INTERNATIONAL NARCOTICS CONTROL, AN ANALYSIS OF UGANDA'S LEVEL OF COMPLIANCE WITH ITS OBLIGATIONS UNDER THE SINGLE CONVENTION ON NARCOTIC DRUGS, 1961.

ANGUALIA DANIEL¹²

M/s Madiinah & Co. Advocates
Plot 1001 Susie House Nsambya, Ggaba Road
Near the American Embassy P.O. Box 27689
Kampala - Uganda
Tel: +256774477656, +256791221041

Email: dangularia@yahoo.com

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An electronic copy of this paper can be freely accessed at;

¹ The author is an advocate of the High Court, Court of Appeal and Supreme Court of Uganda with keen interest in international narcotic drugs law. The author welcomes all views and criticisms relating to this piece of work. He may be reached at on the above address.
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ABSTRACT

Until the end of the 19th century, trade in narcotics was considered a legitimate business. Misuse of addiction-producing substances was thought to be the result of ingrained habits in particular areas of the world. The problem was considered a domestic one. However, the advancement in technology and the expansion of transport and world trade introduced a new dimension. An increasing number of alkaloids and derivatives were being produced from opium and coca leaves and easily distributed. In addition, a large number of psychotropic substances were developed and their consumption increased enormously; hence, problems once considered local became global.

By 1994, the majority of countries Uganda inclusive were parties to one or more of the United Nations treaties like the Single Convention on narcotic drugs 1961, Convention on Psychotropic Substances 1971, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988. These treaties contain obligations whose compliance with by State parties play a great role in controlling the illicit inflow of narcotic drugs within jurisdictions of state parties.

Despite being a state party to the Single Convention on Narcotic drugs 1961, Uganda still has a problem of narcotic drugs trafficking. This poses a question as to whether Uganda is complying with its obligations under the Single Convention on narcotic drugs and if so, to what extent and if not, what factors are hindering its level of compliance.

This paper examines Uganda’s level of compliance with its obligations under the Single Convention and the challenges hindering the level of compliance. The author lends an argument that Uganda has largely complied with its obligations and that the challenges hindering full compliance are associated with among others; inadequate legislative frameworks, ineffective administrative mechanisms, the negative attitude of the people towards narcotic drugs, and insufficient resources for the proper enforcement of controls. The author concludes by making recommendations on how the problem of narcotic drugs can best be dealt with in the Country.
# TABLE OF CONTENTS

1.0 INTRODUCTION...........................................................................................................4

2.0 DEFINITION OF NARCOTICS DRUG...........................................................................4

3.0 STATE OBLIGATIONS UNDER THE SINGLE CONVENTION AND UGANDA’S
LEVEL OF COMPLIANCE..................................................................................................5
    3.1 General obligations...................................................................................................5
    3.2 Special administration............................................................................................6
    3.3 Estimates of drug requirements...............................................................................6
    3.4 Furnishing of statistical returns.............................................................................7
    3.5 Restrictions on cultivation.....................................................................................8
    3.6 Manufacture............................................................................................................8
    3.7 National trade and distribution.............................................................................9
    3.8 International trade................................................................................................10
    3.9 Prevention and treatment.....................................................................................10
    3.10 Law enforcement..................................................................................................11

4.0 CHALLENGES TO NARCOTICS DRUG CONTROL...............................................12
    4.1 Legal challenges...................................................................................................12
    4.2 Logistical challenges............................................................................................13
    4.3 Technological challenges.....................................................................................14
    4.4 Health and other challenges.................................................................................15

5.0 RECOMMENDATIONS.............................................................................................16

6.0 CONCLUSION..........................................................................................................18
1.0 INTRODUCTION

Until the end of the 19th century, trade in narcotics was considered a legitimate business. Misuse of addiction-producing substances was thought to be the result of ingrained habits in particular areas of the world. The problem was considered a domestic one. However, modern technology and the expansion of transport and world trade introduced a new dimension. An increasing number of alkaloids and derivatives were being produced from opium and coca leaves and easily distributed. In addition, a large number of psychotropic substances were developed and their consumption increased enormously; hence, problems once considered local became global.

