



Pakistan's War on Drugs: Examining the Integral Contributions of Police and Prosecution in Narcotics Trials

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ABSTRACT

This research aims to conduct a comprehensive analysis of police and prosecutors' roles in enforcing narcotics crime laws in Pakistan. The study focuses on examining police and prosecutors' demands and delves into the obstacles they encounter, presenting viable solutions. Obstacles encountered include the non-attendance of police witnesses, a majority of whom are occupied with their superiors, leading to prolonged prosecution processes. The modus operandi in narcotics convictions is noted for its effectiveness, underscoring the need for strategic countermeasures. To address these challenges, prosecutors engage in knowledge-sharing meetings among law enforcers and related agencies, fostering unity in perceptions regarding narcotics crime cases. Additionally, management improvements are implemented to minimize opportunities for narcotics crime occurrence. The study emphasizes the critical role of police and prosecution practices in mitigating the root causes of narcotics crime, showcasing a holistic approach to law enforcement in the context of Pakistan.



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1. Introduction

Narcotics are defined as psychoactive or addictive chemicals that have effects similar to those of morphine, such as the numbing of pain, the altering of behaviour and mood, and the inducing of stupor or sleep. In Pakistan's past, there has been a long-standing custom of using drugs, especially opium (Khaled, 2013). A narcotic is described as "a drug (such as opium or morphine) that, in moderate doses, dulls the senses, alleviates pain, and induces profound sleep, but in excessive doses can lead to stupor, coma, or convulsions" in the online Merriam-Webster dictionary (Dictionary, 2013).

The use and export of opium have historical roots that date back to the Mughal and British empires, according to the Pakistan Institute of Legislative Development and Transparency (PILDAT). As such, opium is not a relatively new phenomenon in Pakistan. From 1979 onwards, Pakistan's output of opium increased significantly; however, the Hadd Ordinance's enforcement that same year caused production to decline, a trend that persisted into the 1980s (T. Anwar, 2006). Afghanistan is one of the biggest contributors to the global production of illegal opium, which is largely responsible for the large-scale production and abuse of the drug in Pakistan. Pakistan's close proximity to Afghanistan, the world's leading producer of illicit opium, encourages drug abuse and trafficking within the nation (Khaled, 2013).

In the late 1980s, Afghanistan and Pakistan combined produced almost half of the world's heroin, according to the Global Security (Organization, 2013). Even though their respective shares of the global drug market have decreased, Afghanistan and Pakistan are still among the world's top producers of drugs. The primary source of Pakistan's problems is that it serves as the principal transit route for opiates that are imported from Afghanistan. Furthermore, a large percentage of Afghanistan's poppy farming, which is a crucial step before the production of drugs, takes place near the shared border with Pakistan.

Khaled (2013) noted that despite ratifying the 1971 Vienna Convention, which aims to govern international cooperation in limiting the production, distribution, and use of narcotics and psychotropic substances as well as prohibiting efforts to eradicate their abuse, Pakistan "still struggles with long-term drug-related problems." The convention places a strong emphasis on restricting the use of these substances to scientific and medical applications only. Pakistan is currently experiencing a drug emergency due to the ongoing problem of methamphetamine distribution and the numerous arrests of international drug dealers in recent years (Pangestu & Hanim, 2021).

Poppy cultivation has temporarily decreased as a result of efforts to address the issue, which have included alternative development projects funded by the local government and the international community (Khaled, 2013). This declining trend did not, however, last for very long. Large-scale poppy cultivation returned to Pakistan after the Taliban outlawed the practice in Afghanistan in 2001, sparking a spike in opium prices around the world. The Federally Administered Tribal Areas (FATA) are considered to be the main problematic regions with regard to poppy cultivation, according to the Global Security Organisation.

The ongoing counterterrorism operations along the Pakistan-Afghanistan border are making the issue of insufficient security forces in these areas worse (PILDAT, 2010).

Collaboration and mutual reliance between the police, prosecutors, courts, and prisons are critical to the efficacy of law enforcement's fight against drug abuse. As a result, in carrying out their responsibilities, all law enforcement officers are required to follow strict legal protocols. The study aims to analyse the roles played by the police and the prosecutor's office during the phases of narcotics trials. Furthermore, it intends to examine the challenges and potential solutions faced in meeting prosecutors' demands for the enforcement of these laws.

