



Narcotic and its countering approach in Afghanistan

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Abstract

Narcotic is mainly called to the material that its consumption causes disorder to behavioral balance and unintentional movement of individuals. This material is varied, but is generally categorized in three types; natural, artificial and invented narcotics. Consumption of narcotic, despite of economic losses, will cause physical, social, and ethical damages. Millions of individuals are addicted to this across the world recently, and Afghanistan due to its high level of opium production, is more in danger of addiction than other countries. Currently, more than 3 million afghans are addicted. More factors are known as the reason of addiction to narcotic, out of which, poverty, unemployment, family and livelihood problems are major factors that lied behind this certain issues in the country. Afghanistan government had taken several measures including; setting rules and regulation, establishment of Ministry of Counter Narcotics (MoCN) in executive structure of government, creating Deputy of Counter Narcotic department, and introducing punishment on producers, smugglers, and consumers of narcotic to prevent cultivation, production and smuggling of narcotic within and out of the country.

Keywords: addiction, addicted, opium, morphine, heroin, cocaine and cannabis

Introduction

Narcotic as a internecine evil is major part of global issue which raised concerns of western and eastern communities. Human being since beginning ages thus far, encountered with several crisis and challenges which could successfully pass on it but the issue of narcotic threatening the humanity to ravage and destruction. Its danger is joint for all world habitants, but Islamic communities are more in danger than others. Despite existence of international conventions, efforts of international organizations and global society, sanction of laws in countries, and preventing measures, still its production and cultivation is not only exists but rapidly growing and these efforts were not fruitful as initially expected. This phenomenon is not only destructing individuals, but ravages communities as a whole. In this article, narcotic and its varieties is briefly introduced, then factors of addiction to narcotic is discussed in details and at the end, the Afghan government approach towards countering narcotics is concluded.

Narcotic definition

Narcotic means fainting, weakness, frailty and what weakening and fainting the mind. It is particularly referred to the material that its consumption causes disorder to behavioral balance and voluntary movement to individuals. Addiction to narcotic is led to cowardice, dullness, backwardness and vagrancy. In Islamic text, narcotic is defined as; narcotic is called to the material that its consumption disordering senses and mind of individuals, without any happiness or good fortune.

Definition of narcotic in law

Counter narcotic and drug law in Afghanistan defines narcotic as follow; Narcotics include herbs, material or compound which are classified and ordered in the enclosed tables (1,2,3,4) of the law. In aforementioned tables, 199 varieties of herbs and chemical material are introduced out

of which cannabis, heroin, morphine and opium are mentioned as well. Addicted and addiction definition Addiction to narcotic is acute or chronic poisoning which is detriment to individual or society statues, and is extracted out of natural or industrial drug. Common feature of addiction Is willingness and need to persistent using, tendency and intensive interest to further utilizing, and, physical and mental dependency to it. Or addiction is defined as using material which is socially and medically harmful, that if individual is affected and addicted to it for a longer period, its abandonment would be difficult or impossible. According to the law of countering narcotic and drug, addicted is a person who is using one of the items listed in the tables 1, 2, 3, 5 as he is physically or mentally dependent to it.

Types of narcotics

Narcotics are classified in three categories as bellow

1. Natural narcotics produced by herbs as cannabis, opium, pan and tobacco.
2. Artificial narcotics produced of opium extract. After simple chemical processes, it is transformed to opium, morphine, heroine, codeine and cocaine.
3. Invented narcotic is not related to those two above, rather it is produced by compounding some chemical material. But its effect is the same as others. These are including K tablet, soporific, soothing and unconsciousness maker. The most dangerous one that addicted the user is heroin, cocaine, morphine, opium and cannabis.

