

“Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms”



LL.M THESIS

**A RESEARCH MONOGRAPH
SUBMITTED IN PARTIAL FULFILLMENT OF THE CREDIT REQUIREMENTS FOR
AWARDING THE DEGREE OF MASTER OF LAWS BY
DAFFODIL INTERNATIONAL UNIVERSITY**

Submitted by

Md. Sohaieb Parvaz
ID: 241-38-016
Batch:42
Program: LL.M
Daffodil International University

Supervisor

Mr. Mohammad Badruzzaman
Assistant Professor
Department of Law
Faculty of Humanities and Social Science
Daffodil International University

Date of Submission

30th June 2025

Letter of Transmittal

To

Mr. Mohammad Badruzzaman
Assistant Professor
Department of Law
Faculty of Humanities and Social Science
Daffodil International University

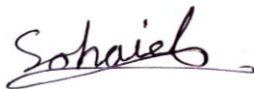
Subject: Prayer for Submission of Dissertation

Dear Sir,

I am under so much strain that I am even willing to do research on “**Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms.**” Additionally, I have made every effort to conclude this research in a unique and noteworthy manner. Furthermore, by compiling all relevant information from numerous sources that would satisfy your needs,

As a result, I genuinely hope and pray that this study paper will be helpful to you in your evaluation. Finally, I would want to hear if you have any wise suggestions on this.

If you require any further clarification on this material, I'm always available.

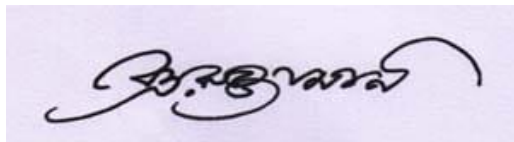


Sincerely yours,

Md. Sohaieb Parvaz
ID: 241-38-016
Department of Law
Daffodil International University

Letter of Approval

This certifies that the work has been completed. Md. Sohaieb Parvaz, ID: 241-38-016, Department of Law, Daffodil International University, completed the actual work “**Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms,**” under my supervision as a partial fulfillment of the research project for

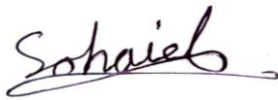
A handwritten signature in black ink on a light purple background. The signature is cursive and appears to read 'Md. Sohaieb Parvaz'.

Mr. Mohammad Badruzzaman
Assistant Professor
Department of Law
Faculty of Humanities and Social Science
Daffodil International University

Declaration

I officially certify that my thesis, **“Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms,”** partially satisfies the requirements needed to be awarded a master's degree in law from Daffodil International University's Department of Law.

I further affirm that the research described in this thesis is unique and has never before been submitted, in whole or in part, to another university for consideration for a degree, certificate, or academic distinction. No copyright is violated by the content I've shared.

A handwritten signature in purple ink that reads "Sohaieb". The signature is fluid and cursive, with a long horizontal stroke at the end.

©Daffodil International University

Md. Sohaieb Parvaz

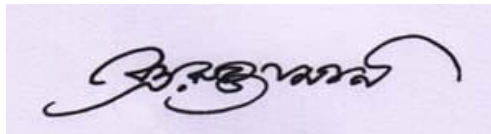
ID: 241-38-016

Department of Law

Daffodil International University

Certification

This certifies that Md. Sohaieb Parvaz has written a thesis titled **“Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms,”** It is ready to partially satisfy the requirements for the Master of Laws degree from the Department of Law, Daffodil International University. Under my direction, the research was conducted as part of a legitimate project that was completed successfully.

A handwritten signature in black ink on a light purple background. The signature is cursive and appears to read 'Md. Sohaieb Parvaz'.

Mr. Mohammad Badruzzaman

Assistant Professor

Department of Law

Faculty of Humanities and Social Science

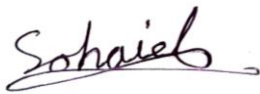
Daffodil International University

Acknowledgment

I want to express my gratitude to the all-powerful Allah for his unfathomable grace. I would like to thank my research supervisor, Mr. Mohammad Badruzzaman, Assistant Professor, Department of Law, Daffodil International University, for his kind assistance with every stage of this thesis work. He provided me with important knowledge and invaluable time to finish the thesis paper. I couldn't have finished the thesis paper without his appropriate direction.

I also express my gratefulness to my parents who encouraged me all the time.

Finally, I express thanks to my classmates and well-wisher.



Md. Sohaieb Parvaz

ID: 241-38-016

Department of Law

Daffodil International University

Table of Content

SL.	Heading	Page No.
Chapter One: Introduction (1-4)		
1.1	Background of the Study	1
1.2	Statement of the Problem	1-2
1.3	Objectives of the Research	2
1.4	Scope and Importance of the Study	2-3
1.5	Research Questions	3
1.6	Research Methodology	3
1.7	Literature Review	3-4
1.8	Limitations of the study	4
Chapter Two: An Overview of Bangladesh's Drug Control System (5-7)		
2.1	Framework of Domestic Law Examine important legislation and regulations, paying particular attention to aspects of human rights, damage reduction, and enforcement	5
2.2	Institutional Framework: Talk about the functions, roles, and coordination systems of pertinent government agencies	6
2.3	Socio-Economic and Cultural Context: Examine the elements affecting drug usage and the formulation of policies in Bangladesh	6-7
Chapter Three: Bangladesh's Difficulties in Adopting International Drug Control Standards (8-12)		
3.1	Examining Bangladesh's Application of the UNODC Narcotic Act of 1961	8-9
3.2	Bangladesh's difficulties putting the UNODC Narcotic Act of 1961 into practice	9-12
Chapter Four: An Analysis of Bangladesh's Internal Legal Framework and International Drug Control Standards (13-19)		

4.1	Introduction	13-15
4.2	Bangladesh's Contribution to Global Collaboration and Cooperation in Drug Control Initiatives	15-16
4.3	Strengthening Government-Civil Society Cooperation for Drug Prevention and Control	16-17
4.4	A Comparative Study of Yaba-Related Provisions in Bangladesh's Drug Control Act and UNODC Guidelines	17-19
Chapter Five: Findings, Suggestions, and Conclusion (20-21)		
5.1	Findings	20
5.2	Recommendations	20-21
5.3	Conclusion	21
	Chapter Six: References (22-24)	

Abstract

Drug misuse and trafficking present serious problems for Bangladesh, affecting its social cohesion, economic growth, and public health, according to my paper, “Drug Regulation in Bangladesh: A Comparative Study of Local Laws and Global Norms,” To solve these issues and protect the welfare of the country, it is imperative that effective drug control mechanisms be put in place. A comparative study of Bangladesh's domestic drug control laws and international drug control norms is the goal of this thesis. The study will pinpoint the difficulties Bangladesh faces in putting international norms into practice and investigate how to get beyond these obstacles and improve the efficacy of drug control. In addition to highlighting important shortcomings in institutional capacity, policy coherence, and enforcement, the study also identifies areas in which Bangladesh has made impressive strides. It also looks at how international cooperation and adherence might improve the nation's drug control tactics. The results highlight how crucial it is to align domestic legislation with international standards in order to establish a more effective, strong, and human rights-compliant drug control system. In order to fully solve the difficulties with drug regulation in Bangladesh, this report offers policymakers practical suggestions that include enhanced adherence to international standards, better interagency coordination, and legal amendments.