The United Nations exercises functions and powers relating to the worldwide control of narcotic drugs in accordance with a number of international treaties concluded since 1912. By 1994, the majority of countries Uganda inclusive were parties to one or more of the treaties like the Single Convention on narcotic drug 1961, Convention on Psychotropic Substances 1971, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988. These treaties contain obligations whose compliance by the States parties play a great role in the international control of narcotic drugs. Uganda like most countries of the world still has a problem of narcotic drug trafficking. This research examines Uganda’s level of compliance with its obligations under the Single Convention on narcotic control. It discusses the challenges hindering its compliance and concludes with recommendations on how the country can best deal with the problem of narcotics drug trafficking.

2.0 DEFINITION OF NARCOTICS DRUG

There is no an internationally recognized definition of the term “narcotics drug”. “The international legislators” says Renborg\(^3\) have never attempted any definition, instead they chose the method of enumerating the substances to which the convention apply, and in addition provided machinery for including under the scope of the conventions other substances with the same or similar effect as those originally covered. By implication, narcotic drugs are those substances listed in Schedules I and II of the Single Convention on narcotic drugs. Schedule I

includes substances that are highly addictive and liable to abuse, or are convertible into drugs that are similarly addictive and liable to abuse. Schedule II includes substances that are less addictive and liable to abuse than those in Schedule I, such as codeine and its derivatives. Section 1 of the Uganda National drug policy and authority Act attempts a definition similar to that adopted by the Single Convention on narcotic drugs by referring to the class of drugs considered to be narcotic. The section thus defines narcotics drug to mean a class A drug or preparation.4

3.0 STATE OBLIGATIONS UNDER THE SINGLE CONVENTION AND UGANDA’S LEVEL OF COMPLIANCE

The Single Convention on Narcotics Drug is an international treaty to prohibit production and supply of specific (nominally narcotics) drug and of drugs with similar effects except under licence for specific purposes, such as medical treatment and research. The International Narcotics Control Board5 was put in charge of administering controls on drug production, international trade, and dispensation. The United Nations Office on Drugs and Crime (UNODC) was delegated the Board’s day-to-day work of monitoring the situation in each country and working with national authorities to ensure compliance with the Single Convention. The state party’s obligations under the Convention and attempts by Uganda to comply with it are discussed below.

3.1 General obligations

The general obligations consist of taking such administrative and legislative measures as may be necessary to give effect and implement the provisions of the Convention6 and to cooperate with other countries in their execution.7 Countries must also limit the production, manufacture, export, and import, distribution of, trade in, use and possession of drugs, exclusively to medical and scientific purposes.8 Uganda has extensively cooperated with other countries in sharing of

4 The National Drug Policy and Authority Act Cap 206 Laws of Uganda. Class A drugs include among others; coca leaf, cocaine, codeine, heroin, opium and nicodine.
5 Article 5 of the Single Convention
6 Article 4 (a) of the Single Convention
7 Article 4 (b) of the Single Convention
8 Article 4 (c) of the Single Convention
information relating to drug trafficking and control. Twice every year Directors of criminal Investigation Departments and Heads of Anti-Narcotics of the five East African countries come together to exchange information on known and suspected drug traffickers operating in the region, to share information and new methods of drug concealment devised by traffickers and to work out coordinated plans to net the traffickers and offenders. This cooperation has led to tremendous success in narcotics drug control in the region.

3.2 Special administration

The state Parties are required to maintain a special administration to administer the provisions of the Convention. Its purpose is to coordinate the work of the various ministries and departments relating to the implementation of the treaty provisions, in the fields of health, law enforcement, among others. This may include, the competent national authorities empowered to issue certificates and authorizations for the import and export, production, manufacture of narcotic drugs, and the law enforcement authorities charged with preventive and repressive action against illicit traffic in narcotic drugs.

In Uganda a Bill seeking the formation of a body contemplated by this obligation is yet to be passed into law after it was presented in parliament. The country’s narcotic drugs and psychotropic substances (control) Bill, 1999 establishes a national coordination committee for drug control with a secretariat. The current National Drug Authority in place is partly mandated to perform the functions contemplated by the Convention, although it is more concerned with the general pharmaceutical drugs without direct focus on drug trafficking and combating of narcotic drugs.

