

# Drug Addiction, Trafficking National and International Legal Perspective

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**Abstract-** Drug trafficking and drug addiction represent major global challenges affecting public health, social stability, and national security. Drug trafficking refers to the illegal production, transportation, and distribution of narcotic drugs and psychotropic substances across national and international borders. This illicit trade contributes significantly to the spread of drug addiction, organized crime, corruption, and violence. Drug addiction, on the other hand, is a chronic disorder characterized by compulsive drug use despite harmful consequences, leading to severe physical, psychological, and social problems. At the international level, several conventions and organizations have been established to control drug trafficking and abuse. Key legal frameworks include the Single Convention on Narcotic Drugs, 1961, the Convention on Psychotropic Substances, 1971, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. These conventions aim to regulate the production, distribution, and use of narcotic substances and encourage international cooperation in combating drug-related crimes. Organizations such as the United Nations Office on Drugs and Crime play a crucial role in monitoring global drug trends and assisting countries in implementing drug control policies. At the national level, many countries have enacted strict legislation to prevent drug trafficking and substance abuse. In India, the primary law governing drug control is the Narcotic Drugs and Psychotropic Substances Act, 1985, which criminalizes the manufacture, possession, sale, purchase, and transportation of narcotic drugs without authorization. The Act also provides stringent penalties for offenders and empowers enforcement agencies to investigate and prosecute drug-related crimes. This study highlights the relationship between drug trafficking and addiction while examining the legal frameworks designed to control these issues at both international and national levels. It emphasizes the need for stronger cooperation among governments, effective law enforcement, public awareness, and rehabilitation programs to address the growing problem of drug abuse and trafficking worldwide.

**Keywords-** Drug Addiction, Drug Trafficking, Substance Abuse, Narcotic Drugs, Illicit Drug Trade, Drug Dependence, Psychotropic Substances.

## I. INTRODUCTION

Drug addiction and drug trafficking are two interrelated global issues that pose serious threats to individuals, society, and national security. Drug addiction refers to a chronic and relapsing disorder characterized by the compulsive use of substances despite harmful consequences. It affects both the physical and mental health of individuals, often leading to long-term dependency, social isolation, and economic instability. Drug trafficking, on the other hand, involves the illegal production, transportation, and distribution of narcotic drugs and psychotropic substances across local and international borders. It is a highly organized criminal activity often controlled by transnational crime networks and drug cartels,

generating enormous illegal profits. The rise of trafficking has been further facilitated by globalization, technological advancements, and the use of digital platforms. The relationship between addiction and trafficking is cyclical in nature. Increased trafficking leads to greater availability of drugs, which in turn contributes to higher rates of addiction. This growing demand fuels further illegal trade, creating a vicious cycle that is difficult to break. In India, drug-related issues are regulated under the Narcotic Drugs and Psychotropic Substances Act, which aims to control and regulate operations relating to narcotic drugs and psychotropic substances. At the international level, organizations like the United Nations Office on Drugs and Crime play a significant role in combating drug trafficking and promoting global cooperation. Overall, drug

addiction and trafficking not only affect individual lives but also undermine public health, increase crime rates, and hinder socio-economic development. Addressing these issues requires a comprehensive approach involving strict law enforcement, public awareness, rehabilitation programs, and international collaboration.

## II. DEFINITION OF DRUG ACTIVITY

Addiction is a chronic disease that impacts the brain and alters behavior, leading individuals to engage in self-harming actions. People become unable to stop using a drug or participating in certain behaviors (such as gambling, shopping, or online gaming) once they turn harmful. The World Health Organization describes it as a serious adaptation of habits. It was described by the World Health Organisation about serious adaptation on the habits and this act latterly turns into criminal activity, it determines and penalized by the legislation. When the habits increase and the offence increase widely.

### What is drug addiction?

Drug addiction is a dreadful brain disease. It causes a person to take drugs repeatedly, despite the harm they cause. Continue of using the Drug may change the functions of the brain and lead to the addiction. Repeated drug use can change the brain and lead to addiction. The brain changes from addiction can be long lived, so drug addiction is considered a worsen disease. If the person leaves the drug the habit and if that person took the drug after long days again it will cause risk for the health.

Many folks think occasional drug use or gambling with friends is no big deal—and for some, it stays that way. But others spiral out of control, ramping up despite the fallout. Over time, repeated drug use or compulsive habits rewires the brain, making addiction a chronic condition. People battling it face steep relapse odds and often require ongoing, sometimes lifelong, treatment.