Key words: Drug Regulation, Comparative Study, Local Laws, Global Norms

Abbreviations

UNODC-United Nations Office on Drugs and Crime

DNC- Department of Narcotics Control

UNTOC-The United Nations Convention against Transnational Organized Crime

HIV-Human immunodeficiency Virus

AIDS-Acquired Immune Deficiency Syndrome

IDPC-International Drug Policy Consortium

WHO-World Health Organization

UN-United Nation

Chapter One

Introduction

1.1 Background of the Study

Bangladesh is at a pivotal point in the complex field of drug control, where organic chemicals have the potential to profoundly affect both the physical and mental facets of human existence.¹ The purpose of this thesis is to examine the complex web of drug control policies across the nation.² This seeks to shed light on the numerous, intricate challenges Bangladesh faces in bringing its internal drug control policies into compliance with the strict guidelines set by the international community. Whether they are legal or illegal, substances have the power to profoundly affect a person's emotions, thoughts, and actions.

In a nation where these substances may have an impact on the perception, comprehension, conduct, and emotions of its citizens, it becomes imperative to comprehend the relationship between local regulations and international standards. Effective drug control measures have always been a difficulty for Bangladesh, which has a long history of fighting drug-related issues dating back to the British opium trade era. The nation has witnessed the wide-ranging effects of a shifting drug landscape, from the illicit trafficking of illegal drugs to the improper use of prescription drugs. Examining the current institutional and legislative framework that governs drug control within Bangladesh's borders is essential to comprehending and resolving this ongoing struggle.

The purpose of this thesis is to thoroughly examine the efficacy of Bangladesh's existing drug control policies, weighing their advantages and disadvantages as well as their adherence to international norms. As we embark on this academic adventure, we hope to shed light on the complexities and potential solutions that Bangladesh's efforts to attain effective drug control may face.

1.2 Statement of the Problem

Drug usage and illegal drug trafficking are becoming more and more of a problem in Bangladesh, endangering social stability, economic growth, and public health. The nation still faces difficulties enforcing and implementing its drug regulation framework, even after the Narcotics Control Act

¹ Cabinet clears Narcotics Control Act draft with death penalty for smuggling ", *Dhaka Tribune* selling (Bangladesh, 8 October, 2018) yaba<<https://www.dhakatribune.com/bangladesh/government-affairs/157669/cabinet-clears-narcotics-control-act-draft-with>>

² ibid

and other pertinent laws were passed. Addressing this complex issue is made more difficult by weak institutional capability, corruption, and poor interagency collaboration.

Furthermore, as global frameworks like the United Nations Single Convention on Narcotic Drugs (1961) and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) have established, domestic legal mechanisms for drug control frequently fall short of international standards. This disparity restricts Bangladesh's capacity to participate in international collaboration against drug-related crimes in addition to impeding the efficacy of domestic initiatives.

1.3 Objectives of the Research

Examine the Narcotics Control Act and other current drug regulation regulations in Bangladesh to see whether they are effective in combating drug misuse and trafficking. Assess how well Bangladesh's drug control policies adhere to international agreements like the UN Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances (1988) and the UN Single Convention on Narcotic Drugs (1961). Draw attention to the discrepancies and gaps that exist between Bangladeshi drug laws and international norms. Examine the capability and corruption concerns that law enforcement and judicial institutions encounter while putting drug control measures into practice. Examine Bangladesh's engagement in international initiatives to address drug-related concerns and its adherence to its obligations under international treaties. Provide workable plans for bringing Bangladesh's legal system into compliance with international standards and boosting its efficiency in preventing drug-related offenses. Analyze how international organizations, government institutions, and non-governmental groups have improved drug control in Bangladesh. Offer data-driven analysis and policy suggestions to improve Bangladesh's drug laws and enforcement. These goals seek to establish a strong basis for comprehending and enhancing Bangladesh's drug control systems in a worldwide setting.

1.4 Scope and Importance of the Study

The study's main objective is to assess how well Bangladesh's domestic drug control laws—such as the Narcotics Control Act and associated statutes—address drug-related problems. It looks at how Bangladesh's legal system compares to international norms like the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) and the United Nations Single Convention on Narcotic Drugs (1961). The study examines the real-world difficulties that law enforcement and courts encounter while putting drug control laws into effect, emphasizing structural and institutional constraints. The report examines international cooperation and adherence to international standards while placing Bangladesh's efforts within the context of drug regulation worldwide.

In Bangladesh, drug usage and trafficking present serious social, economic, and health issues. This research aids in comprehending and addressing these problems. The study finds gaps and inconsistencies that impede Bangladesh's efficient drug control by contrasting local laws with international norms. In order to improve governance and social stability, the study offers policymakers practical suggestions for fortifying legislative frameworks and enforcement systems. With an emphasis on multidisciplinary topics including public health, criminology, and international relations, the study provides a basis for future scholarly investigation into drug control. In tackling drug-related issues, it emphasizes the value of multi-stakeholder cooperation involving governmental institutions, non-governmental organizations, and international organizations.

This study is essential for strengthening Bangladesh's drug control policies, encouraging global collaboration, and guaranteeing a well-rounded strategy that puts public health and human rights first.

1.5 Research Questions

- How successful and compliant are Bangladesh's domestic drug regulations in comparison to those of other countries?
- What are the main tenets of Bangladesh's drug control legislation, and how are drug addiction and trafficking addressed?
- How closely does the Narcotics Control Act conform to international agreements like the UN Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances (1988) and the UN Single Convention on Narcotic Drugs (1961)?

1.6 Research Methodology

To achieve the goal of this dissertation, the research will be carried out using the qualitative research approach, which will involve discussing and analyzing books, journals, articles, national and international laws, and other sources. Statutes, Acts of Parliament, and court rulings are regarded as primary sources of information for the study, while books, articles from national and international journals, newspapers, websites, blogs, and other online sources are regarded as secondary sources.

1.7 Literature Review

Bangladesh, which is battling a severe drug problem, has to navigate a complex web of national and international drug control regulations. This essay explores this complicated environment, highlighting the distinctions between the Narcotics Control Act, 2018 (Bangladesh) and pertinent

international norms. It also looks at possible legal reform avenues that could lead to a more efficient and rights-based strategy.

The Portuguese Decriminalize strategy provides a detailed examination of how Portugal reduces drug use without outlawing drugs.³ Additionally, there are inconsistencies in the harm reduction provisions, which have been thoroughly examined.⁴ According to the UNODC and the World Health Organization, personal drug possession is illegal.⁵ The United Nations Office on Drugs and Crime has also contributed to the collection of useful data.⁶ In 2022, Vergas, R. et al., Coca The extensive information required to understand the research is provided by an examination of spatial patterns and police efficacy in relation to cultivation and alternative development in Columbia.⁷

In addition, numerous blogs, papers, and online journals have been used with the appropriate references and citations.

1.8 Limitations of the study

The fundamental rights of the witness have been the main subject of this study. In addition, the lack of resources is the research's main drawback. In addition, there are no Bangladeshi case laws available online, and more significantly, there are no specific books available. Furthermore, a large number of books and journal articles are either unavailable online or on a premium website that is inaccessible. The dissertation must be finished in two and a half months. Time for quantitative investigation was limited.

³ RÊGO, „20 years of Portuguese drug policy - developments, challenges and the quest for human rights“, *Substance Abuse Treatment, Prevention, and Policy*, et al. (2021 16(1). doi:10.1186/s13011-021-00394-7.