Genesis of narcotic

Narcotic including opium was existed among human since ancient age, and had suffered millions of people. Its history refer to 4000 years b.c, as the signboard acquired from Sumerian time testifies this, and they knew it as fortunate herb. This was extended to Islamic territories on 6th century

of Hijri solar calendar. According to IBN Taimia and Imam Zahabi, opium has been being brought to Islamic countries by Genghis Khan for first time on the 6th century. Lack of discussion on opium by Islamic scholars before 6th century is testifying the above claim. By the time using narcotic popularized within Islamic societies, the scholars started to assess and discuss about it after that century. Current statuses of narcotic production and use in the world As mentioned before, production and cultivation of opium was popular for human being, but in recent decades particularly since 1985 illegal cultivation of opium is increased, and by 1996 area of cultivated land is increased by 280000 hectares in the world. based on published reports, 34% of narcotic production in the world are produced by Afghanistan and Burma. Since 1990, opium is increasingly produced in Afghanistan, as its production volume increased from 415 MT to 4565 MT. Area under opium production has also been increased since 1990 in other countries across the world. Further research and precise data shows that its harmful effect on health is much greater than expected. According to published figures by UNDP, rate of illegal use of narcotic has an incremental trend. This scale is increased by 3.3% relative to the world population which is approximately 140 million of people are suffered of It. As, 8 million of people are using heroin and 13 million are using cocaine in the world. Countries including north America, Europe, south America and Africa are ranked in highest consumption of cocaine respectively. Prevention and treatment facilities for addicted people to narcotic is not accessible in most communities in the world, as only 1 out of 7 individuals has access to treatment facility annually. Global report of narcotic published by UN in Vienna on 26 January 2019, stated the deepest concern on consumption of narcotic and its intense effect on health of individuals in prison. In recent years, magnitude of cultivation and production of narcotic is rapidly increasing in Afghanistan, as minister of countering narcotic in general meeting of senate (Mishrano Jerga) which was held on 10-Apr-2018 stated; more than 9000 MT of opium is produced in Afghanistan annually which 4000 MT produced in Helmand, south province in the country. In conference held in Kabul on 26 June 2018 under name of "health for justice, justice for health" minister of public health stated that currently, 107 treatment centers are existed across the country, which 200000 addicted individuals are treated annually. But as it has been observed, despite these centers are not sufficient, treatment in these centers were not efficacious, and some of the treated individuals are re-addicted due to lack of employment opportunity. Presence of addicted individuals in sidewalks, under bridges and in the parks, is changed to a serious challenge for habitants of the cities. Addicted individuals are committing theft and robbery to support their livelihood expenses, or sometimes they are threatening the drivers to get blackmail. They are partially cause of insecurity in cities specially in Kabul city, because they are doing so during night. By increasing the number of addicted individuals in the city, crime is also increases accordingly. It is worth mentioning that opium and heroin are major products of narcotic in Afghanistan.

Factors of drug addiction

Drug addiction has various factors, some of which are social, some are economic, some are political, and some are personal aspects.

Below are some factor leading to addiction

1. Lack of religious motivation (Faith)

Lack of religious motivation is the most obvious cause of drug addiction, because a person who believe in a religion is very unlikely to use drug and deal it. Believing in a religion, someone who has strong faith and connection with Allah, worship Allah performing, pray, fasting, Zakat (tithes) and Haj (pilgrimage) is unseemly to be involve with drug and drug addiction because it is Satan's path and is impossible to those who selected Allah's path go to Satan's path.

2. Unemployment and free time

In countries like Afghanistan, where, according to facts and figures stated by Minister of Economic; 55% of the population is below the poverty line and the rise of drug addiction and criminal offenses is a sample matter; mostly, those who are not able to support alimony themselves, they earn by referring to murder, kidnapping, robbery and other crimes. Absence of such opportunity, they refer to drug to make their live calm and comfort which is the only way for such type of people, but unaware of what bad consequences are ahead.

3. Companionship with addicts

One of the other drug addiction factors is the companionship with people who are addicted with drug and narcotics substances. Such people motivate their companionship and gradually addict them. Experience has shown that peers have positive and negative effect on each other. We can better understand this from Hadith of the beloved Prophet of Islam (PBUH): the example for a good companionship and bad is like perfume seller and the smith who work on furnace brewer, the perfume seller gives you something, you buy from him or at least you will get a fragrance of the perfume from him, but the smith furnace brewer may burn your cloths or his bad smell make you unwell.