2. Research Methodology

In this study, the most appropriate approach, namely the sociological-judicial approach, is utilised. As a methodological form, the approach aims to discern realities in the field based on the principles of the law or legislation currently in force, specifically those relevant to the object under study. The sources and types of data in this study are secondary data obtained through a literature review. The data collection method involves a comprehensive examination of existing literature, and the data are subsequently analysed qualitatively. The sociological-judicial approach is considered the most suitable for this study as it allows for an in-depth understanding of the societal and legal factors influencing the enforcement of laws. By analysing the existing legislation and its application, this approach helps to identify the realities in the field. Secondary data obtained through a literature review serve as valuable sources for this study, enabling a comprehensive examination of relevant information. The qualitative analysis of these data ensures a thorough understanding of the subject matter and provides insights into the effectiveness of current law enforcement practices.

2.1. Control of Narcotic Substances Act

It appears that the very poor and marginalised are disproportionately and almost solely caught up in criminalization procedures around the world under the pretext of fighting the drug trade. These are not the same individuals reaping enormous profits from the international drug trade. While certain initiatives have been made elsewhere to address the disparity and ensure that criminal sentences match the levels of culpability that attach to those who control and profit from the drug trade, these positive improvements have not had an impact on Pakistan's drug law.

If we accept that Pakistan has a "drug problem," it is a composite one in which more than 6 million people suffer from drug addiction, with a large number of these individuals already incarcerated. However, the issue is one of endemic violence that results from the commercial distribution and use of drugs and spreads into homes and communities. Then there is the larger problem of the kingpins and cartels, who are funding and running the drug trade while enjoying political and criminal impunity (Pakistan, 2022).

After successfully stopping and containing drug cultivation on Pakistani soil, our lawmakers appear to have turned their attention to regulating drug trafficking within and between the borders of the nation. The Control of Narcotic Substances Act, passed in 1997, set down harsh penalties for drug possession, trafficking, production, export, import, and general funding of the drug trade to address these additional issues. Even though these are designated as distinct offences, courts only present cases to individuals accused who can be found guilty based only on the physical possession of an illegal substance. The fact that the penalties are the same for all offences creates a false picture of the effectiveness of our domestic drug fight.

Even though the ANF claims to be making record numbers of arrests and seizures, the reality that this is having little impact on our complex drug problem is a reflection of the many absurdities of the law that is now in place. In its paper, "Optimising Pakistan's Drug Legislation," published in January 2018, the Foundation for Fundamental Rights highlighted several specific issues with the current legal system. Because drug mules and couriers make up the majority of people arrested under the Control of Narcotic Substances Act (CNSA), law enforcement agencies must target the kingpins in a crackdown rather than pursuing punitive punishments for them.

As it stands, the research reveals that 70% of cases started under the CNSA never revealed a kingpin, while just 29% of cases that did provide the cartel with actionable leads were ever pursued by law enforcement. Second, according to the research, the bulk of those responsible for the crimes were uneducated and extremely underprivileged, making them vulnerable to abuse by cartels.

There are two distinct yet connected issues with the CNSA as it exists. Relying on the charge of possession results from the lighter burden of proof for an offence where a conviction for mere proximity is considered sufficient. In reality, the CNSA transfers the responsibility of proving guilt, by a typical criminal standard of proof, away from the prosecution and places it instead on the accused to establish their innocence. This regime not only blatantly violates the Constitution's provisions of a fair trial and due process, but it also has extremely unjust practical effects.

2.2. Role of the Police Department in Drug-Related Cases

Police departments act as the first and most important wall of defense in drug-related crimes. As the police are in charge of the investigation and prosecution of those involved in drug trafficking, its role is of paramount importance.

To prevent drugs from entering the country, combat drug trafficking, and reduce the demand for drugs, they collaborate with various entities and organizations, such as law enforcement agencies, community groups, and customs and border protection. The police also make an effort to educate the public about the dangers of drug addiction and the consequences of drug-related crimes. They host campaigns to increase public awareness and offer guidance on identifying and reporting drug-related conduct. The goal of law enforcement is to reduce the harm that drug addiction causes while also fostering a community that is safer and healthier (Saum, Scarpitti, & Robbins, 2001).