Not everyone who experiments gets hooked, but pushing forward despite clear dangers—like legal woes, job loss, or family rifts—signals trouble ahead. Addiction reveals itself through telltale physical, behavioral, and mental red flags that intensify as tolerance builds.

### Common signs of drug addiction include:

- Needing the drug daily or multiple times a day.

- Overpowering cravings that drown out everything else.
- Requiring bigger doses over time for the same high (tolerance).
- Using more or longer than planned.
- Stockpiling a steady supply.
- Blowing cash on it, even when broke.
- Skipping work duties, obligations, or hobbies to prioritize use.
- Ignoring how it wrecks your health, relationships, or life.
- Crossing personal lines, like stealing, to score more.
- Taking risks, such as driving impaired.
- Devoting hours to obtaining, using, or recovering from the drug.
- Repeated failed quit attempts.
- Withdrawal symptoms (like shakes, nausea, or anxiety) when trying to stop.

### What counts as a Drug?

Drugs are any chemical substances that alter your body's functions or mental state. They span prescription meds, over-the-counter remedies (like painkillers or cold pills), alcohol, tobacco products, and illicit substances. Understanding this broad category sets the stage for grasping addiction's grip.

### What is drug use?

Drug use, or misuse, includes:

Using illegal substances, such as:

Anabolic steroids, heroin ganja(marijuana), opium, amphetamine, LSD, morphine, fentanyl methadone, oxycodone, codeine, hydrocodone, Club drugs, Cocaine, Heroin, Inhalants, Marijuana, Methamphetamines

Misusing prescription medicines, including opioids. This means taking the medicines in a different way than your health care provider prescribed. This includes

- Consuming a medicine that was prescribed for someone else.
- Consuming a larger dose than you are supposed to.
- Using the medicine in a different way than you are supposed to. For example, instead of swallowing your tablets, you might crush and then snort or inject them.
- Using the medicine for another purpose, such as getting high.
- Misusing over-the-counter medicines, including using them for another purpose or in a different way than you are supposed to.

Drug use is dangerous. It can harm your brain and body, sometimes permanently. It can hurt the people around you, including friends, families, and kids. If you are pregnant, it can harm your fetus. Drug use can also lead to mild, moderate, or severe substance use disorders. Substance use disorders are sometimes called addiction. Drug trafficking is the illegal production, transportation, distribution, and sale of controlled substances prohibited by law.

**What is Drug Trafficking**

Drug trafficking involves a global black market for drugs like cocaine, heroin, cannabis, and synthetics, often run by criminal networks. Unlike simple possession, it focuses on intent to distribute or sell, including manufacturing and smuggling. Under U.S. federal law (21 U.S.C. § 841), it criminalizes knowingly manufacturing, distributing, or possessing with intent to distribute controlled substances. Penalties vary by quantity and jurisdiction, often escalating to life imprisonment for large amounts. This image shows seized hashish sacks from an anti-trafficking operation, illustrating typical evidence in such cases.

**Examples of Drug Trafficking**

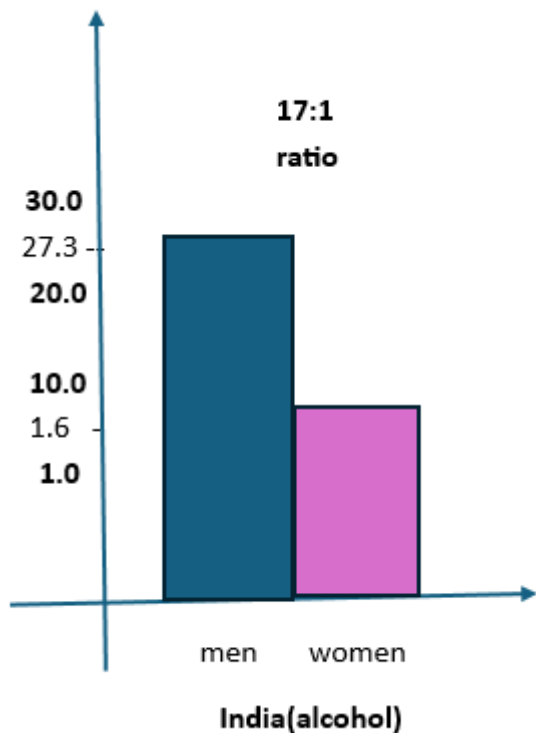
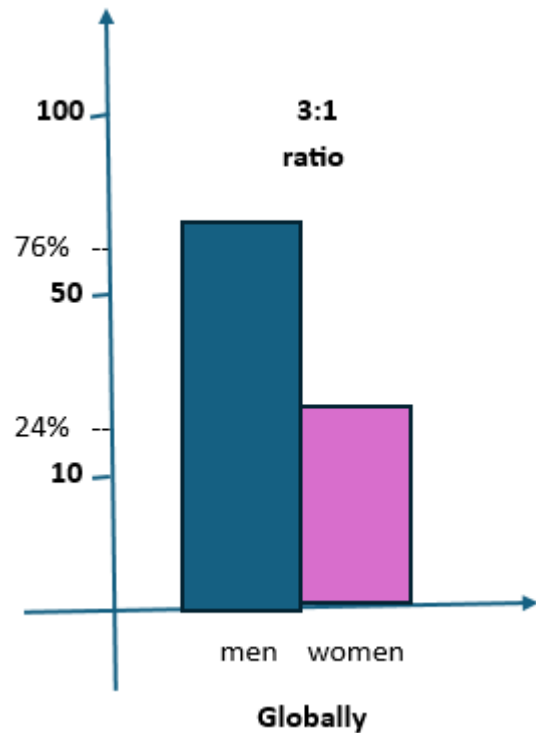
- Smuggling drugs from one country to another
- Selling banned drugs without legal permission
- Using online platforms (dark web) to distribute drugs