3.3 Estimates of drug requirements

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9 www.rwandagateway.org/article.php3?10_article=441. Accessed on 14th May 2010, These meetings are in line with further strengthening the mandate of the East African Police Chief’s Committee (EAPCCO) composed of 11 regional countries set up in 2001 among other things to combat drug trafficking.

10 Article 17 of the Single Convention

11 Part VII, Sections 66 to 72 of the Bill.

12 Long title National Drug Policy and Authority Act which establishes the National Drug Authority provides for; “An Act to establish a national drug policy and a national drug authority to ensure the availability, at all times, of essential, efficacious and cost-effective drugs to the entire population of Uganda, as a means of providing satisfactory health care and safeguarding the appropriate use of drugs”. This is also reflected in all the eleven functions of the national Drug Authority under section 5 of the Act.
The Parties shall furnish to the Board each year the estimates on; the quantities of drugs to be consumed for medical and scientific purposes,\textsuperscript{13} be utilized for the manufacture of other drugs,\textsuperscript{14} Stocks of drugs to be held as at 31 December of the year to which the estimates relate and drugs necessary for addition to special stocks,\textsuperscript{15} The quantity to be produced and the number of industrial establishments which will manufacture synthetic drugs and quantities to be manufactured.\textsuperscript{16} The International Narcotics Board states: Countries are under an obligation not to exceed the amounts of the estimates confirmed or established by the INCB.\textsuperscript{17} A state may during the year furnish supplementary estimates with an explanation of the circumstances necessitating such estimates.\textsuperscript{18}

Uganda has overtime complied with the estimates requirements. The National Drug Authority Commission is required to make an assessment and estimation of the national drug needs both in the public and private sector.\textsuperscript{19} The ministry of health then furnishes the INCB with its estimates annually.\textsuperscript{20}

3.4 Furnishing of statistical returns

The Parties shall furnish to the Board statistical returns in respect of: Production or manufacture of drugs;\textsuperscript{21} Utilization of drugs for the manufacture of other drugs,\textsuperscript{22} Consumption of drugs,\textsuperscript{23} Imports and exports of drugs and poppy straw;\textsuperscript{24} Seizures of drugs and disposal thereof;\textsuperscript{25} Stocks of drugs as at 31 December of the year to which the returns relate;\textsuperscript{26} and ascertainable area of cultivation of the opium poppy.\textsuperscript{27} A comparison of export figures and corresponding import data may disclose the possibility of diversion of international shipments into illicit channels. A study of the figures on the area in a country cultivated with the opium poppy for the production of

\textsuperscript{13} Article 19 (a) of the Single Convention
\textsuperscript{14} Article 19 (b) of the Single Convention
\textsuperscript{15} Article 19 (c) and (d) of the Single Convention
\textsuperscript{16} Article 19 (e) to (h) of the Single Convention
\textsuperscript{17} http://www.incb.org/e/role/menu.htm
\textsuperscript{18} Article 19 (3) of the Single Convention
\textsuperscript{19} Section 10 (1) of the National Drug Policy and Authority Act
\textsuperscript{20} Uganda’s drug estimates furnished to International Narcotics Control Board for the year 2010 can be viewed and accessed from http://www.incb.org
\textsuperscript{21} Article 20 (a) of the Single Convention
\textsuperscript{22} Article 20 (b) of the Single Convention
\textsuperscript{23} Article 20 (c) of the Single Convention
\textsuperscript{24} Article 20 (d) of the Single Convention
\textsuperscript{25} Article 20 (e) of the Single Convention
\textsuperscript{26} Article 20 (f) of the Single Convention
\textsuperscript{27} Article 20 (g) of the Single Convention
opium and of those on the extent of the opium harvest may throw some light on the size of diversion of opium from the legal crops into the illicit traffic.\textsuperscript{28} Uganda unlike other countries around the World does not manufacture or produce narcotics drugs. The cultivation of cannabis is done illegally. The country has overtime filed the necessary returns regarding the ascertainable statistics.