⁴ Studio, T.W. (no date) Au Coeur de l'expérience Touristique Québécoise, Événements Attractions Québec. <<https://www.evenementsattractions.quebec/?m=alternatives-to-punishment-for-drug-using-offenders-international-drug-cc-do6WdAcV>> (Accessed: 2 June 2025).

⁵ Anti-human trafficking manual United Nations: Office on Drugs and Crime. <<https://www.unodc.org/unodc/en/human-trafficking/2009/anti-human-trafficking-manual.html>> (Accessed: 3 June 2025).

⁶ Islam, A. „Drug problem requires collective solutions“, 2018 *The Daily Star*, 10 December.

⁷ Rivadeneyra, P., Scaccia, L. and Salvati, L. (2023) A spatial regression analysis of Colombia's narcodeforestation with factor decomposition of multiple predictors, *Nature News*. Available at: <https://www.nature.com/articles/s41598-023-40119-3> (Accessed: 03 June 2025).

Chapter Two

An Overview of Bangladesh's Drug Control System

With a population of over 160 million, Bangladesh is a developing South Asian nation that has a significant drug control challenge. The use of illegal substances, particularly heroin and yaba pills, has had a detrimental impact on public health, safety, and social cohesiveness in communities. To address these complex issues, Bangladesh has implemented a complex legal and policy framework aimed at lowering drug use and trafficking. The government's resolve to combat the drug trade is reflected in Bangladesh's strict drug legislation.⁸ This includes provisions for severe punishment for significant drug trafficking violations, including the death penalty and, in some cases, imprisonment. Bangladesh requires foreign assistance to fight drugs efficiently. Addressing the transnational aspect of the drug trade requires cooperation with agencies like the United Nations Office on Drugs and Crime (UNODC) and surrounding nations.⁹

2.1 Framework of Domestic Law Examine important legislation and regulations, paying particular attention to aspects of human rights, damage reduction, and enforcement

A complex system of rules and regulations aimed at lowering drug usage, trafficking, and related issues is essential to Bangladesh's battle against drug misuse. Examining significant laws like the Narcotics Control Act of 2018 reveals a complete strategy that strikes a balance between enforcement, harm reduction, and human rights consideration, despite ongoing problems. Concerns over Bangladesh persist in spite of these measures, indicating the government's will to combat the drug trade. This includes provisions for severe penalties, including incarceration and, in some cases, the death penalty, for serious drug trafficking offenses. International assistance is necessary for Bangladesh to fight drugs successfully.

The framework for drug control in Bangladesh is evolving due to the complex problems caused by drug misuse, which calls for a comprehensive approach. Although the Narcotics Control Act of 2018 provides a solid foundation for enforcement, harm reduction strategies and human rights must be included into a long-term and effective approach. Continuous attempts to increase funding and resources for harm prevention programs

⁸ Husain, M. (2020) „Bangladesh“s drug policy needs major repair“, *The Daily Star*, 30 August.

⁹ *ibid*

2.2 Institutional Framework: Talk about the functions, roles, and coordination systems of pertinent government agencies

The fight against drug use in Bangladesh requires a symphony of collaboration, with many government agencies adding different notes to the score. Through the Department of Narcotics Control (DNC), the Ministry of Home Affairs is in the lead in organizing law enforcement operations against trafficking and distribution (Government of Bangladesh, 2023) Police officers and border guards join the choir as vigilant front-line performers.

But the fight for recovery requires more than simply the rigorous rhythm of punishment. The Ministry of Health and Family Welfare takes a more measured approach, establishing treatment centers and offering evidence-based treatments like methadone maintenance while working to de-stigmatize addiction through public education initiatives.¹⁰

The Ministry of Social Welfare joins the team, juggling rehabilitation and reintegration. Support for life skills and vocational training are the main instruments for reintegrating patients into society after the peak of treatment. But without a conductor, this musical metaphor would not be feasible. Coordination of the development and execution of drug control initiatives is ensured by frequent meetings and information exchange via interministerial committees.¹¹

Memorandums of understanding, like sheet music, outline individual responsibilities and codify collaboration. Nevertheless, the song contains a number of off-key notes. The peace can be undermined by poor communication, a lack of resources, and administrative obstacles. The clamor of a broad reaction could be muffled by compartmentalized strategies.

2.3 Socio-Economic and Cultural Context: Examine the elements affecting drug usage and the formulation of policies in Bangladesh

The fight against drug addiction in Bangladesh cannot be fought solely with legal structures. The issue is intricately linked to the nation's socioeconomic and cultural underpinnings. People are more inclined to use drugs as a comfort or escape because of unemployment and poverty, particularly in rural areas (Khan, 2019). Karim and Rashid state that¹² This sensitivity is further exacerbated by labor migration and family separation, which results in emotions of emotional distress and isolation. Access to proper care and assistance is hampered by social stigma and a lack of educational opportunities on drug use, which prevent open dialogue and public understanding.¹³

¹⁰ ibid

¹¹ ibid

¹² Karim, F., & Rashid, M. A. (2017). Impact of overseas labor migration on family dynamics and drug use in Bangladesh. *Journal of International Migration and Development*, 6(1), 1-18.

¹³ Islam, M. S., & Rahman, M. M. (2020). Social stigma and access to treatment for drug users in Bangladesh. *Journal of Public Health*, 22(1), 1-8.

Even if the Narcotics Control Act of 1990 was effective in lowering large-scale trafficking, it is a prime example of the drawbacks of a purely punitive approach. The human cost of such approaches cannot be ignored, as evidenced by concerns about due process and the lack of damage prevention measures. A change to a more all-encompassing approach is essential. Adopting the harm reduction guidelines from the National Drug Control Master Plan 2018–2023 is a positive start. In addition to targeted police action, a humane and sustainable drug control policy can be achieved by tackling societal stigma, providing funds for easily accessible treatment facilities, and concentrating psychosocial help.¹⁴

A harmonious symphony is required for education inside the institutional framework. To guarantee a unified response that satisfies the needs of those struggling with addiction, the conductor's task will be to enhance coordination mechanisms, promote resource sharing, and fortify communication.¹⁵ But navigating this labyrinth also requires constant adjustment. Addressing the social and cultural factors that increase vulnerability, challenging societal preconceptions, and promoting an honest dialogue about drug use are all necessary to end the cycle of addiction. Bangladesh is still far from attaining successful drug control.

It advocates for both a strong anti-illegal drug policy and a compassionate approach to those caught in their web. The nation must put both public safety and individual well-being first if it is to totally escape the maze and build a better future for everybody.

¹⁴ Khan, M. A. „The institutional framework of drug control in Bangladesh: A critical analysis. *Journal of Public Policy and Administration*“, (2022) 32(2), 187-204

¹⁵ Ibid 22(1), 1-15

Chapter Three

Bangladesh's Difficulties in Adopting International Drug Control Standards

3.1 Examining Bangladesh's Application of the UNODC Narcotic Act of 1961

An international agreement known as the UNODC Narcotic Act of 1961 forbids the manufacture and distribution of certain medicines and substances with comparable effects unless they are licensed for use in research and medical treatment, for example. Bangladesh has ratified all three of the main UN conventions and is a state party to this one.¹⁶

In order to achieve the goals of the Narcotics Control Act of 1990, the nation also passed the Act and created the Narcotics Control Regulations of 1999. This chapter's goal is to examine how Bangladesh is implementing the UNODC Narcotic Act of 1961.¹⁷

i. Narcotics Control Act History

A key component of Bangladesh's commitment to international drug control initiatives is the implementation of the UNODC Narcotic Act 1961. The historical context of drug control in Bangladesh, with a focus on the Narcotics Control Act 1990 and its related regulations, must be examined in order to assess the effectiveness of its execution.

