
NEPAL

Drugs situation

Drug abuse problem is an international menace and Nepal also has not remained free from its tentacles. Cannabis is widely grown in almost every part of Nepal since time immemorial. Nepal also has a problem of wild cannabis growing in abundance in high regions of mid west and far western part. In the southern part of Nepal illicit cultivation of Cannabis plants is lured by the growing demand of the cannabis in the Indian Market. It is very difficult to destroy wild growth of cannabis plants in the hilly regions due to the difficult terrain and in the Southern plain the attractive price of the product has been the contributing factor for its production. Customarily as well as for medicinal purpose, it has been very commonly used by the people in limited quantity which still prevails in many occasion even though there is stringent legislation which prohibit its production, transport, trafficking as well as of the use of the stuffs. Every year law enforcement agencies destroy large areas of illicit cultivation of cannabis plants in southern part of Terai regions. There is no doubt that marijuana, hashish and hashish oil are illicitly produced and smuggled out of Nepal.

Besides cannabis, Nepal has highly favourable climatic environment in producing Opium. However traces of its cultivation of has not been found in substantive quantity but the possibility of its expansion can never be ignored as the tendency of growth of opium producing pockets especially in Southern Tarai area has been widely traced.

After sixties there is high tendency of the growth of drug abuser in the country. Drug abuse problem is mainly concentrated in the urban area but it is slowly approaching to some semi urban and rural areas as well. Government of Nepal has not yet been able to conduct any epidemiological survey so far but some of the research endeavours and small studies on this subject show that the total number of drugs addicts exceeds the figures of 50,000 and most of the drug addicts belong to the age group of 15-30, the most productive age.

Nepal herself does not produce chemical drugs. The geographical position of Nepal and its close proximity to the “Golden Triangle” and “Golden Crescent” have made it a transit point for drugs trafficking. Open and porous borders both in the north and south are another major factor which leads to illicit drug smuggling for local consumption and international trafficking.

Precursor situation-

None of the chemical mentioned in Table I & II are produced in Nepal. Precursor chemicals are imported from India and third countries for industrial, pharmaceutical and laboratory uses.

Nepal, being a party to 1988 convention, has introduced different measures to control the diversion and misuse of precursor chemicals and thereby ensure the licit use of these chemicals.

The use of precursors for the illicit manufacture of narcotics drugs or psychotropic substances has not been noted so far. However, the possibility of using our land as a transit point by the traffickers can not be ruled out. This is evident from the two different seizures made by NDCLEU in 1996 & 1997 respectively. In 1996, NDCLEU seized- 260, liters of Acetic Anhydride from Pakistani National. This was destined to Pakistan. In 1997, again this Unit seized more than 410 liters of Acetic Anhydride at Tribhuvan International Airport (Kathmandu), which was also bound to Pakistan. Except these cases of precursor's seizures, there are no evidences of such diversion being made via Nepal. Regarding the illicit use of these precursors for illicit drug production, not a single incidence has been reported till date. Hence, the misuse of these imported precursor chemicals or diversion of these chemicals to other countries, are not evident.

Adoption of Regulatory practices

Nepal has adopted every UN Declaration relating to the control of illicit drugs and precursor chemicals. Narcotic Control Act 1976 has tried to accommodate every possible control mechanism in this respect. However it is widely felt its urgency of its review. We strongly urge your cooperation for its accomplishment.

Realizing the urgency of separate legislation relating to precursor control we would like to convey our sincere appreciation to UNODCROSA for assisting us for the finalization of draft legislation which is in complete state which we hope will take its formal legal shape soon. The draft legislation is very indicative which we feel needs lots of home work and adopt regulation on the basis of legislation. We have not been able to carry out this critical part which we feel will be very difficult to regulate precursor chemical in the absence of the proposed regulation even if the draft legislation is formulized. As we have a very least knowledge of chemical regulation in the country we strongly feel the necessity of your cooperation in carrying out his critical part of the activities as well.

With all the limitation as discussed above, Nepal has been perusing effective regulatory practices in precursor chemical. Nepal has recently adopted highly regulated mechanism for the import and use of precursor. Chief Narcotic Controller is the authority in its administration. It has adopted a policy of importing precursor chemicals for commercial or industrial purpose in a regulated manner. Industries are directed to pledge their need in the Department of Industry or their unit offices in the district. In each districts a committee headed by Chief District Officer comprising of custom chief, chief of unit office of the department of industry and other relevant officials asses their justification and recommend to the Chief Narcotic Controller who finally issue the import authorization to the concerned authorities. However extra precaution has been taken in case of pharmaceutical industry and a mandatory recommendation is necessary from the Drugs Administration Department for extending import authorization request by the Chief Narcotic Controller. In the same manner import authorization is issued by the Chief Narcotic Controller to the registered business venture only through the recommendation of the District Level High level committee which is supervised and monitored strictly by the district as well as centre. Each of imported stocks is necessary to be reported to the Office of Chief District office by the importer

in the district and submission of every detail of sales records is mandatory to them and the district is directed to report regularly on trimester basis to the center.

Institutional arrangements the Regulation of precursor chemicals

Regulating precursor chemical is felt highly essential. With frequent intervention of awareness activities it has been able to sensitize to various level of society and especially to the higher level of decision makers for creating positive attitude in regulating precursor chemicals in the country. However it has not been able to educate to the people about the possibility of its diversion as there is hardly any traces of those conduct yet. As Nepal is in young stage of industrialization which needs lots of persuasion in bringing positive attitude in this respect and not feels any hardships or hassles for the upcoming industry. With all these consideration Nepal has persuaded a policy of balanced approach and the institutions are also organized accordingly.

High level steering committee has been form for over all control of narcotic drugs headed by the Secretary of Home Affairs with the representation of custom, police and other relevant agencies. Meeting of the committee is held periodically to monitor he situation and directives are issued according to the feed back in the committee. Chief Narcotic Controller is responsible for the implementation of the program and law enforcement that discharge his responsibility with the concerted efforts of police, custom, excise, postal units, Chief District Officers, department of Industry, Department of Drug Administration, and forensic lab and at the maximum with the industrial community as well as civil society. In addition to it Chief District Officer is delegated the authority of law enforcement in their respective districts and Regional Chief and the Center monitors it's functioning.

Conclusion

It is self explanatory to us that regulating precursor chemical in the country is a Herculean task which needs lots of persuasion, coordination and cooperation internally as well as externally. It is highly necessary to deepen positive attitude to every member of the community in regulating precursor chemicals in the country. Creating this attitude by every means of education, training or relevant awareness campaigning in the community at large along with the no drug message is highly necessary. A very limited initiation was made by UNODCROSA targeting to different segment of the society which needs to be strengthen, deepen and widen in a planned manner without any adhoc basis with country need focused project. It has been too late to initiate the program on above ground especially focusing at least to the front line officials. Nepal is regarded as non problematic country in respect to precursor deflation. However the bordering district has been very attractive zone for the traffickers and there is every possibility of bringing clandestine factories in these area or use it for the defilation of the chemicals. The deplorable security situation of the country, ignorance of the front line officials and many other difficulties has further compounded its possibility. So eminences of sound information with effective information system, cross boarder information exchange have been the pressing urge of the time. Effective monitoring mechanism and follow up action has been highly desirable which is far behind of the need. The logistics desired for effective identification of the chemical in each of the custom point is virtually not addressed which needs to be attended timely and effectively.