### 3.5 Restrictions on Cultivation

The Single Convention places restrictions on cultivation cannabis and opium under Articles 22, 25 and 28. A state Party is under an obligation to establish a government agency to control cultivation.\textsuperscript{29} Cultivators licensed by the agency must deliver their total crop to the agency, which must purchase and take physical possession of them within four months after the end of harvest. The agency then has the exclusive right of importing, exporting, wholesale trading and maintaining stocks, other than those held by manufacturers.\textsuperscript{30}

In Uganda, the law provides that no person shall, cultivate any plant from which a narcotic drug can be extracted without the written consent of the Minister responsible for health. The Minister is required to consult with the National Drug Authority before giving his or her consent.\textsuperscript{31} However the situation is quite different as people continue to cultivate cannabis and mairungi which are said to have narcotic content without the consent of the minister. The police have tried to uproot the plants and reduce on its illegal cultivation. Between 2007 and 2009 police destroyed 92 acres of cannabis in different parts of the country.\textsuperscript{32} However, the problem is still prevalent as the plants are usually found in isolated areas of the bush with some people claiming that they plant them for medicinal purposes.

### 3.6 Manufacture of narcotic drugs

\textsuperscript{28} It may also lead to the conclusion that legal opium production is not profitable in the country concerned, and that its farmers can undertake it only because many of them sell a part of their crop at the higher prices of the illicit market. The consumption figures may show a medical abuse of drugs, obtained on medical prescription, and may offer some clue to the incidence of addiction in a country which permits addicts to obtain maintenance dosages from legal sources. See commentary on Single Convention on narcotics drugs 1961 http://www.incb.org

\textsuperscript{29} Article 23 (1) of the Single Convention

\textsuperscript{30} Article 23 (2) of the Single Convention

\textsuperscript{31} Section 49 of the National Drug Policy and Authority Act

\textsuperscript{32} Uganda Police Annual crime reports for 2007, 2008 and 2009
The state Parties are under obligations to control all persons and enterprises engaged in the manufacture of narcotic drugs, by licensing, supervising and inspecting the industrial establishments that manufacture such drugs. National authorities must also require that licensed manufacturers obtain periodical permits specifying the kinds and amounts of drugs which they shall be entitled to manufacture.  

Section 38 (3) of the national drug policy and authority Act provides that no person shall manufacture any classified drug unless the processes of manufacture are carried out or supervised by a pharmacist. Local manufacturers must first inform national drug authority in writing about the intention of producing any new product in their factories with all the necessary information. National drug authority then evaluates the information provided in relationship to already licensed products of the manufacturer, if any, and verifies that the manufacturer is able to manufacture the product that will meet national drug authority standards. The manufacturer’s license is renewed annually. However, despite all this efforts, counterfeit drugs are still on the market and national drug authority has had to continuously remove them from the market. The situation calls for Parliament to speed up the process of passing counterfeit bill into law.

3.7 National trade and distribution

Under article 30 a state Party shall require that the trade in and distribution of drugs be conducted under license and that licensees have adequate qualifications. Governments must control the establishments and premises where trade and distribution of narcotic drugs take place. There is need for special licence for trading in and distribution of narcotic drugs. A general license to trade in everything would not be sufficient.

It is an offence for any person to supply or sale narcotics drug in Uganda without a license under national drug policy and authority Act. Despite the existence of these laws, quack doctors and pharmacists have on several occasions been found practicing medicine and dispensing classified drugs. The people employed to dispense drugs don’t have the requisite qualifications and end up

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33 Article 29 (1) and (2) of the Single Convention  
35 Article 34 of the Single Convention  
36 Article 30 (1) (b) of the Single Convention  
38 Sections 13 to 15 of the Act Cap 206
selling classified drugs\textsuperscript{39} without requisite qualifications and certificates of approval of premises for the business.