The main law in Bangladesh that sets rules and controls for narcotic drugs and psychotropic substances is the Narcotics Control Act 1990. This law prioritizes the prevention of drug abuse in addition to establishing the legal framework for regulating these substances. A wide range of topics are covered by the guidelines, including the manufacture, possession, exchange, purchase, transportation, and use of opioids and psychotropic substances. The main law in Bangladesh pertaining to drug regulation is the Narcotics Control Act of 1990. This law lays out procedures to control the use of psychotropic drugs and narcotic medications and to stop their abuse.

Furthermore, in compliance with the Narcotics Control Act of 1990, the Narcotics Control Rules of 1999 were created to specify particular limitations for the forbidden substances. These rules are necessary to guarantee that the legislation's objectives are fulfilled. The production, ownership, trading, purchase, transit, and use of narcotic drugs and psychotropic substances are regulated by the Narcotics Control Rules, 1999, which were created in compliance with the statute.¹⁸

¹⁶ Lande, A. (2009) *The Single Convention on Narcotic Drugs, 1961: International Organization, Cambridge Core*. Available at: <https://www.cambridge.org/core/journals/international-organization/article/abs/single-convention-on-narcotic-drugs-1961/1976776C4D4703D9BD6235D6F356AB83> (Accessed: 4 June 2025).

¹⁷ United Nations, „Single Convention on Narcotic Drugs, 1961, “ <<https://www.unodc.org/unodc/en/treaties/single-convention.html>> accessed 4 June, 2025,

¹⁸ World Drug Report 2022,“ <<https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2022>>.htm accessed June 5 , 2025

According to the constitution of Bangladesh, Article 18, "Public health and morality. (1) The state shall ..., and in particular shall adopt effective measures to prevent the consumption, except for medical purposes or such other purposes as may be prescribed by law, of alcoholic and other intoxicating drinks and of drugs which are injurious to children."

This article emphasizes the state's responsibility to implement efficient policies to stop the use of harmful medications, unless they are prescribed by law or used for medical reasons. The UNODC Narcotic Act of 1961's goals are in line with this constitutional clause, which highlights how crucial drug control and regulation are to society's overall health.

ii. Bangladesh's application of the UNODC Narcotic Act 1961

The 1962 Convention on Narcotics Drugs (as amended by the 1972 Protocol), the 1971 Convention on Psychotropic Substances, and the 1988 Convention against Illicit Trafficking of Narcotics Drugs and Psychotropic Substances are the three main UN conventions that the government of Bangladesh has ratified and pledged to uphold.¹⁹

On January 2, 1990, the Department of Narcotics Control (DNC) was founded, with a headquarters, four zones, four intelligence zones, twenty-five regional offices, and 108 circle offices spread over the nation.²⁰ DNC has 1277 employees in total. The law gives the Coast Guard, DNC, Police, BDR, and Customs the authority to stop drug trafficking both individually and jointly. To create policies pertaining to drug-related matters, the National Narcotics Control Board (NNCB) was established.²¹ The DC of the district served as the chairperson of the District Drug Control Committee (DDCC), which was established at the district level.²²

3.2 Bangladesh's difficulties putting the UNODC Narcotic Act of 1961 into practice

One significant international agreement that attempts to regulate the manufacture and distribution of narcotic drugs and psychotropic substances is the UNODC Narcotic Act of 1961. After ratifying the treaty, Bangladesh implemented the Narcotics Control Act 1990 and the Narcotics Control Rules, 1999 to carry out the act's goals. To carry out the act, the nation has also set up the National Narcotics Control Board and the Department of Narcotics Control.²³

¹⁹ Inter-American Convention against the Illicit Production of and Trafficking in Narcotic Drugs and Psychotropic Substances," 1988, accessed 9 June, 2025,

²⁰ 2009 Political Declaration and Plan of Action on International Cooperation on the Illicit Traffic in Narcotic Drugs and Psychotropic Substances," 2009, accessed 9 June, 2025, <https://www.unodc.org/documents/ungass2016/V0984963-English.pdf>.

²¹ Akter, Z. (2020) „Statement by Bangladesh under agenda item“, *unodc* [Preprint].

²² Alternative World Drug Report 2023," accessed June 9, 2025, <https://idpc.net/publications/2016/03/idpc-drug-policy-guide-3rd-edition>: <https://idpc.net/publications/2016/03/idpc-drug-policy-guide-3rd-edition>

²³ United Nations Office on Drugs and Crime (UNODC), "International Treaties and Conventions," accessed January 7, 2024, <https://www.unodc.org/unodc/treaties/>

However, there are a number of obstacles to the act's implementation. The shortage of personnel and resources is one of the primary issues. The general public's ignorance of the negative consequences of drug misuse presents another difficulty.

More actions from the government are required to increase public awareness of the problem. The following explains some of the major challenges:

Insufficient manpower and resources: To cover the entire nation, the Department of Narcotics Control employs just 1277 people. This is a major obstacle to the act's successful implementation. There is now a shortage of staff and funding at Bangladesh's Department of Narcotics Control (DNC) to adequately handle the growing drug problem.²⁴ The DNC has a sanctioned staff of 1706 people, according to its official website, but as of right now, only 1277 people are actively engaged. The department currently has 429 open posts, which is about 25% of the total staff.

Additionally, the DNC lacks the infrastructure, vehicles, and equipment needed to carry out its duties. The DNC's performance and efficacy are negatively impacted by a lack of staff and resources in a number of ways. For example, it limits the DNC's capacity to conduct actions such as raids, seizures, arrests, and prosecutions of individuals implicated in drug-related offenses.

It also makes it more difficult to provide drug users with treatment, education, and recovery programs. Moreover, it reduces the DNC's ability to work with other organizations and parties involved in drug control.

Corruption: One of the biggest obstacles to the Act's implementation is corruption. In order to avoid being arrested and prosecuted, drug traffickers frequently bribe police enforcement. One major obstacle to the successful application of the Narcotics Control Act of 1990, which is the main piece of legislation governing drug control in Bangladesh, is corruption. Drug manufacturers, importers, distributors, retailers, prescribers, regulators, and law enforcement are among the many parties involved in the widespread and pervasive corruption in the pharmaceutical business, according to a report by Transparency International Bangladesh (TIB).²⁵ Corruption in the drug trade can take many different forms and have a wide range of effects.

Unlawful payments: Drug traffickers frequently bribe law enforcement officials, such as police officers, customs officials, and border guards, by providing illegal incentives to avoid detection and prosecution. In order to influence the outcome of court cases and lessen the severity of sentencing, they also practice providing judges, lawyers, and jail authorities with illegal incentives. Drug manufacturers, importers, and representatives of the Directorate General of Drug Administration (DGDA), the country's main pharmaceutical regulatory agency, frequently collude

²⁴ Tasneem Tayeb, „Bangladesh Caught in a Narco Triangle,“ *The Daily Star*, available at: <https://www.thedailystar.net/opinion/views/closer-look/news/bangladesh-caught-narco-triangle-3176611> (accessed on 9 June 2025).