4. Family issues

Family issues are one of the most important factors to fall into the trap of addiction, because the disagreement between man and women in presence of their children, divorce and backbite of a parent; each has a huge impact on family members being affected by drug addiction.

Sometimes, man take refuge to drug to release himself from family issues; most probably, it happens to children after whose parents are divorced.

5. Immigration

Due to long lasting war in Afghanistan, most Afghans are displaced to neighboring and other countries. Some of these caused by unemployment, lack of shelter, fleeing police and the rush of worries and anxiety; they have been trapped to drug addiction. They returned to Afghanistan after being detained by police and joined with addicted people in the country.

6. Poverty

Poverty and hardship are the factor of misery, backwardness, Spread of crime and the sense of revenge on society. In Afghanistan, lack of employment opportunities and poor economic opportunities, causes youths to an increased addiction through gradual use of tobacco to

reduce stress and problems. Among these, educated youths are also affected by addiction.

7. Blind Imitation

Sometimes due to the neglect of parents and care takers, teenagers imitate others on smoking cigars and hassle, which is somehow being considered normal and worthless to them, and in order to make them more enjoyment, they go for drug substances and more.

8. Living in Drug Producing Areas

Mostly, those in danger of affected by drug addiction are people who live in areas of drug production. Because the substance is easy in their access and its smells affect them so, they refer to use drug.

9. Living in an inappropriate Environment

Drug addiction has an eye-catching growth in the prisons of Afghanistan. The purpose of prison creation is the reformation of criminals. To reach this purpose, there should be reformation and educative programs in the prisons. But due to lack of such type of programs in prisons of Afghanistan and exist of addicted individuals, sound individuals to release from grief and distress; refuge to this fatal and mortal substance.

10. Addiction of a Parent

Sometimes it happens that addiction of a parent causes children to be addicted.

11. Cure of Diseases

Poverty and poor economic in Afghanistan factored to lead some families to use opium as a painkiller. In remote areas of Afghanistan where men and women are engaged in overwhelming work, pain such as back ache, leg pain is common, especially women to relief their pain; use opium and then, they gradually used to addiction.

Sometimes families give their children opium to go to a long sleep and to enable them to get things done quietly.

In recent year, it has been seen that a number of poor families feed their children with opium and then let them walk half naked on cold wet rain and or snow ground, so they can get help from passersby make sense of their situation and motivate passers emotion to get help.

Practices of Counter Narcotics in Afghanistan

The Government of Afghanistan's action in fight against the drug are include as follows:

1. Establishment of Ministry of Counter Narcotics

The Government of Afghanistan created a ministry in its cabinet under the name of Ministry of Counter Narcotics, is responsible for coordinating counter narcotics and implementation of national strategy of drug control with other ministries and related organizations.

2. Forming Deputy Ministry of Counter Narcotics

In Addition, that Ministry of Counter Narcotics is a ministry of policy maker; for to seriously fight against narcotics and armed action if needed, within the ministry, deputy ministry of counter narcotics is established.

3. Formation of High Commission of Counter Narcotics

In addition to the two aforementioned organs, the Counter

Narcotics Drug Law, the formation of the High Commission on counter drugs, chaired by the President or one of his deputies, and the membership of the Drugs Ministers, the President of the Supreme Court of the Supreme Court, High Attorney, Ministers of Interior, Foreign Affairs, National Defense, Finance, Justice, Public Health, Hajj-u-Uqaf, Information and Culture, Economics, Agriculture, Telecommunications, Rural Rehabilitation and Development, Labor and Social Affairs, Business, Education, Higher Education, Women Affairs and National Security Departments, the Independent Department of Local Authorities, the National Environmental Protection Office and the Central Bank is anticipated. Alongside of High Commission on Counter Narcotics in capital, the establishment of sub-committees on Counter Narcotics in provinces and districts headed by the governors and districts governors have also been enshrined in the law.