### 3.8 International trade

Each state party must participate in the control of international trade in narcotic drugs by controlling its exports and imports in that regard. State parties are obliged to exercise control and supervision over free ports and zones, prohibit certain transactions like exports to a post office box, and request the detention of consignments without accompanying documentation, among others.\textsuperscript{40} The article requires a license for export and import of substances under the control of the Convention to be issued by a competent authority of a state party, and the name and address of the authority to be communicated to the Secretary-General.\textsuperscript{41}

In Uganda all importers seeking to import narcotic drugs or psychotropic substances under international control only for medical, dental or veterinary use must get a special import permit first. The drug verification committee has to verify all proforma invoices of drugs and healthcare products to be imported and their source and need. A verification certificate is then issued after the exercise. This certificate is issued every time the importer wishes to import even where the drugs are the same.\textsuperscript{42} The National Drug Authority has been very active in confiscating classified drugs imported into the country without permit. However, the narcotics drug traffickers still find a way of sneaking drugs into the country.

### 3.9 Prevention and treatment

The state parties shall promote the training of personnel in the treatment, after-care, rehabilitation and social reintegration of abusers of drugs. They are under further obligations to take possible measures to prevent drug abuse and to provide for the diagnosis, treatment, education, care, rehabilitation and social integration of the persons that abuse drugs.\textsuperscript{43} Other

\textsuperscript{39} Misuse of drugs in Uganda. www.enteruganda.com/brochures/pharmatwo.html. Accessed on 13th June 2010
\textsuperscript{40} Article 31 (8) and (10) of the Single Convention
\textsuperscript{42} Section 46 of the National drug Policy and Authority Act
\textsuperscript{43} Article 38 (1) and (2) of the Single Convention
initiatives, such as research on drug abuse and public awareness and prevention campaigns are also contemplated in this article.\textsuperscript{44}

In Uganda, Butabika hospital is a specialized institution for treating mental health patients, addiction problems related to drugs and training personnel in the areas of mental health.\textsuperscript{45} The hospital derives its mandate from the mental treatment Act\textsuperscript{46} which makes provision for the care of persons of unsound mind and for the management of mental hospitals in the country. The hospital together with private institutions and non Governmental organizations\textsuperscript{47} has played a big role in treating drug related addictions. The anti-narcotics unit of the Uganda police together with officials from national drug authority have played a role in sensitizing the public and especially schools of the dangers of drugs with emphasis on prevention.

\textbf{4.0 Law enforcement}

Pursuant to articles 35, 36 and 37, state parties are under obligations to make every possible effort, to prevent and repress illicit drug trafficking. Countries should ensure that the illicit cultivation, production, manufacture, extraction, preparation, possession, offering, sale, purchase, distribution dispatch, transport, brokerage, importation and exportation of narcotic drugs are all punishable offences under national legislation.

It is an offence in Uganda for any person to have in his or her possession narcotic drugs and psychotropic substances under international control without lawful excuse.\textsuperscript{48} The law enforcement agencies have on several occasions confiscated narcotic drugs from traffickers and burnt them. By the end of 2007, 883 cases of narcotic drugs related offences were reported to police, 149 people were taken to court, 14 convicted and 720 were still pending investigation.\textsuperscript{49} In 2008, 538 cases were reported, 476 were taken to court, 82 were convicted and 302 cases were

\textsuperscript{45} www.butabikahospital.com
\textsuperscript{46} Cap 279 Laws of Uganda
\textsuperscript{47} The institutions and organizations include: Serenity centre, Uganda youth Development Link, Uganda Children centre, Transcultural Psycho-social Organisation (TPO), Drug abuse Prevention Initiative (DRAPI), Hope Rehabilitation Centre, National Care Centre, among others.
\textsuperscript{48} Section 47 (1) of the National Drug Policy and Authority Act
\textsuperscript{49} Uganda Police Annual Crime Report 2007
still pending.\textsuperscript{50} And in 2009, 2034 cases were reported, 1607 were taken to court, 629 were convicted and 678 were still pending.\textsuperscript{51} Although the law enforcement agents have done good work in apprehending and having successful prosecution of the suspects, the problem is still there. The statistics show increase in narcotics drug related offences.