²⁵ UNB, „Bangladesh's illegal drug problem lies in it's geographical location: Home Minister“ *The Business Standard* (14 November 2021) < <https://www.tbsnews.net/bangladesh/bangladeshs-illegal-drug-problem-lies-its-geographical-location-home-minister> >

and show favoritism. The goal of this unethical practice is to get licenses, approvals, and registrations for subpar and fake medications. They also influence the decisions and actions of the DGDA by using their personal and political networks.

The theft and appropriation of: Money intended for drug control activities, such as raids, seizures, arrests, and legal actions, is frequently misappropriated and diverted by officials from the Department of Narcotics Control (DNC), the agency responsible for monitoring and controlling drug-related issues. Furthermore, they participate in the illegal activity of redistributing and exchanging seized drugs inside the underground economy²⁶

Bangladesh's public health and security are seriously threatened by the pharmaceutical industry's malfeasance. It exposes consumers to health risks and adverse outcomes while lowering the efficacy, safety, and quality of pharmaceuticals. It also makes it possible for drugs to be transported illegally and misused, which contributes to the rise in drug-related crimes and violent crimes.²⁷

In addition, it erodes people's trust and confidence in the institutions and authorities responsible for drug regulation.

Inadequate legal framework: Bangladesh's drug control laws and regulations are out of date and require updating to meet the nation's present issues, making the legal framework insufficient. The main laws in Bangladesh pertaining to drug control are the Narcotics Control Act 1990 and the Narcotics Control Rules 1999. But these laws haven't been changed since they were passed in 1990 and 1999, respectively.²⁸

Furthermore, the application of the legal framework is unclear and inconsistent. For instance, there are no precise guidelines on how to identify whether someone is addicted to drugs, but the courts have the authority to grant rehabilitation to someone who is hooked. This ambiguity may cause the law to be applied inconsistently and compromise its efficacy.²⁹

Furthermore, the problem of drug trafficking is not sufficiently addressed by the legal system. Controlling narcotic drugs and psychotropic chemicals and preventing their abuse are the main goals of drug laws and regulations. In order to prevent and punish drug trafficking, stricter rules and regulations are required.

To sum up, the UNODC Narcotic Act of 1961 is a significant international agreement that attempts to regulate the manufacture and distribution of psychotropic and narcotic medicines. After ratifying the treaty, Bangladesh implemented the Narcotics Control Act 1990 and the Narcotics Control Rules, 1999 to carry out the act's goals. However, there are a number of obstacles to the

²⁶ Siddiqui M S (2021) „Narcotics Control Laws in Bangladesh“, *The Asian Age*.

²⁷ *ibid*

²⁸ Alternative World Drug Report 2023," accessed June 10, 2025, <https://idpc.net/publications/2016/03/idpc-drug-policy-guide-3rd-edition>: <https://idpc.net/publications/2016/03/idpc-drug-policy-guide-3rd-edition>

²⁹ UNB, „Bangladesh's illegal drug problem lies in it's geographical location: Home Minister“ The Business Standard (14 November 2021) < <https://www.tbsnews.net/bangladesh/bangladeshs-illegal-drug-problem-lies-its-geographical-location-home-minister>>

act's execution, such as a lack of funding and personnel as well as a general lack of public awareness. To solve these issues and guarantee that the act is implemented effectively, the government must take greater action.

Chapter Four

An Analysis of Bangladesh's Internal Legal Framework and International Drug Control Standards

4.1 Introduction

Cannabis, heroin, phensedyl, yaba, and inhalants are the most commonly misused substances in Bangladesh. While heroin and phensedyl are illegally smuggled from neighboring countries such as India, Myanmar, and Afghanistan, cannabis is produced in some parts of the country. Myanmar is the primary location for the manufacturing of Yaba, a medication that mixes caffeine and methamphetamine.³⁰ After that, it is trafficked across the Chittagong and Cox's Bazar border areas. The text written by the user is Most often utilized by destitute children and those living in impoverished areas, inhalants including glue, solvent, and gasoline are easily available and reasonably priced.³¹

The main regulatory agency responsible for enforcing the Narcotics Control Act of 2018 is the DNC. With the exception of approved medical, scientific, and industrial endeavors, this law prohibits the production, distribution, possession, and use of narcotic narcotics and psychotropic substances. Permits for the import, export, sale, transit, and storage of chemicals and pharmaceuticals are issued by the DNC. It also manages the activities of pharmaceutical manufacturers, distributors, and retailers. To prevent and combat drug-related offenses, the DNC works with a number of law enforcement agencies, such as the Coast Guard, the Border Guard Bangladesh, the Rapid Action Battalion, and the police.

The regulatory agency in charge of ensuring the efficacy, safety, and quality of pharmaceuticals and treatments in Bangladesh is the Directorate General of Drug Administration (DGDA). The registration, licensing, inspection, testing, and monitoring of drugs and medications are all supervised by the DGDA. Additionally, it upholds the Drug (Control) Rules and the Drug Control Ordinance of 1982.

The DGDA is in charge of overseeing the implementation of the National Drug Policy of 2016, which aims to ensure that essential medications and pharmaceuticals are conveniently accessible, affordable, and widely available to Bangladesh's populace.

The Bangladesh Police's Rapid Action Battalion is a specialist organization dedicated to fighting terrorism and crime. With the exception of approved medical, scientific, and industrial purposes, the Narcotics Control Act of 2018 forbids the production, distribution, trafficking, possession, and

³⁰ Bangladesh as a transit for drug smuggling,2020 <https://www.thedailystar.net/editorial/news/bangladesh-transit-drug-smuggling> accessed 11 June, 2025

³¹ *ibid*

use of narcotic drugs and psychotropic substances. The agency is in charge of making sure that this legislation is followed. In addition, the RAB conducts operations to seize illegal drugs and capture and imprison drug traffickers. In order to successfully combat drug-related offenses, it also works with other law enforcement authorities and international organizations.³²

The government of Bangladesh enacted the Narcotics Control Act of 2018 with the intention of controlling drugs, reducing drug production and use, discouraging drug abuse and illegal trafficking, and providing support and rehabilitation programs to individuals who are addicted to drugs. According to the law, anyone who produce, smuggle, distribute, or consume more than 5 grams of illegal substances—like yaba or amphetamines—may be subject to the worst punishments, which include the death penalty or life in prison. Along with restricting the production, consumption, and prescription of alcohol and other drugs, the law also gives the Department of Narcotics Control and the Tribunal the power to detect, look into, and prosecute drug-related offenses.³³ Modernizing existing drug laws and improving their effectiveness and strictness are the goals of the bill.³⁴

The Bangladesh Police's Rapid Action Battalion is a specialist law enforcement unit dedicated to fighting terrorism and criminal activity. By following the guidelines set forth in the Narcotics Control Act of 2018, the Rapid Action Battalion (RAB) plays a vital part in drug control. With the exception of their usage in industry, science, and medicine, this law expressly prohibits the manufacture, distribution, trafficking, possession, and use of narcotic narcotics and psychotropic substances.³⁵ RAB actively participates in raids, arrests, and the seizure of drugs and drug traffickers. In order to successfully combat drug-related offenses, it also works with other law enforcement authorities and international organizations.