2.3. The Involvement of Police in Drug Cases with a High Rate of Acquittal

The swift advancements in science and technology are influencing the qualitative and quantitative trends in crime, either directly or indirectly. Criminality has changed throughout

time from isolated acts to intricate, well-planned networks, especially in organised crime, including drugs and mental health disorders. There is a close relationship between these crimes and developments in pharmacy. Advances in science and technology, particularly in the field of pharmacy, have made it possible to extract or synthesise compounds with a variety of effects from common plants, such as opium, cocaine, and cannabis. There is a serious threat from the increase in criminal activity, especially in the organised drug trade. Drug misuse is highly dangerous for a nation since drug-related crimes, particularly those committed by the younger generation, can have negative physical and spiritual impacts and cause significant losses for the state and people of Indonesia. In light of these worries, it is essential to stop any attempt that leads to drug-related offences. Indonesian law enforcement must step up its efforts to successfully combat all forms of drug-related criminality. The crime of abusing narcotics differs from other crimes in that it has certain features. Among these special qualities are:

a. organised crime in a network of syndicates: It is uncommon to find a drug case involving heroin that is not a syndicate.

b. global in reach rather than regional in character. Cannabis plants can flourish in Pakistan, but since there are consumers everywhere, they can be shipped elsewhere.

c. The cell system is the offender; this means that there isn't a direct link (disconnected) between the dealer and the customer, making it harder for the dealer to find out if the customer is apprehended and vice versa. d. Because drug offenders are also victims, there is very little reporting of drug-related crimes.

Every drug case requires coordinated countermeasures due to the unique features of drug crimes. Any drug-related incident discovered near a resort police or regional police location needs to be reported right away to the police headquarters in that area in order to enable the national police headquarters to identify any drug cases discovered in the area early on. This would help with coordination amongst all the police stations across different regions. Both preventative and punitive measures can be used in the fight against drug-related crimes. The police work with non-governmental organisations (NGOs) to prevent drug-related crimes by disseminating pamphlets, posting warning signs, and holding seminars about the risks associated with drug abuse. In the meantime, the police use their investigations and drug crime investigations to try and uncover illegal acts that have taken place, which includes the repressive management of drug-related crimes. The task of managing the investigation of drug-related crimes falls to the narcotics detective unit, or, in this case, the narcotics unit. Every Pakistani regional police unit has this type of duty division.

2.4. Factors that affect the Criminal Justice System

Racist ideologies, particularly *laissez-faire* racism, may create a connection between racial politics and views of criminal justice against minorities. A conceptual model comprising two primary components outlines this connection. First of all, it clarifies racial differences in political conduct by demonstrating how black people's perceptions of bias in the legal system are shaped by their upbringing and personal experiences. This leads to their support of affirmative action and opposition to the death penalty. On the other hand, white people tend to support *laissez-faire* racism, which fuels opposition to affirmative action. Second, the model shows how racist attitudes are undermined, support for affirmative action is fostered, and opposition to the death penalty is fostered by perceptions of criminal injustice, all of which influence political behavior. This theory clarifies how perceived racial injustice affects particular policy preferences as well as racial variations in political conduct that lead to the disturbance of the overall equilibrium and standard of the justice system (Matsueda & Drakulich, 2009). Similarly, widespread sexual harassment and gender discrimination in Pakistan create an environment that makes it harder for vulnerable groups, such as those impacted by high drug cases, to protect their rights and well-being (Jamshed, 2021).

The high acquittal rates in drug cases have prompted attempts to improve police training, increase transparency and accountability, and alter the criminal justice system. For example, building trust between police officers and the communities they serve is the aim of community policing projects. Others have established specialised drug courts that offer non-

violent drug offenders an alternative to traditional forms of punishment and treatment. Reducing the use of mandatory minimum terms, altering sentencing rules, and increasing financing for drug treatment and prevention initiatives are all necessary (Shift, 2022). The high rate of acquittals in drug cases is a complex issue that is dependent on several factors. Police actions may contribute to the high acquittal rates in some jurisdictions, despite the fact that they are essential to the investigation and prosecution of drug crimes. To address this issue, police investigations must be conducted impartially and completely, they must enforce the law and respect suspect rights, and the criminal justice system must be equipped to handle drug cases. In Pakistan, where drug cases are a significant issue, a huge number of people are imprisoned and charged with drug offences every year. The police have faced criticism for contributing to the high acquittal rates observed in some jurisdictions, even though they are essential to the investigation and prosecution of these crimes.