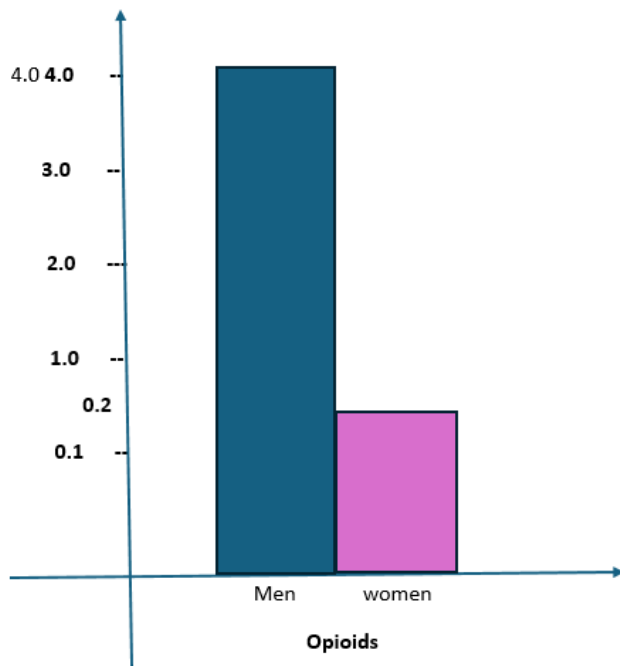
**Impact of Drug Trafficking**

- Increases drug addiction
- Damages public health
- Promotes crime and violence
- Affects youth and society negatively

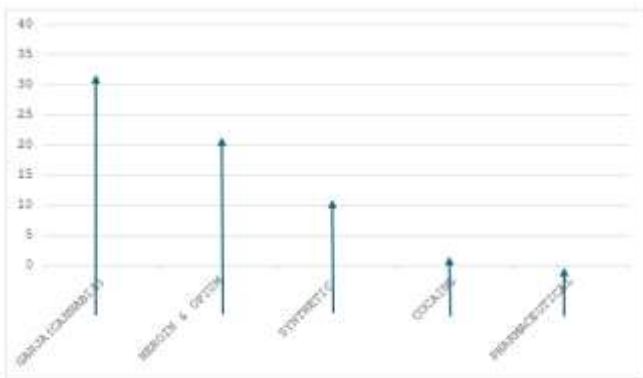
**III. RECENT REPORT OF DRUG ADDICTION AND DRUG TRAFFICKING**

Simple ratio of summary of drug addiction





**Ratio on Drug Trafficking**  
**Percentage ratio for the year 2025-2026 Estimate:**



**Legality On Drug Trafficking:**

Drug trafficking stands out as the most notorious illicit trade run by organized crime groups, drawing intense scrutiny over recent decades. Three key UN drug control treaties govern activities like producing, distributing, and possessing controlled substances—but only for legitimate medical and scientific needs. The 1961 Single Convention on Narcotic Drugs (updated in 1972) consolidated earlier global agreements, creating the International Narcotics Control Board (INCB) to replace older oversight groups. Its core goal: ensure steady supplies of over 120 narcotic drugs for healthcare and

research, while blocking their shift to illegal markets or recreational abuse (INCB, 2018).