\section*{4.0 CHALLENGES TO NARCOTICS DRUG CONTROL}
Illicitly manufactured pharmaceutical preparations or prescription drugs containing narcotic drugs and psychotropic substances continue to be available on the unregulated markets in many countries in Africa Uganda inclusive. The situation remains unresolved because of the inadequate legislative frameworks, ineffective administrative mechanisms and insufficient resources for the proper enforcement of controls. The challenges to compliance with the Single Convention on narcotic drugs and its control are discussed in details under the following headings.

\subsection*{4.1 Legal challenges}
The three international drug control conventions are not self-executing, and their provisions must be incorporated into domestic law by legislative acts. If the provisions of the Conventions were to be self executing, the International drug control body would enforce it in the absence of strong domestic laws. However, it is a principle of international law that the definition of offences lies solely within the powers of a State. Some of the provisions of the conventions are predicated with a safeguard clause: “Having due regard to their constitutional, legal and administrative systems…” or “Subject to its constitutional principles and the basic concepts of its legal system…”\textsuperscript{52} This leaves the sole responsibility of enforcing narcotic control laws to the party states yet some of them still lack the resources to enforce the laws.

Uganda lacks a clear and comprehensive law on drug trafficking. The existing National Drug Policy and Authority Act does not specifically provide for prosecution for trafficking in narcotic drugs but rather provides for unlawful possession of narcotic drugs. In addition, the punishment for unlawful possession of narcotic drugs is only two years imprisonment or a fine not exceeding

\begin{footnotes}
\item[50] Uganda Police Annual Crime Report 2008
\item[51] Uganda Police Annual Crime Report 2009
\item[52] Article 36 of the Single Convention on narcotic drugs
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two millions Uganda shillings. Unlike other countries like China and Iran where possession and drug trafficking carries death penalty and life imprisonment respectively, Uganda’s laws are comparatively weak in this regard. Given the lucrative nature of drug trafficking, the traffickers always have extra cash on them and gladly walk away after paying a pocket change amount of money in form of a fine.

Lack of enforcement of immigration laws, The Ugandan boilder points are easy to pass through and enter Uganda without being checked or where checked they are compromised, it’s very common to find illegal immigrants in Uganda from the neighboring countries and as far as India, Nigeria among other countries. According to the police detectives attached to the narcotics unit of Uganda police interviewed by the researcher, Uganda’s border is extensive with few border points. The drug traffickers use the unprotected areas to sneak narcotic drugs into the country.

In addition to weak narcotic control laws, the judicial officers have been known to be lenient when passing sentences. A magistrate court sitting at Entebbe recently fined a drug trafficker only one hundred thousand Uganda shillings. A detective in the narcotics squad, said: “The Guinean, who was arrested with the seven kilograms of cocaine was only fined four hundred thousand Uganda shillings. In some cases, a very short prison sentence is given to the traffickers who are released shortly after serving the prison sentence. The law enforcement officers are frustrated by the judicial officers who lack relevant training in narcotics drug control and its impact.

4.2 Logistical challenges

Lack of adequate skilled man power, upon arrest of the suspect, the police is expected to do prompt test on the suspected drugs to ascertain its contents. Unfortunately, the police rely on the only government analytical department in Wandegeya to do the test which takes long to come out with the test result due to high volume of work. Police does not have botanists, chemists and pharmacists to help them in the investigation and subsequent prosecution of the suspects.

53 Section 60 (2) (a) of National Drug Policy and Authority Act
54 Uganda Versus Avisec Criminal case No. 73 of 2010.
55 Uganda now narcotics consumer, says Kayihura Inspector General of Police.
www.newvision.co.ug/D/8/13/635387
prosecutions end up unsuccessfully as a result of poor investigation. The suspects are sent back to the communities and continue engaging in narcotics consumption and trade.

Inadequate resources hinder effective surveillance of narcotic drugs entering into the country. The criminals are sophisticated and catching them requires enough resources and training of surveillance personnel. The scanners at Entebbe international air port are not designed to scan narcotic drugs. The traffickers are aware of this weakness and therefore catching them is only possible after resorting to rudimentary means. The whole country has two sniffer dogs trained to detect drugs and they are all based at Entebbe air port. The traffickers resort to using other entry points without means of detecting their luggage.