2.5. Police Performance on Drug Trails

The prosecution's ability to present a strong case and the accused's ability to get a fair trial may be hampered by courtroom congestion, trial procedure delays, and a lack of counsel. In addition to encouraging excessive plea bargaining, mandatory minimum sentences and other severe sentencing standards may also result in suspects being found not guilty if they decide to reject a plea deal and proceed directly to trial.

This can be the result of previous problems, inadequate training, or a lack of resources. Charges of misconduct by the police have also been raised; these include evidence manipulation and excessive use of force during raids and arrests.

All things considered, Pakistan's high rate of drug case acquittals is a complex issue that needs to be approached from a variety of angles (Beletsky et al., 2015). Even though the police are essential in looking into and prosecuting drug offences, the criminal justice system needs sufficient resources to handle drug cases. Police personnel must follow the correct norms and procedures while conducting fair and comprehensive investigations. According to the United Nations Office on Drugs and Crime (UNODC), Pakistan has played a major role in the smuggling of drugs, particularly opium and heroin, from Afghanistan to other countries as a transit country. Pakistan also faces a significant domestic drug problem, with high rates of drug addiction and drug-related criminality. Pakistan has witnessed a consistent increase in drug-related arrests and convictions over the past few decades. According to the data from "The Pakistan Bureau of Statistics," there were 11,860 drug-related arrests in 2000 and 22,286 arrests connected to drugs in 2010. Notwithstanding these initiatives, Pakistan's drug problem remains a serious issue, and more work needs to be done to improve the criminal justice and law enforcement sectors. UNODC data specifically shows that drug-related deaths and drug usage have both grown in Pakistan; methamphetamine use has surged particularly, which is cause for concern. More dedication, persistence, and finances are required to improve drug addiction and drug-related crimes in the country, as well as to bolster law enforcement and the criminal justice system. In 2020, the Anti-Narcotics Force (ANF) reported 30,340 drug-related arrests; the most common drugs found in these arrests were heroin, methamphetamine, and marijuana (Stewart, 1989).

2.6. Prosecution Department and Drug Trails

The most important task is performed by the prosecution department in drug-related trials. As a major component inside Pakistan's criminal justice system's legislative framework, the prosecutor is extremely important, especially when it comes to managing drug-related criminal matters as a public prosecutor. The instructions on the role of prosecutors, which were created during the 8th IN Congress on "The Prevention of Crime and the Treatment of Offenders" in Havana, Cuba, in 1991, provide evidence of this significance's international recognition. And Pakistan has ratified most of these international treaties.

Pakistan's criminal justice system is set up to deal with criminal cases that could upset the peace and endanger social stability. It is a cooperative effort to control crimes within reasonable bounds. The prosecutor plays a crucial role in this system, helping to achieve the overarching goals of upholding justice and preserving order in the face of criminal difficulties.

One of the prosecutors' responsibilities is to maintain a complete record of convictions, which gives an overview of the results of drug cases. To ensure efficient communication and case management, coordination with special court registrars and appellate courts is required.

Further legal and administrative tasks include filing appeals with the Pakistani Supreme Court, processing revisions to the CNS Act and ANF Act, and creating standard operating procedures (SOPs), notifications, and rules to enhance the efficiency of narcotics case proceedings. Overall, the prosecution plays a critical role in ensuring the fair and effective handling of narcotics cases within the legal framework.

2.7. Explanation

It would seem that the extremely poor and those on the margins are disproportionately and virtually exclusively caught up in the criminalization processes that are being carried out over the globe under the guise of combating the drug trade. These are not the same people who are making large profits from the distribution of illegal drugs across international borders (S. Anwar, Hassan, & Kakar, 2021). The good changes that have been made elsewhere to address the discrepancy and ensure that criminal sentences equal the degrees of culpability that attach to those who control and benefit from the drug trade have not had any influence on Pakistan's drug legislation, despite the fact that specific efforts have been made elsewhere to address the gap and ensure that criminal sentences match the levels of culpability that attach to those who control and profit from the drug traffic.

If we grant that Pakistan does in fact have a "drug problem," then we must acknowledge that it is a complex issue consisting of over 6 million people who are addicted to drugs, a significant portion of whom are already spending time in prison (Uddin & Rahman, 2020). The issue, however, is one of pervasive violence, which is caused by the commercial sale and consumption of drugs and is unleashed into families and communities. This violence is a result of the endemic nature of the problem. The broader issue is the fact that the kingpins and cartels who are responsible for providing the money for and controlling the drug trade are able to do so with complete political and legal immunity.