The 1971 Convention on Psychotropic Substances broadened this system to cover hallucinogens, stimulants, and sedatives like LSD, amphetamines, and barbiturates. Then came the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which tackled precursors—chemicals key to making illicit drugs—and ramped up efforts against cross-border smuggling. It also bolstered global teamwork on enforcement, including extraditions and legal aid between nations.

These treaties have near-universal backing, embodying worldwide agreement and collaboration to combat drug trafficking. Reflecting this long-term focus, the UN Economic and Social Council launched the Commission on Narcotic Drugs (CND) in 1946 as the lead policymaking arm for drug issues. The CND still convenes yearly to tackle global challenges and align strategies (UNGA, 2016). Among its roles: deciding if emerging drugs join the conventions' schedules/tables, or if substances get shifted or removed.

**IV. DRUG RELATED JUDGMENTS**

**1.UNION OF INDIA VS RAM SAMUJH Court: Supreme Court Of India**

Date: Aug 30, 1999, Cited By: 613, Coram: 2

**Facts of the Case**

The case arose under the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act). The accused, Ram Samujh, was involved in offences relating to illegal possession/trafficking of narcotic drugs. He applied for bail before the court. The lower courts granted bail, taking a lenient approach. The Union of India challenged this decision, arguing that bail was granted without properly considering the strict provisions of the NDPS Act.

**Issue**

1. Whether bail can be granted easily in offences under the NDPS Act?
2. Whether courts must strictly follow Section 37 of the NDPS Act, which imposes stringent conditions for granting bail?

Decision (Judgment)

The Supreme Court of India set aside the bail order granted to the accused.

**The Court held that:**

- NDPS offences are grave and serious, affecting society at large.
- Bail cannot be granted casually in such cases.
- Courts must strictly comply with Section 37, which requires:

The court must be satisfied that there are reasonable grounds to believe the accused is not guilty, and the accused is not likely to commit any offence while on bail.

2.Divya Poddar v. State of Madhya Pradesh – High court of Madras at Jabhalpur, Honble Shri justice Rusia & Hon’ble Justice Pradeep Mittal- 3rd of February 2026 Petition No. 3775/2026.

**Facts of the Case**

The petitioner, Divya Poddar, was a LL.M. student at Rani Durgawati Vishwavidyalaya. He appeared for his 3rd semester examination. In the subject “Drug Addiction, Criminal Justice & Human Rights”, he scored very low marks (around 18 marks). Dissatisfied with the result, he approached the court seeking, Revaluation / rechecking of his answer sheet. The university rules regarding revaluation were central to the dispute.

**Issue**

1. Whether the petitioner is entitled to revaluation or reassessment of answer sheets?
2. Whether the court can intervene in academic evaluation decisions of a university?

**Decision (Judgment)**

The Madhya Pradesh High Court did not directly order revaluation. Instead, the Court:

1. Directed the university authorities to consider the petitioner’s representation.
2. Ordered them to take action as per the applicable rules and law within a specified time.

**V. DRUG TRAFFICKING RELATED JUDGMENT**

**Facts of the Case**

Police received information (March 2025) about a drug trafficking syndicate operating in Delhi. A raid led to recovery of heroin/tramadol and other contraband from premises linked to the accused’s family. The prosecution alleged:

- The syndicate was run by the appellant’s mother (Kusum).
- The appellant (Anuradha @ Chiku) acted as a financial handler, routing illegal money.

**Evidences involved in this case:**

- Cash deposits and UPI transactions disproportionate to known income
- Statements of witnesses about routing money
- Recovery of drugs from associated premises
- Confessional statements of co-accused under MCOCA

Initially, charges were under the NDPS Act (intermediate quantity, not commercial). Later, authorities invoked MCOCA (Maharashtra Control of Organised Crime Act) alleging organised crime.

**Issues Before the Court**

1. Whether MCOCA provisions were validly invoked.
2. Whether the appellant satisfied the strict bail conditions under Section 21(4) MCOCA.
3. Whether lack of prior FIRs against the appellant personally weakens the case.
4. Whether post-charge-sheet invocation of MCOCA was legally valid.

**Arguments by the Appellant**

- No proof of organised crime syndicate membership.
- Financial transactions not linked to drug trade.
- Case mainly based on co-accused statements (weak evidence).
- NDPS quantity was only intermediate, so strict bail shouldn’t apply.
- MCOCA invocation was a misuse of power.

Court’s Decision- Appeal dismissed — Bail denied

**Reasoning of the Court**

The High Court held:

1. Prima facie involvement in organised crime

Evidence showed continuous illegal activity and financial benefit from drug trade. The appellant was linked to the family-run syndicate.

## 2. Financial trail matters

Large unexplained deposits indicated proceeds of crime.

