

11. ON DRUGS & NARCOTICS

Pakistan will address the **DRUG NUISANCE** at priority.

- **The person(s) from whom, and place / property from where such NARCOTICS SUBSTANCE is recovered will be immediately held, and the case will be placed before the respective SUMMARY [MILITARY] COURT.**
- The police will have 24 hours only to trace out the source. Whether successful or not, ***the person(s), from whom the substance is recovered, will be punished as per Army-like SUMMARY proceedings and property involved, mobile or immobile, will be confiscated with immediate effect for onward STATE-AUCTION*** [process given elsewhere in this book].
 - *At present, tragedy remains that Police takes REMAND and JUDICIAL REMAND to TRACE OUT THE SOURCE – but **the case is lost mostly in HUGE AMOUNTS OF CORRUPT BARGAINS.***
 - *[Also], the culprits get bails and disappear. After months & years, the case files are also lost from Courts and Police Stations. See the %age of convictions for Narcotics – really shameful.*
- *In Pakistan, Police and Narcotics Deptt normally catch the drug-trafficker, who is **TRUCK-DRIVER or TAXI-***

OWNER or a WOMAN travelling in Public Vans. PO-LICE & ANF get huge news on media pages and TVs but one never hears about the case's CONVICTION or punishment for them. Police, after heavy bargains, tells that 'HE WAS POOR TRUCK DRIVER'. The fact remains that the Truck Driver is MOSTLY a part of certain big gang in his background.

- ***Once a TRUCK DRIVER is hanged for possession, the chain automatically will break or take stop; in Saudia and Iran they never ask about the source – simply that person is taken to the gallows.***

The principle will prevail – that the person(s) from whom possession that drug or substance is recovered – ***will get immediate PUNISHMENT(s) of DEATH & FINE.*** Most countries like Saudi Arabia and Iran immediately announce the death sentence from whom the drug is RECOVERED.

- ***The HEAVY PUNISHMENT in DRUGS cases mean HEAVY FINES of millions [bcz these people are NOT the poor people]. Their confiscated properties will bring enormous money in Govt Treasury – presuming that all their properties are earned through DRUG-MONEY OR NARCOTICS TRAFKING.***

**Countries where 'DRUG SEIZURES' are
punished with DEATH penalty:**

34 countries in the world retain the death penalty in their laws for drug trafficking or drug seizures. The nations that actively execute or have strict legal frameworks imposing capital punishment for **DRUG OFFENCES & SMUGGLING** – and include:

- **Iran & Saudi Arabia:** Lead the world in the absolute number of drug-related executions, frequently targeting seizures of narcotics like heroin, amphetamines, and cannabis.
- **Singapore:** Imposes a mandatory or strict death penalty for trafficking specific threshold amounts of prohibited drugs (such as heroin, cocaine, or cannabis).

1.1.1. **Cannabis:** Possession or trafficking of **500 grams or more** triggers a mandatory death sentence. High-profile executions have taken place specifically for quantities around the **1 kg mark**.

1.1.2. **Heroin & Cocaine:** The threshold is significantly lower, where just **15 grams of heroin** or **30 grams of cocaine** carries a mandatory death penalty. Therefore, a 1 kg seizure of these hard drugs far exceeds the limit for execution.

Indonesia: For Unprocessed Drugs (Marijuana / Cannabis), the law dictates that the death penalty or life imprisonment can be applied if the quantity exceeds **1 kilogram**.

Processed Drugs (Cocaine / Heroin / Meth): The capital punishment threshold drops to just **5 grams**. Courts routinely hand down death sentences for foreign nationals caught smuggling roughly 1 kg of cocaine into tourist hubs like Bali.

Malaysia: For Opium, under the Dangerous Drugs Act, being caught with **1 kilogram or more of opium** carries a charge of drug trafficking, making an individual eligible for the death penalty.

