

## National Policy for Drug Control, 2063 (2006)

### 1. Background

Drug abuse and its illicit trafficking is a matter of multilateral concern. This is not only a problem of any specific place, country or region but appears to be a common problem of world human community. Almost all the countries of the world suffering from his problem. The problem of drug abuse in Nepal has become more complex owing; *inter alia*, to the arrival of the so-called hippie culture since the beginning of the 1990s.

The number of drug users in Nepal was estimated to be more than fifty thousand as early as Ten years ago. Due to unplanned urbanization, increase in the effects of organized crime network and expansion of so-called urbanization, it can be estimated that, this number has increased executively on recent days. This problem appears to be prevailing increasingly in almost all urban areas including Kathmandu Valley, Pokhara and Dharan and market areas of Nepal, India border. Particularly, the trend of drug abuse and its addictions is increasing among the youth belonging to the vulnerable groups. On the other hand, the Drug users who confined themselves to the use of cannabis, cocaine and heroine, in the past, have now started using drugs by way of syringe since the beginning of 1990s. As a result of a change taking place in the mode of multi-drug use and addiction, the drug users have been increasingly infected from dangerous diseases such as malnutrition, anemia, hepatitis, venereal disease and HIV/ AIDs. On the whole, since the proportion of HIV infections appears higher among the injecting drug users, the likelihood of HIV infection by the drug users groups to their own families and other persons has increased.

The problem of drug addictions is increasing even among the women in urban areas. Those women who have got trapped in addiction have to face family and social boycotting, so they do not disclose it to anyone. Most of the female drug users are found to be engaged in flesh trade and drugs

dealing as a means of their income to continue their addiction. So, various studies make it clear that HIV infection is significantly increasing among the female drug user sex workers. Since they rarely avail themselves to treatment and rehabilitation services it appears difficult to obtain adequate information and data about them.

Until 1960s the misuse of and trafficking in drugs was confined to some cough medicines containing opium and psychotropic medicines but from beginning of 1990s the misuse of narcotics and psychotropic medicine has been increasing among the youths. The drug abuse appears to be increasing more and more since drugs are easily available, cheaper and is effective for a long time.

Despite the fact that the Drugs Control and law enforcement agencies are active in preventing and controlling the illicit drug trafficking, cannabis farming and its sell, this problem has not been done away with. On the contrary, it appears to have become more complex day-by-day. The activities of organized mafia involved in the illicit trafficking of drugs appear to have increased more in border areas. Heroin that is consumed at the local level or transported to other countries in illicit manner via Nepal appears to enter both through land and air routes. Also, due to the geographical location of Nepal which remains near the Golden Triangle and Golden Crescent, a major centre of production and trafficking in opium, the international drug mafia has been using the territory of Nepal as a transit point for illicit transaction and there is a strong possibility that it can be used more frequently in the future.

## **2. Rationale**

Increase involvement of adolescents in addiction, increase in multi-drug use, rising trend in addiction through syringe and rising sexual infections inclusive of HIV and criminal activities among and by the drug users have further aggravated and complicated the problem. If this human

problem is not tackled in time, the state will lose productive and creative human resources as well as there is possibility of increase in criminal activities. It is thus necessary to look for and pursue appropriate measures and build collective strength as well. For this purpose, it is expedient to make and revise laws in consonance with the spirit of regional and international conventions and its implement much more consolidated, efficient and resourceful in order to control the change from and trend of production and transportation of narcotic drugs.

A decade has already passed since the Narcotics Control National Policy, 2052 came into force. It has been realized by all relevant parties that the said policy was not able to do away with the increasing and complex problem of addiction as expected, and that an effective national mechanism should also be established to implement the commitments made by Nepal under international conventions. There is a need to make timely improvements and revisions in the existing policy in such a fashion as to address various complexities appearing in the use of narcotic drugs in recent years, while protecting the human rights of narcotic drug users. In this situation, it is expedient to refine and revise the existing drug control policy in order to provide it with collaborative strength by making it clear, transparent, empirical and enforceable in such a fashion as to encompass the need and commitment to abolish new problems and address challenges.

### **3. Vision**

The vision of this policy is "Attainment of Healthy and prosperous Society Free from Drugs Addiction"

### **4. Objectives**

- 4.1 To prevent and control illicit farming, production, transportation and sale of drugs, and reduce crimes related with it.
- 4.2 To mitigate the incidence of drug abuse among the vulnerable groups.