Even with the information regarding the existence of cannabis garden, the cost of uprooting it especially if it is up country is prohibitive for the law enforcement officers in terms of fuel and accommodation allowances. At times the gardens of cannabis are in isolated and inaccessible areas of the bush.

4.3 Technological challenges
Technologies which are employed by the law enforcement officers to control illicit trafficking are outdated in comparison to the skills and technology employed by the drug traffickers. This affects coordination by the relevant Government regulatory and control agencies. The traffickers usually have many passports from different countries under different names without being detected. Recently Kenyan police arrested Anne Birungi Bisaaso with cocaine worth Uganda shillings 2.2 billion at Jomo Kenyatta international air port, the same person whose passport had been retained by the Uganda police in 2007 on suspicion of drug trafficking under the name of Gillian Kiconco.\textsuperscript{56} Fake identities make it hard if not impossible to trace the source of the drugs.

According to the 1998 International narcotics control Board report; drug dealers design new drugs by "manipulating" molecules on a computer or learn how to make illicit substances on the

\textsuperscript{56} The new vision, Monday, June 14, 2010 at page 20. The chief of the joint security operations at Entebbe International Airport, Herman Owomugisha stated that; “I have personally kept passport since we arrested her at Entebbe airport in 2007. I thought that by retaining her passport, she would be denied access abroad, but I am shocked”
internet. The drug dealers are then able to sale the drugs at low risk through facilities such as the World Wide Web. Each passing day the drug dealers adopt new techniques that are not easy to discover. The security agents in Uganda don’t have the requisite technology to detect the newly adopted advanced way of drug trafficking by criminals.

The traffickers have also found new ways of processing drugs with chemicals not yet monitored by the drug treaties. When the 1988 Drug Trafficking Control Treaty was finalized in 1988, governments recognized that key chemicals needed to process heroin, cocaine and synthetic drugs needed to be internationally controlled. Drug dealers now use industrial chemicals such as potassium permanganate and acetic anhydride which are not under tight international control for making cocaine and heroin. The traffickers disguise prohibited drugs in accepted drugs and get away with it. For example in April 11 2010, Diane Hawa, a Rwandese was intercepted at Entebbe airport as she entered the country from Nairobi. She had seven bottles labeled Aumentin intravenous whose contents were suspected to be narcotic drugs. She declined to disclose the person to whom she was delivering the drugs. She was later deported back to Nairobi.58

4.4 Health and other challenges

Meeting the obligations with respect to prevention and treatment constitutes a major challenge for Uganda just like any other developing country. The Government is often struggling to provide primary health care for its populations and thus leave other areas of health unattended to. However, not much emphasis has been put on prevention of the effects of drug abuse. Butabika hospital is more into treatment rather than prevention.59

Lack of the necessary training and skills by the relevant authorities to make assessments of their national legitimate requirements in narcotic drugs and psychotropic substances ... or the means of limiting or increasing the level of imported drugs to the amount required to cover their legitimate needs.60 According to Dr Basangwa, officers dealing with the controlling and curbing

57 International Narcotics Control Board Report of 1998
58 The new vision, Monday, June 14, 2010 at page 20
59 The mission of the hospital is to; “To offer super specialized and general mental health services; conduct mental health training, mental health related research and to provide support to mental health care services in the country for economic development”.
60 International Narcotics Control Board Report of 1998
of drugs lack data collection and analytical capabilities. The available data is inconsistent and quite scanty as the studies are normally carried out with specific interests.\textsuperscript{61} Absence of clear data makes it hard to assess national drugs requirements and emerging trends of drug abuse in the country.