The government of Bangladesh has enacted the Narcotics Control Act of 2018 in order to control drugs, reduce drug supply and demand, discourage drug use and illegal trafficking, and provide treatment and rehabilitation services for individuals who are addicted to drugs. 56 The law establishes the death sentence or life in prison as the harshest punishment for anyone involved in the manufacture, smuggling, distribution, or use of more than 5 grams of illegal substances, including amphetamines or yaba.³⁶ Along with restricting the production, consumption, and prescription of alcohol and other drugs, the law also gives the Department of Narcotics Control

³² Manzurul Alam Mukul, „Drug addicts spend Tk 70cr every day in Bangladesh“ <https://www.risingbd.com/english/Drug_addicts_spend_Tk_70cr_everyday_in_Bangladesh> accessed 11 June 2025

³³ Md. Mufassir Rashid, „Control the alarming drug problem before it's too late“ *The Independent* (Dhaka, 25 January 2021)

³⁴ Saeed Ahmed, „Misapplication of drug laws“ *The Daily Inqilab* (2 December 2021)

³⁵ Ahmadul Hassan, „Bangladesh at the hub of three drug trafficking regions“ Prothom Alo (English), available at: <https://en.prothomalo.com/bangladesh/crime-and-law/bangladesh-at-the-hub-of-three-drug-trafficking-regions> (accessed on 12 June 2025).

³⁶ Syed Tashfin Chowdhury, 'Yaba, the 'Madness Drug', Is Finding New Routes into Bangladesh' <<https://www.vice.com/en/article/59a73b/yaba-the-madness-drug-is-finding-new-routes-into-bangladesh>>

and the Tribunal the power to prevent, look into, and punish drug-related offenses¹. Modernizing existing drug laws and improving their effectiveness and strictness are the goals of the bill.³⁷

4.2 Bangladesh's Contribution to Global Collaboration and Cooperation in Drug Control Initiatives

All three of the United Nations' 1961, 1971, and 1988 conventions as well as the 1990 South Asian Association for Regional Cooperation (SAARC) Convention on Narcotics Drugs and Psychotropic Substances have been formally accepted and implemented by Bangladesh. Because Bangladesh is close to a region in South Asia that produces heroin, it has imposed limitations on the entry of precursors. All of the principles of these agreements have been incorporated into the creation of the Narcotic Control Act 2018. The law expressly forbids any illegal activity involving narcotics, psychotropic substances, and precursor compounds under Sections 36 and 37. The act additionally encompassed the creation and execution of licensing regulations.

Section 9 of the legislation states unequivocally that narcotics cannot be imported, exported, purchased, produced, processed, or transported for any reason.

Nevertheless, if the procedure is meant for medical, industrial, or scientific purposes and is supported by the required permits or authorization, it can be carried out. The division permits the use of pharmaceuticals for scientific research, industrial applications, and pharmaceutical manufacturing. The Narcotics Control Department is in charge of issuing licenses, permits, and passes in accordance with section 13. However, section 14 states that people with criminal records will not be able to obtain licenses or permits. According to section 15(A) of the Act, if an offender violates any condition for the first time, they must sign an affidavit promising not to violate it again. They could also face a fine of up to one lakh taka.

However, the organization that issued the permit has the authority to cancel the license if the condition is violated again. Importers must get an import license and an import permission from the appropriate authorities in order to obtain precursors. Narcotics Control Department. Various drugs have been divided into a number of categories under section 36 of the new law, and the penalties for each category are depending on the quantity of the drug. The most current law placed yaba and amphetamines in the 'A' category of medications, which the previous law did not cover. Shipping, selling, storing, manufacturing, processing, applying, and using amphetamines that include less than 200 grams of yaba or its primary ingredient is punished by five to ten years in prison under the new law.

However, if more than 200 grams are seized, the penalty is either life in prison or the death penalty. When weighed against the severity of the previous penalty, the sentence's justification is questionable. The law also presents serious issues with the penalty for drugs. Possession of less than 25 grams of heroin has a punishment of 5–10 years in prison, while possession of more than

³⁷ Khandakaer Farzana Rahman, „Is punitive action enough to prevent abuse of drugs? “ The Daily Star (5 February 2019)

25 grams carries a sentence of death or life in prison. It is crucial to emphasize how stringent the legislation's stipulations are. However, there have been plenty of chances for improper implementations.

A person suspected of drug offenses may be detained or arrested in a public setting if the officer in charge has a reasonable belief that such violations are occurring or are likely to occur in the area where the accused is located, as stated in the amended 2020 version of Section 21 of the law. A search or apprehension may be conducted right away if the supervisory officer has reason to believe that something is true. Section 23 of the law specifies the processes for carrying out searches and making arrests without a warrant.

Presumptions about the likelihood of drug offenses are covered in Section 55. According to the information provided, a person is regarded as a separate individual if they are found in possession of any illegal substances, have control over any substances that are prohibited, or possess any tools or supplies needed to make drugs. That would be against the law in the absence of proof.

It is clear from all of this that the Narcotics Control (Amendment) Act, 2020 is based more on the "suspicion," "belief," and "conjecture" of the person in charge than on any other evidence. The Act's Section 44 mandates the creation of a special Tribunal. This section states that the Additional District Judge or Session Judge may handle drug matters in addition to their regular duties before the Tribunal was established. An announcement must be published in the gazette to expedite the process.

However, even with the statute in place, it has been impossible to establish tribunals in every region. As a result, every litigation brought under this Act is currently at a standstill. The section states that in the event that the Tribunal has not yet been established, the government may appoint a district judge or session judge from the appropriate district to preside over the new Tribunal. The Ministry of Laws proposed amending the Act in March 2020 to allow the Judicial Magistrate to consider drug cases when the accused could get a sentence of seven years or less.

The idea was to identify a gap in the Act. The accused will be given a summary trial if the case against them does not involve the death penalty, life in prison, or a sentence more than seven years in jail. Additionally, the Criminal Procedure Code of 1898 (CrPC) must be followed throughout the summary trial.

It is crucial to remember that the Criminal Procedure Code restricts the authority to conduct summary trials to Metropolitan Magistrates and First-Class Judicial Magistrates. However, the Narcotics Control Act of 2018 expressly prohibits summary trials for judges lower than the position of Additional District Judge.

4.3 Strengthening Government-Civil Society Cooperation for Drug Prevention and Control

Establishing and strengthening formal and informal platforms for dialogue, cooperation, and communication, such as task groups, conferences, advisory boards, and alliances, that involve

participants from both industries.³⁸ Establishing and carrying out cooperative plans, strategies, and initiatives that are in line with national and international drug policy frameworks and are based on shared goals, values, and principles. One was multiplied to the power of 2.³⁹ enhancing both sectors' capacities and assets through technical assistance, funding, and training to enable them to perform their responsibilities and obligations effectively and efficiently.

Fostering the development of mutual respect, trust, and recognition between two sectors by actively resolving the barriers and constraints that prevent them from working together and by appreciating and appreciating their contributions, knowledge, and diversity. They use metrics, data, and feedback to track and assess the outcomes and impacts of their partnership. They also inform each other and other pertinent parties of the results and insights they have acquired.