- 4.3 To increase the access towards standard, reliable and dependable treatment and rehabilitation services.
- 4.4 To control and mitigate the risk of infections such as HIV, hepatitis and venerable disease among the drugs users, their families and communities.
- 4.5 To maintain harmony amongst other policies related directly or indirectly with the prevention and control of drugs.
- 4.6 To foster extensive participation with collaborations and partnership in the prevention and control of narcotics.

## **5. Policy Strategies**

The following polices shall be pursued for the attainment of the aferesaid objectives:

### **5.1 Supply control:**

- 5.1.1 The illicit farming and production of cannabis and opium shall be restricted and controlled.
- 5.1.2 Illicit transport, sale and distribution of drug shall be controlled.
- 5.1.3 In order to destroy the organized network of international mafias involved in the illicit transaction of drugs, cooperation, coordination and collaboration shall be fostered at inter-country, regional and international levels.
- 5.1.4 The united Nations and regional conventions shall be ratified; and implementation there of shall be provided for by making corresponding legal provisions.
- 5.1.5 A capable and efficient regional network shall be built by exchanging information and transferring skills, capacity

and technology amongst the law enforcement agencies of the SAARC countries.

5.1.6 Various controlling measures shall be adopted to prevent illicit trafficking of narcotic drugs taking place in border areas.

5.1.7 Emphasis shall be laid on the development of human resources and work specialization for the prevention and control of narcotic drugs.

5.1.8 The capacity of the agencies engaged in and associated with the implementation of narcotics control laws shall be enhanced as well as expanded.

5.1.9 Production, import, transport, sale and distributions method narcotic and psychotropic medicines used in the medical treatment shall be made effective through coordination, monitoring and evaluation.

## **5.2 Demand Reduction:**

### **5.2.1 Drug Abuse Prevention**

- a) A programme on prevention of narcotic addiction shall be launched as a national for the campaign targeted groups at risk on prevention of drug addiction by bringing about participation of all sectors in an extensive and comprehensive manner.
- b) Gender mainstreaming shall be promoted during the formulation and operation of all kinds of programmes.
- c) The curriculum included in the school level for the prevention and control of drugs shall be

updated; and the subject of prevention and control of drugs shall also be included in the teachers' training curriculum.

- d) The status of consumption, misuse and addiction of narcotics shall be identified based on the situation of consumption by narcotic users and appropriate technology and method shall be applied. In addition, various awareness programmes shall be operated in order to make the guardians of drugs users sensitive and aware as to this matter.

#### **5.2.2 Treatment and Rehabilitation:**

- a) The drug users' access to the standard treatment and rehabilitation service shall be made easier without any discrimination based on gender or otherwise.
- b) Skill-oriented and income-generated programmes shall be launched for for their inclusion in the family and society the of ex-drug users.
- c) An effective and successful research work method in the field of treatment and rehabilitation shall be identified and encouraged.
- d) The treatment and rehabilitation services provided by non-governmental organization shall be made simple, accessible, standard and reliable by the process of implementation, monitoring and evaluation of the minimum criteria.

- e) The organizations and persons who render an outstanding contribution to the treatment and rehabilitation sector shall be identified and encouraged.
- f) Social reintegration programmes shall be conducted to enable the drug users to spend a dignified life in the society after the treatment and rehabilitation.

### **5.3 Risk Reduction:**

5.3.1 The basic health problems occurring among the drug users shall be identified and programmes to save the drug users themselves, their families, neighbours and other people in the community from such risk shall be promoted.

5.3.2 Measures shall be adopted for the prevention and mitigation of infections inclusive of HIV increasing among the drug users.

### **5.4 Research and Development**

5.4.1 Study, research and development works on the matters of contemporary importance in the field of prevention and control of narcotic drugs shall be encouraged.

5.4.2 Periodic survey process shall be started for the purpose of obtaining factual and authentic information on the form, trend, prevalence, type, number, consequence and results of drug addiction in Nepal.