4. Formation of drug regulation committee

This committee is a joint participation of medical and legal experts to regulate and manage legal cultivation and production of drug, and to monitor and control the activities of licensed persons and licensed to cultivate and produce narcotics, is the items of counter narcotics and is anticipated to this law.

5. Issuance and confirmation of counter narcotics and drug law

This law, which is in 7 chapters, 77 articles and 5 annexes entered into force on February 2018 after confirmation of National Assembly and approval of president.

This law, in addition to the anticipated formation of commissions and taking step for the above actions, how to combat the cultivation and production of drugs, also the destruction of drug fields and the arrest of drug traffickers expressively detailed.

Pursuant to Article 14 of the law, counter narcotics includes, arrest of drug traffickers, drug seizure, destruction of drug-producing crop fields (poppy, coca and hassle seed) and destruction of drug process and drug production facilities.

6. Formation of Special Unit

In order to comply with anticipated measures provided in Article 4 of the Counter Narcotics and drug substances, according to the sentence of this article, a special unit of counter narcotics be established in deputy counter narcotics within the Ministry of Interior.

7. Punishment Anticipation

In 2017, the Government of Afghanistan approved new penal code. The code is intended crime penalties for drug trafficking and other related activities.

To this code and Counter Narcotics Drug Law severe penalties for cultivation, production, trafficking and use of drugs are considered, some of which are as follows:

A – The punishment of trafficking in heroin, morphine, cocaine, and variety of combinations containing these substances

- One gram = Nine months up to one-year imprisonment
- One to ten grams = one up to three years imprisonment
- Ten to fifty grams = three to five years imprisonment
- Fifty to hundred grams = five to ten years imprisonment
- More than hundred grams = in addition to ten years imprisonment, to each fifty additional grams six months

imprisonment.

B-The punishment of opium trafficking

- Less than ten grams = six up to nine months imprisonment
- Ten to hundred grams = nine months to one-year imprisonment
- One Hundred to five hundred grams = one up to two years imprisonment
- Five hundred grams to one kg = two to three years imprisonment
- One kg to five kg = three to five years imprisonment
- More than five kg = in addition to five years imprisonment, to each five hundred grams, six months imprisonment

C - Hassle Trafficking Punishment

25 grams to 20 Kg = accordingly, six months up to eight years imprisonment

D - Punishment of sales and distributors of drug to addicted people

- First round = in addition to predicted punishment of the origin crime of drug trafficking, average more than three years of imprisonment
- Repeated crime = in addition to origin punishment of trafficking long imprisonment up to ten years.

It is to mention that there are slightly differences in sentencing between the penal code and counter narcotics drug law, but as per the counter narcotics drug law when a ruling that contradicts the law with other applicable laws of the country, preferences will be given to counter narcotics drug law.

Conclusion

The following points can be outsourced as a result from the discussed previous topics

- A drug addict is a one who use drug psychotropic substances which is under counter narcotics drug law and or physically or psychologically related to it.
- Drugs are generally divided into natural drugs, artificial drug or opium and extracted.
- The existence of drugs among mankind has been around four thousand years before Christ.
- Yearly, more than 9,000 metric tons of drug produced in Afghanistan.
- Lack of religious motivation, unemployment, poverty, companionship with addict, living in areas of drug cultivation and the use the substance for treatment are the most factors of the drug addiction.
- Ministry of Counter Narcotics is a policy maker responsible for coordinating counter narcotic affairs, implementing national drug control strategy and attraction of foreign aid for elimination of drugs.
- The purpose of forming deputy counter narcotics and the creation of a special unit within the Ministry of the Interior is a serious fight against the producers and traffickers of these drugs.
- The Penal Code and counter narcotics, drug substances law and the crimes against drugs have stated and explained the methods of combating, imposed severe penalties including imprisonment, fines and confinement on the perpetrators of the production,

trafficking and the use of these drugs.

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