4.4 A Comparative Study of Yaba-Related Provisions in Bangladesh's Drug Control Act and UNODC Guidelines

Anyone found producing, smuggling, distributing, or consuming more over 5 grams of yaba might face the death penalty or life in jail under the terms of the Narcotics Control Act of 2018. According to the UNODC Narcotic Act 1961, which Bangladesh has ratified, yaba is classified as a psychotropic substance that ought to be utilized exclusively for research and medical purposes. It is important to prevent and combat the production, trafficking, and unlawful use of yaba. Upholding yaba-related rules and regulations is the responsibility of the Department of Narcotics Control and other law enforcement organizations. In order to combat the illicit cross-border movement and abuse of yaba, they also work with other countries and international organizations, like the UNODC.

i. Difficulties Faced in Bangladesh's Drug Law Enforcement:

Inadequate data and statistics on the amount and trends of drug use, trafficking, and manufacture in the country make it impossible to create or assess effective laws and initiatives. Novel psychoactive drugs (NPS) like yaba and synthetic opioids are becoming major threats to public health and safety, and the current legal system is not prepared to handle them.⁴⁰

The Department of Narcotics Control (DNC) and related authorities lack the capacity and resources to enforce the law, monitor the use of legal drugs and chemicals, and collaborate with other countries and international organizations.⁴¹ Drug users find it difficult to access the

³⁸ N Manoharan, „Drug-Trafficking in South Asia: A Profile, “ (2003) IPCS, available at: http://www.ipcs.org/comm_select.php?articleNo=1113 (accessed on 13 June 2025).

³⁹ *ibid*

⁴⁰ 62 United Nations Office on Drugs and Crime (UNODC). (2008). Handbook on HIV and Drug Trafficking. <https://www.unodc.org/unodc/en/human-trafficking/2009/anti-human-trafficking-manual.html>: <https://www.unodc.org/unodc/en/human-trafficking/2009/anti-human-trafficking-manual.html> (accessed 13 June 2025,

⁴¹ *ibid*

rehabilitation, treatment, and prevention services they require, especially if they are women, children, or members of other marginalized groups.

ii. Novel Strategies for Drug Prevention and Control in Bangladesh: Case Studies and Perspectives

Community-based drug treatment and rehabilitation programs can be established by empowering local communities, especially religious leaders, to offer drug users emotional support, counseling, and referrals, as well as to raise awareness and reduce stigma. The Department of Narcotics Control, in partnership with many non-governmental organizations (NGOs), such as YPSA and Dhaka Ahsania Mission, implements the plan in several regions of Bangladesh.⁴² effort for drug-free schooling This approach aims to lower drug usage among school-age children by implementing drug testing, peer education, extracurricular activities, and life skills education. Together with the UNODC and other partners, the Ministry of Education and the Ministry of Social Welfare implement the plan in a few schools across the country.

A mobile drug testing laboratory uses a van that is filled with testing kits and other lab supplies in order to swiftly and accurately identify and analyze drugs and their precursors. The Australian Federal Police and the United Nations Office on Drugs and Crime support the plan, which attempts to increase the efficacy and efficiency of law enforcement. Its implementation is overseen by the Rapid Action Battalion and the Department of Narcotics Control. In this landmark case, the validity of the Narcotics Control Act's mandatory death penalty for drug trafficking was contested.

The Court confirmed the legality of the Act while establishing significant protections, requiring judges to carefully consider mitigating considerations before imposing the death sentence and emphasizing the requirement for proportionality in relation to the offense. This landmark decision changed the conversation in favor of a fairer approach to drug punishment.⁴³ The problem of drug suspects being held in extended pre-trial detention was the focus of this particular case. By highlighting the right to a quick trial and directing the release of those who had been held for prolonged periods of time without one, the court established a precedent.

The ruling was rendered in order to prevent any unwarranted detention and to protect the right to due process in drug-related situations.⁴⁴ The necessity of employing evidence-based therapy and rehabilitation techniques for those battling drug addiction was highlighted by this particular instance. Recognizing addiction as a medical disease that may be treated, the court has ordered the government to provide adequate resources and qualified staff for drug users who are detained or involved in legal procedures. This decision made it easier to adopt a more efficient and compassionate strategy for dealing with the underlying causes of drug addiction.⁴⁵

⁴² *ibid*

⁴³ *State vs. Md. Mizan* 2015 (2) SCR 657-747

⁴⁴ *State vs. Md. Habibur Rahman* 2018 (2) SCR 129-140

⁴⁵ *State vs. Md. Mizanur Rahman* SCR 304-311

The incident exposed the weakness of individuals working at the bottom of the drug trade. Given the defendant's status as a juvenile messenger and his lack of a prior criminal record, the court reduced the defendant's sentence, highlighting the necessity for appropriate and transparent responses to different levels of involvement in the drug traffic. This decision demonstrated the understanding that drug-related cases require a legal system that is customized to their particular requirements.⁴⁶

iii. Assessing and Improving Bangladesh's Drug Policies: Techniques and Improvement Requirements

The term "indicators" refers to quantitative or qualitative measurements used to track and assess the impact and efficacy of drug policies and initiatives. These metrics cover a wide range of topics, such as the accessibility, affordability, and availability of drugs and prescription drugs; the frequency and trends of drug use and addiction; the incidence and consequences of drug-related crimes and harms; and the scope and caliber of drug prevention and treatment programs.⁴⁷

In order to collect and assess data and information about the drug situation and drug policy responses, surveys and studies employ methodical, scientific procedures. This entails determining the factors that lead to drug use and addiction, analyzing the frequency and trends of drug use, trafficking, and production, assessing the efficacy and efficiency of drug policies and programs, and taking note of successful practices and lessons learned in other nations and regions.⁴⁸

Actively interacting and consulting with the relevant actors and groups affected by or interested in drug policy and initiatives is known as stakeholder involvement. The government, academics, media, civil society, international organizations, and drug users and their families are a few examples of these. In addition to ensuring their active engagement and sense of ownership, the goal is to collect their viewpoints, views, and comments.⁴⁹

The prevalence and trends of drug use, trafficking, and production, as well as the institutional and legal framework, policies, and strategies, prevention and treatment initiatives, and cooperation and coordination with other nations and regions, are all part of Bangladesh's drug control environment.⁵⁰

⁴⁶ State vs. Md. Russell Mia 71 DLR (AD) 145

⁴⁷ United Nations Convention against Transnational Organized Crime (UNTOC): United Nations, "United Nations Convention against Transnational Organized Crime and the Protocols Thereto," 2000, accessed 13 June, 2025,

⁴⁸ Rahman, M., & Ahmed, S. (2022). Human rights and drug control policy in Bangladesh: A critical analysis. *Bangladesh Journal of Public Administration*, 22(1), 1-15.

⁴⁹ *ibid*

⁵⁰ *ibid*

Chapter Five

Findings, Suggestions, and Conclusion

To create a more efficient and compassionate drug control strategy, take into consideration the following specific suggestions to close the gap between Bangladesh's current laws and international norms:

5.1 Findings

This legal analysis identifies a discrepancy between international norms and Bangladesh's drug-control policies. The emphasis on severe and cruel sentencing practices, the prohibition of personal drug use, and the conspicuous lack of harm reduction medicines like NEP and OST all run against to human rights norms and UN recommendations. Because they hinder HIV/AIDS prevention, perpetuate stigma, and make it more difficult to receive quality treatment, these discrepancies have a detrimental effect on public health. Furthermore, human rights violations and arbitrary enforcement are facilitated by the Act's vague language and flaws.

While acknowledging the need for rehabilitation is one of the positive elements, fundamental reforms in line with global best practices are needed to close the gap and open the door for a more effective, evidence-based, and compassionate approach to drug control in Bangladesh. Punitive sentencing, criminalized possession, and damage reduction are among the points of contention.