## 3. Not just disclosure statements

Case was supported by:

- Witness statements
- Bank records
- Recovery evidence

So it was not solely based on confessions.

## 4. Strict bail test under MCOCA

Under Section 21(4):

- Court must be satisfied that accused is not guilty
- AND will not commit offence again

Court said this standard was not met.

## 5. No need for prior FIR against accused

Even without prior FIRs, a person can be prosecuted if:

- They are part of an organised crime syndicate.

## VI. LEGAL FRAMEWORK FOR DRUG ADDICTION AND DRUG TRAFFICKING

1. **Primary Law:** The NDPS Act, 1985 (as amended in 1988, 2001, 2014) regulates all narcotics and psychotropic substances, aligned with international UN conventions.
2. **Trafficking Penalties:** Punishment depends on the quantity—small, intermediate, or commercial. Stringent, non-bailable penalties are imposed, with 20-year imprisonment or death for repeat offences involving specific large quantities.
3. **Drug Addiction Framework:**
  - **Section 27:** Criminalizes personal consumption, allowing for up to one year of imprisonment or a fine.
  - **Section 39:** Allows courts to release a convicted user for detoxification at a government hospital.
  - **Section 64A:** Provides immunity from prosecution for addicts who voluntarily seek treatment, applicable once in their lifetime.
4. **Enforcement Agency:** The Narcotics Control Bureau (NCB), created in 1986 under the Ministry of Home Affairs, serves as the apex body for drug law enforcement.

5. **Support & Rehab:** The Ministry of Social Justice and Empowerment runs rehabilitation centers and programs for addiction recovery.

## Additional Laws:

- Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PITNDPS): Allows preventive detention of individuals involved in trafficking.
- Drugs and Cosmetics Act, 1940: Regulates legal medical use of certain substances.
- Indian Penal Code (IPC): Provisions regarding criminal conspiracy.

## VII. CONCLUSION

Drug addiction and trafficking create a vicious, intertwined crisis that undermines public health, economic stability, national security, and basic human well-being. Addiction ravages lives by damaging physical and mental health, shattering families, and eroding personal productivity, while trafficking sustains this devastation through relentless illegal distribution of narcotics. This destructive loop thrives on itself: addicts' demand fuels traffickers' profits, and traffickers' supply escalates addiction across communities. Legally, robust measures like India's Narcotic Drugs and Psychotropic Substances Act of 1985 target traffickers with severe penalties. Yet, punishment by itself falls short, ignoring addiction's underlying drivers such as poverty, joblessness, mental health struggles, and poor education.

True progress demands a multifaceted strategy—merging tough enforcement with awareness campaigns, rehab services, and pathways for societal reintegration. Governments, local groups, and global organizations like the UN Office on Drugs and Crime should collaborate to dismantle smuggling rings and expand recovery support for those affected. Ultimately, combating addiction and trafficking requires a unified, compassionate effort that slashes both supply and demand, paving the way for a stronger, safer world.

## SUGGESTION

### Strengthening Enforcement

1. **Intelligence-Led Operations:** Enhance cross-border collaboration and information sharing between national and international agencies to dismantle complex drug-smuggling networks.

2. Targeting Financing: Employ specialized task forces to identify and freeze the assets of organized crime groups, disrupting the economic incentives that fuel trafficking.
3. Problem-Oriented Policing: Shift toward community-based policing models that focus on solving local drug-related problems through collaboration with neighborhood stakeholders rather than relying solely on incarceration.
6. <https://www.ijllr.com/post/legal-framework-on-drug-abuse-prevention-indian-perspective>
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Recent case laws 2026

### Reducing Drug Demand

- **Preventive Education:** Implement evidence-based awareness programs in schools and communities that focus on youth, high-risk groups, and families to deter initial substance use.
- **Accessible Treatment Services:** Expand the availability of holistic, community-based treatment options, including behavioral therapy, counseling, and long-term rehabilitation support.
- **Addressing Root Causes:** Mitigate the drivers of addiction by providing broader social support, such as mental health services, employment counseling, and initiatives to combat poverty.

### Building Integrated Systems

- **Continuum of Care:** Develop seamless support systems that provide consistent care for individuals, from initial intervention through detoxification and long-term societal reintegration.
- **Science-Based Policy:** Utilize data-driven research and regular evaluation of intervention programs to adapt strategies to evolving drug trends and ensure resources are directed where they are most needed.
- **Multisectoral Collaboration:** Foster partnerships between central governments, non-governmental organizations (NGOs), healthcare providers, and academic institutions to ensure a unified response to substance abuse.

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