAs at the local level and international levels to discourse the imminent drug threat.

Pakistan has adopted repatriation contracts with 19 countries to search and treat organized groups beyond territorial orders. Therefore, Pakistan has catalysed its efforts to seize criminal actors and drug suppliers through such treaties.¹³

POLITICO-ADMINISTRATIVE SETBACKS (CHALLENGES)

The number of opioid users has increased in Pakistan due to the surge in drug consumption. According to a study, opioid abusers in Pakistan number 628,000, with 77% of them being heroin addicts.⁴ With an increasing population and the return of poppy cultivation, the situation is expected to deteriorate over the next few years.

Moreover, Afghanistan has a high level of drug trafficking incidents, and the placement of the country's strategic location means that drug traffickers can ultimately transit through Pakistan. Likewise, numerous non-traditional drugs have been introduced, which not only adversely affect health of substance users but also cause problems for society. Here are some of Pakistan's most prevalent challenges:

- a. Large-scale drug production and the re-emergence of narcotics supply chains. The drug industry faces an enormous challenge because retailers and consumers have no idea how drugs are made and processed.¹⁴ Another major problem is the significant increase in poppy cultivation across the border. Consequently, Pakistan bears the fall of Afghan-produced narcotics that result in narco-trafficking.



- b. Pakistan is facing significant challenges with narcotics due to the political unpredictability in the region. Pakistan fears Afghanistan chaos will aggravate narcotics problem as per UNODC 2021.¹⁵
- c. One of the major factors is inadequate and ineffective resources to combat drug-related crimes and organised criminality. The criminal justice system declines to focus on arresting and prosecuting producers, manufacturers, traffickers as well as consumers and lacks immediate action strategies by relevant authorities.¹⁵
- d. Interagency coordination and collaboration are limited or non-existent. It has to do with a lack of authority and compliance with enforcement agencies, health departments, and tobacco research platforms. Infrequent meetings and sessions of the policy-makers are among the failures of the federal and provincial governments to develop a single, strategic national response.
- e. In addition, LEAs' inter-agency teamwork is lacking. As well as disparity in resources and expertise, the degree of cooperation and integration is absent. In a drug-free society, departments need to recognize and acknowledge policies which promote the national good.¹⁶
- f. The sale and distribution of narcotics and psychotropic drugs by prescription are not protected by any secure mechanisms. It has been alleged that the Afghanistan Transit Trade Agreement (ATTA) was misused because it allowed elements and substances to be rerouted through Pakistan since its ports are available to Afghanistan traders.¹⁷
- g. Similarly, noncompliance with federal and provincial drug prevention programs and agendas are major obstacles that create an HIV epidemic among addicts. Because of this, PWID users are not able to treat HIV with antiretroviral drugs, which suppress HIV in the body.¹⁸
- h. Additionally, it is due to the lack of communication between ministries, health departments (federal and provincial), and social welfare platforms that the appearance of non-traditional drugs such as cocaine and other categories of man-made drugs such as ecstasy contributes to the problem.
- i. Technical skills and proficiency limited to accomplishing demand reduction plans in public segments and civil societies are inadequate and futile, and plans devised tentatively resulting in practical implementation are ineffective.
- j. Due to suspected corruption, bribery, tax avoidance, and weak financial regulations, illicit monetary transactions, such as the increasing number of clandestine dealings go unnoticed due to banks non-reporting of monetary movements under the ANF. This is exacerbated by a lack of cooperation between regional and national authorities and international agencies.
- k. A lack of practical and relevant data is preventing effective treatment programs from being developed and implemented.

- l. In count, social and other challenges include severe health issues, unemployment, housing instability, and homelessness, dependencies on the system, incarceration, criminal inclination, and rehabilitation.

WAY FORWARD

i. Supply Reduction

Illicit cultivation needs to be cut off at the source. Due to the CNS Act of 1997, it is a crime to produce opium poppy, cannabis, and coca bush. There is a need for our country to work towards eliminating poppies regionally and globally.⁹ Both the federal and provincial governments must launch an elimination drive against illegal poppy farming with an alliance of different sectors and levels of government.

Law enforcement should work together to protect the country from illegal drug production and act in the national interest. At the district level, implementation and enforcement of the Anti-Narcotics strategy should be prioritised.

ii. Programs of alternative assistance

Poppy growers and manufacturers should be offered employment and livelihood opportunities for a healthier transition. Although crop elimination strategies and initiatives result in provisional effectiveness, alternative development line-ups and intervention tactics should be considered for a long-term and productive approach.