Our government officials seem to have shifted their focus to the task of controlling drug trafficking inside Pakistan and between the country's borders now that they have been successful in putting a halt to and containing drug production on Pakistani territory. In an attempt to address these new difficulties, the Controlled Substances Act was implemented in 1997 and instituted stringent penalties for the possession of illegal drugs, the trafficking of illegal drugs, the manufacturing of illegal drugs, the export and import of illegal drugs, and the general support of the drug trade. In spite of the fact that these are considered separate offences, the courts will only hear cases involving those who are accused of only being able to be proven guilty if they were in actual physical possession of an illicit drug. When it comes to the efficiency of our war against drugs here at home, the fact that we have uniform punishments for all offences paints a misleading image.

In spite of the fact that the ANF claims to be making record numbers of arrests and seizures, the fact that this is having very little influence on our very complicated drug issue is a reflection of the numerous absurdities of the legislation that is now in existence. The Foundation for Fundamental Rights identified numerous particular problems with the existing legal system in its paper titled "Optimising Pakistan's Drug Legislation," which was released in January 2018. The study was titled "Optimising Pakistan's Drug Legislation." Because drug mules and couriers make up the bulk of people detained under the CNSA, it is very essential that law enforcement authorities target the kingpins in a crackdown rather than seeking harsh consequences for them. This is because the majority of people arrested under the CNSA were transporting drugs for other people.

According to the findings of the study, seventy percent of the investigations that were initiated under the CNSA never led to the identification of a kingpin, and just twenty-nine percent of the cases that did give the cartel leads that might be followed were ever investigated by law enforcement. Second, the investigation found that the majority of people guilty of the crimes lacked an education and came from highly disadvantaged backgrounds, which made them susceptible to being used by drug cartels (Cantor, 1960).

There are two separate but interrelated problems with the current configuration of the CNSA. When the standard of evidence for an offence is regarded as being met by a conviction for simple proximity, it is common practice to rely on the allegation of possession as the basis for the prosecution's case. In fact, the CNSA shifts the burden of evidence away from the prosecution and puts it squarely on the shoulders of the accused to demonstrate their lack of guilt, in line with the kind of proof that is often required in criminal proceedings. This system not only flagrantly breaches the Constitution's principles of a fair trial and due process, but it also has severely unfair practical results. This is a particularly pernicious combination of violations.

For instance, a truck driver may be caught delivering a significant number of narcotics without his awareness or for a small amount of cash, while the individual who is financing and consigning the shipment will be located a significant distance away from the illicit material. In order to identify their legal criminal liability, an investigation of a more in-depth kind is required than the one that our law enforcement officials have been willing or able to perform.

2.8. No Distinction Between Hard and Soft Drugs Under the Control of Narcotic Substances Act (CNSA)

In addition, as was stated before, the Control of Narcotic Substances Act (CNSA) does not differentiate between hard drugs and soft drugs in terms of the punishments that are imposed, which reportedly leads to disproportionate punishment with reference to the latter. Under the provisions of Section 9(c), anybody found in possession of one kilogramme or more of either heroin or marijuana is subject to a sentence of life in prison or the death penalty. It is utterly incomprehensible to compare the two treatments, given the vast contrasts in terms of the adverse effects they have on health and society. In addition, this goes entirely against the trends that have been seen all around the world, which demonstrate that people are becoming more conscious of this disparity. To our great relief, the higher courts in our country have formulated several lines of reasoning that acknowledge the significance of distinguishing between the two.

A special panel of the Lahore High Court found in the case PLD 2009 Lahore 362 that the CNSA's silence on drug classifications did not mean that circumstantial evidence, mitigating circumstances, or the specific classes of drugs that were in question had to be thrown out. This is an important decision. According to the court, "different types of illegal narcotics that are subject to the purview of the Control of Narcotics Substances Act, 1997, differ significantly in terms of how harmful or dangerous they are. This is because a significant quantity of one substance may be less destructive or dangerous than a small quantity of another substance. As a consequence of this, in many situations, the use of a sentencing method that is based purely on the quantity of the drug that was found may result in results that are oppressive and unjust, as well as sentences that may be overly harsh and punitive (PILDAT, 2010).