Other Substances: The threshold is even lower for other narcotics: **200 grams for cannabis, 40 grams for cocaine, and 15 grams for heroin.**

Iraq: For Amphetamines & Psychotropic Substances, under Iraqi narcotics laws, individuals convicted of trafficking large batches—such as **1 kg of amphetamines**—regularly receive the death penalty from the Central Criminal Court.

China & Vietnam - For Heroin, Methamphetamine, & Cocaine: In both nations, the threshold for a death sentence is lower than 1 kg. In China, trafficking **50 grams or more** can trigger the death penalty. In Vietnam, the threshold is **600 grams**. Consequently, any seizure of 1 kg or more of hard drugs almost automatically results in an execution sentence in these jurisdictions. **Vietnam** enforces automatic or severe capital punishment for possessing or trafficking large quantities; over 1.3 pounds of heroin.

Other Nations: Countries like **North Korea, Yemen, Sri Lanka, Libya, Sudan, Egypt** and **Kuwait** also retain and execute individuals for major punishments for drug smuggling offenses

- Referring to **Al Jazeera's** coverage of a report dated 20th March 2024, ***at least 467 people were executed worldwide for drug offences in 2023.*** This marked a 44 percent increase from the previous year, driven primarily by surges in countries like Iran and Saudi Arabia.

Pakistan historically KEPT the death penalty for drug offenses involving 1 kg or more. However, **DURING THE NAWAZ SHARIF's PMLN GOVERNMENT** [*then PMLN had 2/3^d majority in the parliament*], the parliament passed the **Control of Narcotics Substances Act 1997**, which officially **removed capital punishment** for drug trafficking convicts.

At the moment, the **Control of Narcotic Substances Act, 1997** [CNSA] is Pakistan's primary federal legislation governing the control, production, processing, and trafficking of narcotic drugs, psychotropic substances, and controlled substances.

- CNSA is primarily enforced by the **Anti-Narcotics Force (ANF)** alongside specialized provincial setups. *Cases are tried in designated Special Courts presided over by District and Sessions Judges.*

Presently there are **Six Special Courts** (Control of Narcotics Substances) two at Karachi and one each at Lahore, Rawalpindi / Islamabad, Peshawar & Quetta.

- **Death Penalty Removal:** The 2023's amendment in the above said CNSA formally eliminated capital punishment for drug offenses.

Pakistan's federal penal structure under **Section 9 of the CNSA** strictly ties prison terms and mandatory fines to the specific mass of the recovered contraband – BUT:

THESE MANDATORY TERMS WILL COME IN FORCE IF SOMEONE WILL BE PUNISHED – but, that moment NEVER comes.

The CrPC of 1898 and PPC of 1860, which Pakistani Courts follow, FACILITATE taking out all (even Red-Handed) criminals scot-free.

Parallel provincial legislation like Punjab Control of Narcotic Substances Act (and of Sindh) was passed in 2025 in which it is mandated multi-million rupee fines ranging from PKR 1.5 million to PKR 2.5 million; again, a peanut for the drug traffics.

Basically, such **GREY AREAS** of linking the punishment with QUANTITY RECOVERED along with the INVESTIGATIONS under POLICE RULES of 1934 and COURT PROCEDURES under the CrPC of 1898 always brought extreme CORRUPTION in POLICE, PROSECUTION and COURTS.

Defense Lawyers' **questions about WHEN, WHERE & HOW on FICTICIOUS POLICE WITNESSES** have never been able to bring meaningful CONVICTION for any person in Pakistan – NOT at least in its 7 decades history.

- One can analyze the number of NEWS-ITEMS on media, cases registered with the Police or ANF / FIA with the CONVICTIONS actually stood confirmed in APPEALS or in higher courts.

[How the Police, Prosecution and Court go extremely CORRUPT while following the Procedural Explanations – **ending in NO CONVICTION**; see below:

- Taking shield of **Supreme Court's ruling** that: Physical holding or control coupled with the **requisite mental awareness** that a substance is present.
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- ***In vehicles, mere presence inside a car does not automatically attribute possession unless control or knowledge is proven*** – which is never possible by an uneducated constable of any organisation.
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- **Chain of Custody:** Defense attorneys challenge whether the seized sample remained safely sealed and tamper-proof from the seizure point / site to the Forensic / Government Analyst's laboratory.