### **5.5 Collaboration, Partnership & Resource Mobilization:**

5.5.1 Prevention and control of drugs programme shall be made sustainable by mobilizing local resources.

- 5.5.2 Partnership and collaboration between the government and private/ community/ professional/non-governmental /local bodies for the mobilization of resources of private and community organizations.
- 5.5.3 Support and participation of international organizations shall be encouraged towards the priority of the country and for the mobilization of the resources.
- 5.5.4 Network shall be developed at the national and local levels by maintaining coordination and harmonization with the network active at the international level.
- 5.5.5 Participation and collaboration shall be made extensive by promoting partnership among the governmental sector, private sector, religious sector, educational sector, civil society and local bodies.

## **6. Institutional Provision**

6.1. There shall be formed a High-level Drug Control National Guidance and Coordination Committee as follows , for providing guidance and maintaining coordination and harmonization in order to make the drug control activities efficient and effective:

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|--|--------------|
| 1. Honorable Minister for Home Affairs                   | -Chairperson |
| 2. Secretary, Ministry of Home Affairs                   | -Member      |
| 3. Secretary, Ministry of Finance                        | -Member      |
| 4. Secretary, Ministry of Foreign Affairs                | -Member      |
| 5. Secretary, Ministry of Information and Communications |              |
| 6. Secretary, Ministry of Education and sports           | -Member      |

7. Secretary, Ministry of Women, children and social welfare
8. Secretary, Ministry of Health and population -Member
9. Secretary, Ministry of Law and Justice -Member
10. Secretary, National Planning Commission secretariat -Member
11. Inspector General of Police, Police Headquarters -Member
12. Chief, National Investigation Department -Member
13. Representative, Eight persons from national and international non-governmental Organizations (Comprising at least three women representatives) -Member
14. Chief Narcotics Control Officer -Member-Secretary

6.2 There shall be a Drug Control Executive Committee as follows to bear responsibility of resolving and doing away with the problems at the implementation level by having effective coordination and harmonization of the implementation of drug control programmes and monitoring and evaluating the activities :

1. Secretary, Ministry of Home Affairs -Chairperson
2. Joint secretary, Ministry of Education and sports -Member
3. Joint Secretary, Ministry of Women, Children and Social Welfare -Member
4. Joint Secretary, Ministry of Law and Justice -Member
5. Director General, Department of Customs -Member
6. Director, Department of Drug Administration -Member

7. Director, National Centre for Aids and STD control -Member
8. Deputy Inspector General of Police, Police Headquarters -Member
9. Representative, Nepal Journalists' Federation -Member
10. Representative, Non-governmental Organizations-  
Three person (Consisting of at least one women representative) -Member
11. Chief Narcotic Control Officer -Member- Secretary

6.3 A National Drug Demand Reeducation Campaign shall be established as an autonomous body with wider participation in order to operate awareness and advocacy programmes in the field of prevention and control of narcotics in an extensive manner, to have provision of standard treatment and human resources; and programmes shall be launched accordingly .

6.4 The present structure and capacity of the existing Narcotic Drug Control Law Enforcement Unit shall be consolidated and strengthened in a timely manner; and as a specialized mechanism, a Narcotics Control Bureau shall be established under the Minister of Home Affairs, the Government of Nepal. In addition, arrangements shall be made for the operation of specialized services by the Nepal Police staff to be involved in a special task force of this Bureau.

## **7. Legislation**

The existing narcotic drug control legislation shall be improved in order to make it adequate, strict, appropriate from humanitarian perspective and enforceable in consonance with the commitments made by the country at the General Assembly of the United Nation and other conferences and under the United Nations and regional convention for the prevention and

control of narcotics. Moreover, necessary laws shall also be made on matters such as control of money laundering and witness protection and precursor chemicals.

## **8. Policy Reforms**

The policy shall be reviewed and improved, as required, in every Five years in order to make it timely and inclusive, taking into consideration the dynamism of the addiction to, illicit production, transportation, pattern, intensity and results, among others, of drug, and of the need to make timely improvements.

## **9. Policy Implementation**

9.1 Necessary sectoral and thematic strategies and plans of action shall be formulated by maintaining coordination and harmonization with all relevant parties for the implementation of the policy.

9.2 The bodies responsible for the implementation of this policy shall formulate their respective annual programmes and budget.

9.3 Since drug abuse is a cross-cutting issue, its prevention and control shall be mainstreamed in various plans, policies, working policies and programmes.

9.4 Priority shall be accorded to this issue in bilateral relations with friendly country India and various inter-boundary practices.

## **10. Repeal**

The Drug Control National Policy, 2052 shall be repealed.