Implications include human rights violations, stigma, restricted access to treatment, and detrimental effects on public health.

Needed action: Change the legal system to better reflect international standards, emphasizing human rights and public health.

5.2 Recommendations

- NEP, OST, and similar treatments should be piloted and scaled up in Bangladesh in compliance with UNODC guidelines.
- Sentencing reform: Move away from mandatory minimums and toward more individualized, research-based approaches that put restorative justice and rehabilitation first. Decriminalizing personal possession will free up funds for harm reduction and treatment while allowing attention to be directed toward public health initiatives and underlying causes.
- Close legal loopholes: Update the definition of "drug abuse" and strengthen oversight procedures to protect due process and stop power abuse.
- Raise awareness and engagement: Start nationwide campaigns to combat stigma, inform local communities, and include them in the creation of policies.

- Examine the underlying reasons: To create targeted preventive methods, look into socioeconomic factors, mental health conditions, and other factors that influence drug use. Examine alternate development. Empower drug-producing communities by adopting successful strategies from countries like Colombia.
- Examine conventional therapy approaches: Determine whether it is feasible to combine evidence-based interventions with culturally appropriate strategies.

5.3 Conclusion

There are significant differences between Bangladesh's drug control system and international norms, according to this analysis. The effectiveness of drug-control programs, human rights, and public health are all significantly impacted by these disparities. By adopting the suggested legislative changes, funding research, and giving evidence-based interventions priority, Bangladesh may forge a new path toward a more humane, rights-based, and eventually more successful approach to drug control. It is imperative that communities, researchers, policymakers, and international partners adopt a collaborative mindset going forward in order to envision a future where social justice, public health, and human dignity are the core principles in tackling Bangladesh's complex drug-use issues.

Bibliography

Legislations

1. The Narcotics Control Act of 1990
2. The Narcotics Control Act 2018.
3. Single Convention on Narcotic Drugs (as amended by the 1972 Protocol)
4. Convention on Psychotropic Substances (1971)
5. The Vienna Convention on the Law of Treaties, 1961
6. The United Nations Convention against Transnational Organized Crime, 2000
7. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988

Case Laws

1. Arif v State [2009] 61 DLR
2. Badal Kumar Paul v State [2003] 55 DLR
3. Hossain vs State [2018] 70 DLR

Journal Articles

1. RÊGO, X. et al. (2021) „20 years of Portuguese drug policy - developments, challenges and the quest for human rights“, Substance Abuse Treatment, Prevention, and Policy, 16(1). doi:10.1186/s13011-021-00394-7.
2. Rivadeneyra, P., Scaccia, L. and Salvati, L. (2023) A spatial regression analysis of Colombia's narcodeforestation with factor decomposition of multiple predictors, Nature News. Available at: <https://www.nature.com/articles/s41598-023-40119-3> (Accessed: 09 January 2024).
3. Karim, F., & Rashid, M. A. (2017). Impact of overseas labor migration on family dynamics and drug use in Bangladesh. Journal of International Migration and Development, 6(1), 1-18.
4. Islam, M. S., & Rahman, M. M. (2020). Social stigma and access to treatment for drug users in Bangladesh. Journal of Public Health, 22(1), 1-8.
5. Jahan, M. (2018). The historical context of drug use in Bangladesh: A case study of opium trade. International Journal of Asian Studies, 13(2), 167-182.

6. Rahman, M., & Ahmed, S. (2022). Human rights and drug control policy in Bangladesh: A critical analysis. *Bangladesh Journal of Public Administration*, 22(1), 1-15.
7. Chouvy, Pierre-Arnaud (2010). *Opium: Uncovering the Politics of the Poppy*. Cambridge, MA: Harvard University Press. P.63.
8. UNB, „Bangladeshis illegal drug problem lies in its geographical location: Home Minister“ *The Business Standard* (14 November 2021) <<https://www.tbsnews.net/bangladesh/bangladeshs-illegal-drug-problem-lies-its-geographical-location-home-minister>>
9. Chouvy, Pierre-Arnaud (2010). *Opium: Uncovering the Politics of the Poppy*. Cambridge, MA: Harvard University Press. P.63.
10. Mehedi Hasan, „Survey: New poor in Bangladesh stands at 24.5 million“ *Dhaka Tribune* (Dhaka, 20 April 2021)
11. How do you know where a drug is manufactured?
12. <<https://advpharmacy.com/blog/2020/03/05/how-do-you-know-where-a-drug-is-manufactured>> accessed 9 May 2022
13. Syed Tashfin Chowdhury, 'Yaba, the 'Madness Drug', Is Finding New Routes Into Bangladesh' < <https://www.vice.com/en/article/59a73b/yaba-the-madness-drug-is-finding-new-routes-into-Bangladesh>>

Newspaper

1. Islam, A. (2018) „Drug problem requires collective solutions“, *The Daily Star*, 10 December.
2. Husain, M. (2020) „Bangladesh’s drug policy needs major repair“, *The Daily Star*, 30 August.
3. Tasneem Tayeb, „Bangladesh Caught in a Narco Triangle, “ *The Daily Star*, available at: <https://www.thedailystar.net/opinion/views/closer-look/news/bangladesh-caught-narco-triangle-3176611> (accessed on 22 November 2024).

Websites

1. Anti-human trafficking manual (no date) United Nations: Office on Drugs and Crime. Available at: <https://www.unodc.org/unodc/en/human-trafficking/2009/anti-human-trafficking-manual.html> (Accessed: 09 January 2024).
2. Bangladesh transit route for heroin trafficking (2008)
<<https://web.archive.org/web/20080404211317/http://www.bangladeshnews.com.bd/2008/03/07/Bangladesh-transit-route-for-heroin-trafficking>> accessed January 7, 2024,

3. United Nations Office on Drugs and Crime (UNODC), "International Treaties and Conventions," accessed January 7, 2024, <https://www.unodc.org/unodc/treaties/>
4. World Health Organization Constitution: World Health Organization, "Constitution of the World Health Organization," accessed January 7, 2024, <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf>.
5. United Nations Convention against Transnational Organized Crime (UNTOC): United Nations, "United Nations Convention against Transnational Organized Crime and the Protocols Thereto," 2000, accessed January 7, 2024, <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>.
6. Inter-American Convention against the Illicit Production of and Trafficking in Narcotic Drugs and Psychotropic Substances," 1988, accessed January 7, 2024,
7. 2009 Political Declaration and Plan of Action on International Cooperation on the Illicit Traffic in Narcotic Drugs and Psychotropic Substances," 2009, accessed January 7, 2024, <https://www.unodc.org/documents/ungass2016/V0984963-English.pdf>.
8. Goulão, J., & de Albuquerque, L. (2020). The Portuguese decriminalization model: 20 years of experience. *International Journal of Drug Policy*, 33, 102821

Conventions:

1. United Nations, "Single Convention on Narcotic Drugs, 1961," <https://www.unodc.org/unodc/en/treaties/single-convention.html>. accessed January 7, 2024,
2. United Nations, "Convention on Psychotropic Substances, 1971," https://www.unodc.org/pdf/convention_1971_en.pdf accessed January 7, 2024,
3. United Nations Office on Drugs and Crime (UNODC), "International Treaties and Conventions," accessed January 7, 2024, <https://www.unodc.org/unodc/treaties/>.
4. World Drug Report 2022," accessed January 7, 2024, <https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2022.htm>