To make the conversion to a poppy-free culture successful, growers need information, training, and convincing tools and platforms. Due to the increase in illicit cultivation in these areas, Baluchistan and FATA require extra attention and spotlights. Bringing together the Federal Government, the Ministry of Narcotics Control, the LEAs/ANF, and the relevant provincial governments can aid in the success of alternative development plans in these districts.

iii. Preventing the influx of Afghan-produced crops

Local and regional governments should implement inflexible and uncompromising border management. Building the capacity of LEAs to work in full spirit should be intensified. As neighbours, regional organisations, and covenants become closer, regional alliances and cooperation will flourish.

iv. Punitive measures against providers of restricted elements/substances

Pakistan should review its penalisation policies and laws by taking strict action against both suppliers as well as manufacturers of controlled substances. Long-term prison sentences should apply to drug production, distribution, and manufacturing. It is critical that anti-narcotics departments, including the ANF, take an integrated approach to counter the production of drugs, resulting in a decrease in drug-related misconducts.



The LEAs should be trained on how to destabilize drug smuggling, the fall-off of manufacturing workshops, and other illegal platforms. Vigilance and censorship are necessary to scrutinise the illegal trade traffic. To determine if local authorities are suppressing drug dealing and securing drug assets, a measurement and monitoring system must be put in place. To comprehend plant cultivation rates, non-traditional drugs, and the location of covert labs, constituency cells and teams should be established with forces and other agencies.

v. Demand Reduction

Intervention at the public and private levels is needed for substance abusers. An intervention policy should address the fundamental need to consume and use drugs, rather than wait until a person becomes dependent on drugs. In lieu of interventions at the consumption level, which are mostly accomplished through preventative programs and educational seminars, strategies based on resistance should be developed.

By emphasizing early involvement, prevention techniques, treatment facilities, salvage plans, rehabilitation, and restoration services for addicts, LEAs and offices can introduce containment efforts. With the help of public officials, parliamentarians, NGOs, civil societies, and renowned personalities, setting up educational facilities and imparting knowledge about prolonged drug consumption is the best way to make an impact.

Communication of a constructive message against drug abuse through electronic and print media can be useful. By conducting yearly surveys, we can determine whether policies being implemented are effective at reducing the number of drug users across the country. The educational departments should work together to teach youth and university-going students about the detrimental effects of drugs and how they affect social life.

vi. Controlling the flow of drugs

Our neighbours manipulate the system by making use of border areas as an illegal drug trafficking route. Nonetheless, strengthening and refining the capacity of enforcement groups at international and national borders, seaports, and airports can help detect drug smugglers. It is vital to devise mechanisms to establish robust border cooperation and relationships that include data-sharing programs and intelligence communication platforms with and from border personnel.

Law Enforcement Agencies should receive training to detect and notice smugglers transiting through Pakistan via land, air, or sea. Measures and initiatives that build confidence should be implemented in bilateral and multilateral agreements, as well as through pacts of cooperation. To combat drug-related money laundering

and to detect it through substance abuse, countermeasures are necessary. The Pakistani financial system needs to be further strengthened to ensure that illegal cash inflow acquired through drug smuggling and trade can be traced.

A national anti-money laundering program can be upgraded to achieve this. In addition to having the power to impound, law enforcement agencies should be well versed in identifying, recognizing, freezing, and intercepting drug-related assets and financial flows. Funding needs to be provided to FIA and Cybercrime cells to contain money laundering through the Dark Web and other forms of internet abuse, as well as deter the purchase of crops online.

vii. Treatment facilities for addicts and rehabilitation programs

All levels of rehabilitation and treatment should offer non-discriminatory services. In addition to monetary compensation, government hospitals should be provided with technical expertise and health experts to help addicts reintegrate. There should be programs for decontaminating addicts through education and rehabilitation. The health authorities should verify the availability of social reintegration plans at public and private treatment centres.

CONCLUSION

Drug addiction, contraband manufacturing and trafficking are serious problems in virtually every country, and adversely affect not only an individual but also an entire nation's economy and society. All stakeholders including government bodies and agencies, are aware of their responsibilities and are working tirelessly to contain the issue at the grassroots level. As implementation of countermeasures gets underway, the Ministry of Narcotics Control and provincial set ups can continue to engage in multilateral efforts to manage and administer the growing issue of substance abuse. Finally, there are coast-to-coast and intercontinental drug control networks as well as local framework that can significantly change public perceptions by blocking the distribution of illegal drugs. Drug demand reduction principles as well as public education about the negative effects of drug abuse can be effective tactics.

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