Following the conclusion of the case, the Honourable Justices went on to devise a criterion for determining convictions based on the quantity of the material as well as its chemical composition. The judges' primary objective was to ensure the rights of those who were used as drug mules by organized crime groups. In PLD 2012 Supreme Court 380, the Honourable Supreme Court of Pakistan reaffirmed the same criterion.

In general, however, courts working under the CNSA have failed to follow these requirements. As a consequence, punishment continues to be arbitrary and in contradiction of the express directives of higher levels of the judicial system. All of these factors contribute to the prosecution's incapacity to maintain the greater interest of justice while also ignoring the legal safeguards that are granted to those who have been charged (Lohani & Abbas, 2022).

2.9. The procedure of arrest, search, and seizure under the CNSA Act 1997 and the legal rights of Person

The Control of Narcotic Substances Act (CNSA) of 1997, subject to amendments over time, was established to combat the escalating issue of drug abuse and to impose severe

penalties on individuals involved in the drug trade. As a special act, it grants specific powers to law enforcement agencies to address this critical concern. However, to prevent unwarranted harassment and safeguard the rights of citizens, the Act incorporates sufficient safeguards.

Under the provisions of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, police officers are granted the authority to conduct searches of persons, premises, vehicles, and other locations. For those who are believed to have committed crimes covered by the Act, a Special Court has the authority to issue arrest warrants. These warrants may also permit the search of any structure, location, premises, or vehicle where there is probable cause to think that prohibited narcotics, psychotropic substances, or narcotic medications connected to Act violations are stored or hidden, whether during the day or at night.

Section (1) grants the officers executing such warrants all the authority granted to officers performing their responsibilities in compliance with the Act. Furthermore, depending on their own knowledge or information gleaned from another source, any officer, not less senior than a Sub-Inspector of Police or an equivalent designated by the Federal or Provincial Government, may begin a search. This officer must believe that an Act violation has occurred and must have good reason to suspect that restricted substances, psychotropic substances, or narcotic drugs are stored or hidden in a particular building, location, vehicle, or premises.

2.10. Role of Prosecution and Plea Deals

Even though the author has covered the role of the police and prosecution in great depth, a few more words are needed to clarify the matter further. The prosecution's involvement in drug cases is crucial to guaranteeing that justice is done and that individuals who commit drug-related offences suffer the proper penalties. Presenting the state's case against the accused and ensuring there is sufficient evidence to secure a conviction are the prosecutor's duties in a court of law. Obtaining evidence that is admissible in court and lawfully gathered against the accused is one of the primary duties of prosecutors in drug-related matters. In light of the circumstances, close collaboration with other law enforcement organisations may be required in order to collect and examine various forms of evidence, including drug samples, surveillance footage, and witness statements. Additionally, the prosecutor is responsible for ensuring that the evidence is properly preserved and presented in court. The task of compiling the evidence against the accused and presenting it in court falls to the prosecutor. It is conceivable that you may need to work closely with witnesses to ensure that their evidence is true and intelligible, as well as prepare opening and closing arguments that will persuade the judge or jury of the reality of the case.

The prosecution may attempt to reach a plea agreement with the defendant in addition to putting the case forward in court in an effort to achieve a guilty plea and avert a trial. When there is insufficient evidence to condemn the perpetrator or when the defendant is prepared to cooperate with the police in exchange for a lighter sentence, this might be especially helpful. Making sure the accused is treated properly and that their legal rights are upheld is one of the prosecutor's most significant duties in drug-related cases. In order to guarantee that the accused receives adequate legal advice, that their rights to due process and a fair trial are respected, and that their rights to competent legal representation are maintained, this may entail close collaboration with a defence attorney. In order to guarantee that the accused receives adequate legal advice, that their rights to due process and a fair trial are respected, and that their rights to competent legal representation are maintained, this may entail close collaboration with defence attorneys (El-Khatib, Herrera, Campello, Mattfeld, & Maalouf, 2021). Since they are in charge of making sure that drug-related offences are properly prosecuted and that justice is done, prosecutors are crucial players in drug cases. In order to preserve the rule of law and safeguard public safety, prosecutors are crucial. They accomplish this by collaborating closely with law enforcement, putting together and presenting cases in court, striking plea agreements, and defending the legal rights of people facing criminal accusations.