The perception of the local community about narcotic drugs and cannabis is still negative. There are those who use cannabis as treatment for their animals, poultry and as a source of earning a living. They don’t pay attention to its side effects. The greatest support would come from the public in the fight against marijuana, by the public directing the police to the plantations. However, most people are too scared of reprisals to report drug dealers who have the money and means to implement their threats.\textsuperscript{62}

5.0 RECOMMENDATIONS

"...Let us resolve that at this special session of the General Assembly, words lead to action and that this action leads to success. Drug abuse is a time bomb ticking away in the heart of our civilization. We must now find measures to deal with it before it explodes and destroys us."\textsuperscript{63}

The Government and particularly Parliament should speed up the process of passing the Narcotic drugs and Psychotropic substances (control) bill into law to cover for the existing legal gap in the area of narcotics drug control. Part II of the Bill provides for some of the offences and punishment but considering the lucrative nature of drug trafficking, there is need to increase on the fine payable in all cases of unlawful possession of narcotic drugs and drug trafficking. The amount proposed in 1999 has lost value and should be enhanced to give it deterrent force.

\textsuperscript{61} East Africa still a major drug route. www.theeastafriican.co.ke/news/-/2558/475370/-/item/1/-/571/3ks/-/index.html. Accessed on 14th June 2010

\textsuperscript{62} According to detective Inspector Uganda police narcotic unit Mr Kato James (Not real name) in an interview held on 21\textsuperscript{st} June 2010 with the author.

\textsuperscript{63} Former Secretary-General of the United nations Javier Pérez De Cuéllar (From remarks to the 17th Special Session of the General Assembly, 20 February 1990)
Uganda should make use of the Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet.64 It should include in its legislations and especially the coming Bill on narcotic drugs and psychotropic substances (control) bill provisions that empower the appropriate authorities like the National Drug Authority or the proposed National Coordination committee for drug control to investigate and take legal action against Internet pharmacies and other websites, hosted by Internet service providers operating within the country, that are used in the illegal sale of internationally controlled substances.

The Government should provide the financial resources for training and building the capacity of its narcotic control personnel to enable them confirm the legitimacy of relevant transactions and prevent diversions of narcotic drugs for illicit trade. The training should focus on improving the technical and investigative skills of counternarcotics law enforcement personnel in key ports and borders to assist them in investigating drug trafficking and confiscating illegal narcotics.

The Government should upgrade its security systems to ease coordination and exchange of information amongst its law enforcement agencies and cooperation with other countries around the world. Investing in national identity cards would ensure that every one’s finger prints is kept with the security agencies, and information relating to the same is shared with other countries in the world. This will reduce on the chances of coming up with several passports under different names as it’s now done by drug traffickers to disguise their identities.

The Government should increase its vigilance regarding trafficking in and abuse of such preparations and to consider enhancing existing control measures by training more personnel in the areas of narcotic drugs to equip them with the necessary skills of monitoring the consumption levels of prescription medicaments containing narcotic drugs or psychotropic substances in order to identify possible cases involving diversion and to raise awareness in the public about the consequences of the abuse of such preparations.

The Government should intensify intelligence at ports of departure and its borders with the neighboring countries. Recently one of the Ugandans who was arrested in China for drug

64 The guideline was issued by the International Narcotics Control Board, available at www.incb.org. Accessed on 22nd Of June 2010
trafficking was said to have flown from Entebbe Airport to Thailand from where he swallowed the pellets and continued to China. All these incidents were possible due to poor surveillance system used at Entebbe airport. The Government should invest in scanners and sniffer dogs.

The Government should come up with programs to provide alternative livelihoods for farmers growing illicit crops like marijuana. Government can introduce alternative cash crops to the marijuana growing communities and sensitize them on the dangers of illicit crops and drug trafficking. Full participation of the crop growers, their families and the community in designing solutions to solve their problems will enable the community own program thus increasing its chances of acceptance and success.

6.0 CONCLUSION
The problem of drug trafficking is an international issue which calls for state parties to the narcotic drugs related Conventions to cooperate and collaborate more than before in the face of contemporary drug problems and challenges. As the law enforcement agencies are devising ways of controlling the vice, the drug traffickers are also devising more advanced means of doing their business. There is urgent need for renewed efforts to combat drug trafficking in the world. The drug problem poses a threat to world security, peace and stability and should thus not be treated lightly.

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66 International Narcotics Control Board, *Annual report for 2005*, para 23(g)
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