{**What the govt Forensic Laboratories do:** – A FAMOUS EPISODE is known to every Pakistani and most of the world when the then ***SITTING CJP Saqib Nisar made a surprise visit*** on 1st September 2018, to a luxury room at 6th floor of **Dr. Ziauddin Hospital** in Karachi (which had

been declared a sub-jail) where imprisoned PPP leader Sharjeel Memon was staying. ***During the visit, the CJP discovered three bottles of liquor along with drugs during his brief inspection.*** Following the visit, Memon's room was sealed, and he was shifted immediately to Karachi Central Jail.

Case was registered and the whisky-bottles were sent to Sindh govt's Forensic Laboratory for report. Later the examination reports claimed the ***recovered bottles contained honey and oil rather than alcohol***, and medical blood tests showed no traces of alcohol in Memon's system.

Justice Nisar had openly expressed disbelief over the reports – BUT THE PAKISTANI JUDICIAL SYSTEM WAS EXPOSED TO THE WHOLE WORLD.}

- **Independent Witnesses:** While Section 25 of the CNSA waives mandatory public witness compliance under Section 103 CrPC, absence of corroborative public or independent onlookers is heavily exploited to argue police planting or fabrication.
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- **Conveyance Ambiguity:** In multi-passenger vehicles, defense counsels highlight flaws in pinpointing who actually owned, leased, or exercised dominion over the precise hidden compartment where drugs were found.
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- **Bail-Restraints:** Though bail is heavily restricted. However, even for major quantities exceeding threshold limits, leniency under Section 497 CrPC GENERALLY PREVAILS for huge monetary considerations.

- Bails are also granted when the police assessment reveals reasonable grounds ***for further inquiry***—mostly raising borderline weight discrepancies, recovering quantities or lack of an identifiable specific role.
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- Police and Prosecution often bargain with culprits for NOT MENTIONING if the accused has past narcotics cases on record, thus, enabling the culprits to avail convenient bails from the respective courts.
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- **Legislative Competence:** Following the 18th Amendment, provinces enacted their own adaptations such as the Khyber PK or Punjab or Sindh (Control of Narcotic Substances Acts) to localize administrative control and policing. It's all for CORRUPTION but they made those extensions in the name of '***Rehabilitation***'.
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- The federal CNSA 1997's framework revolves around federal bodies like the Anti-Narcotics Force (ANF) & FIA whereas ***provincial laws empower local provincial police*** parallel to specialized regional forces.

Under Chapter IV of the CNSA regarding *Asset Tracing, Freezing, and Forfeiture*, ***NOT a single property has ever been confiscated by any COURT or finally forfeited in this country.*** If there is any, the public have NEVER been told.

There are enormous amounts of FUNDING & EXPENDITURE earmarked, sanctioned, distributed and ***spent on hundreds of CAMPAIGNS against spread of DRUG-MENACE*** in schools and colleges, through NGOs, departments and religious institutions but each year, more YOUNG STUDENTS are seen indulged;

one can compare the statistics & figures available with the governments; federal & provincial both.

- **Federal govt's Frozen or Forfeited Drug Assets Rules, as framed and practiced under the CNSA of 1997, have ONLY provided the escape routes for the lawyer's fraternity. Hardly any property has ever been taken to the final step of STATE-AUCTION.**

- **ONLY FIVE CASES of the RED-HANDED DRUG TRAFFIKARS, evidenced by few photos and / or videos of CRIME-SCENES by any, duly placed before SUMMARY MILITARY COURTS – ending with HANGING within a week at a PUBLIC PLACE, AND confiscation of VEHICLES INVOLVED and / or CONNECTED PROPERTIES of the culprit(s) – WILL END THE DRUG MENACE from Pakistan FOREVER – NO SHORT CUT & NO Ifs & Buts.**