2.11. Reasons behind the large number of acquittals

Pakistan faces numerous problems that contribute to its high acquittal rate in drug trials. One major factor is the inefficiency of law enforcement investigations, where mistakes in preserving the chain of custody and reliance on circumstantial evidence impede evidence admissibility in court. Furthermore, a lack of funding and technical capabilities within law enforcement institutions leads to ineffective drug crime investigations (Abbas, 2011).

Corruption is widespread, with authorities frequently engaging in bribery or even drug trafficking, weakening prosecutions and resulting in acquittals. The delayed and incompetent legal system, along with cultural attitudes towards drug addiction as a moral failing, makes it even more difficult for the prosecution to establish compelling charges. Political intervention and an overcrowded judicial system both lead to delays and may influence drug case outcomes (Belenko, 1999). The bail system, the lack of witness protection, and communication difficulties owing to language diversity all add to the difficulties. Inconsistent outcomes are exacerbated by the underutilization of plea bargaining and the absence of sentencing standards. Limited resources, political instability, and worries about judicial independence all have an impact on trial fairness. Furthermore, the prosecution's ability to win convictions is hampered by the lack of effective rehabilitation programs and societal shame.

To tackle these obstacles, a thorough strategy is needed. The effectiveness of rehabilitation programmes should be increased, political influence on the legal system should be decreased, socioeconomic issues like unemployment and poverty should be addressed, international cooperation should be strengthened, and public attitudes towards drug abuse and addiction should be changed. Pakistan can only effectively address the complex causes underlying its high percentage of acquittals in drug cases by adopting a diversified approach.

3. Recommendations and Conclusion

In the end, the author wants to highlight the one serious issue that poses a significant threat to the ideal criminal justice system, where justice is served in an almost efficient manner. One issue is the high ratio of acquittals of persons involved in drug trafficking and trade. Key factors contributing to the high acquittal rate are cited as inadequate forensics, weak prosecutions, and corruption. This one particular flaw endangers the whole amount of effort that narcotics-controlled legislation and various institutions have put in to ensure a drug-free society. A strong and vibrant police and anti-narcotic forces that develop equally keen investigation systems and a no-tolerance policy against corruption will guarantee the successful completion of the first task. Then comes the role of the prosecution department, which leads the case to its finality. Influence-free trials and regular court hearings will be the key components during this stage of the case.

Several suggestions are made to improve the efficiency of the police and prosecutors in managing drug-related matters. These include giving prosecutors specialist training, updating forensic facilities, combating corruption with tough measures, strengthening investigative capacity through specialised training, and growing the legal system by establishing specialised drug courts.

Campaigns for public education are advised in order to increase community support for law enforcement initiatives and increase awareness of the risks associated with drug abuse. Enhancing police investigations is essential, and suggestions include giving cops enough money, resources, and accountability systems. It is recommended that the prosecution make sure that prosecutors have sufficient resources, accountability, and training to support their case presentations. (Hussain, Akhtar, & Hassan, 2021). The report highlights the clear connection between corruption and the high acquittal rate, and it suggests remedies like ongoing audits, background checks, and sanctions against dishonest officials. It is recommended that the judicial system be transparent and free from political influence in order to successfully combat corruption. All things considered, the study offers a thorough set of suggestions for resolving the complex issues behind Pakistan's high drug case acquittal rate.

Additionally, it is advised that the legal system be digitalized to enable accurate case documentation, give judges, prosecutors, and law enforcement quick access to information, and ultimately shorten case resolution times (Fair & Chalk, 2006). Another tactic to lighten the load on the legal system and guarantee the prompt and efficient settlement of conflicts out of court is to support alternative dispute resolution procedures like arbitration and mediation. Essentially, the police, the prosecution, and the larger legal system must work together to address Pakistan's high acquittal rate. Advances in improving the administration of justice in Pakistan can be achieved by strengthening police investigations, bolstering prosecution efforts, mitigating corruption, and implementing community engagement, victim and witness protection, digitization, and alternative dispute resolution mechanisms. If these suggestions are carried out successfully, the high acquittal rate should significantly decline, promoting a just, effective, and transparent legal system.

Authors Contribution:

Jibran Jamshed: Complete the draft and incorporate the comments.

Faiz Bakhsh: Supervise and proofread the final draft

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