

**A STUDY ON THE INFLUENCE OF THE LEGAL AND POLICY FRAME WORK
ONTO DRUG TRAFFICKING AND DRUG ABUSE IN UGANDA;**

BY

ARINAITWE BENEDICT

LLB / 43049 / 92 / DU

SUPERVISOR: MRS KUHIRWA ROSETTE

**A RESEARCH PROJECT SUBMITTED TO THE SCHOOL OF LAW IN PARTIAL
FULFILMENT OF THE AWARD OF THE DEGREE OF BACHELORS OF LAWS
AT KAMPALA INTERNATIONAL UNIVERSITY**

JANUARY 2014

DECLARATION

I ARINAITWE BENEDICT, declare that this report on the influence of the Ugandan Legal and Policy frame work onto drug trafficking and drug abuse onto the people of Kampala and the central region at large in Uganda is my own work and that it has never been submitted to any other institution for any form of award whatsoever.

Student's name: ARINAITWE BENEDICT

Signature:  Date: 17/01/2014

APPROVAL

I certify that this report satisfies the partial fulfilment of the requirements for the award of the Degree of Bachelors of Laws (LLB) at Kampala International University, Uganda.

SUPERVISOR: MRS KUHIRWA ROSETTE

Signature:  Date: 21/1/14

DEDICATION

I humbly and passionately dedicate this work to my Mother, TUSHEMEREIRWE BEATRICE, for the courage, guidance and support (both psychologically and financially) throughout my stay in school which I am proud of, not forgetting my only sister who endlessly encouraged me.

ACKNOWLEDGEMENT

My humble appreciations go out to my lecturers and tutors who made me what I am in the legal academic fraternity.

Worth noting is the contribution from my Supervisor Mrs Kuhirwa Rosette who tirelessly supported me in the process of conducting and compiling this report with endless inspirations and advice that made me carry out an advanced research study.

My appreciations also go to all persons that responded and participated positively to my research study, without which I would impossibly gather all this reliable information.

I owe volumes of appreciation to my Mother who though it fit to finance my research from the beginning to the end, without whom I would have not, if at all I would have, done this eye opening report as fast as I did. It would not be arrogance if I tossed cheers to you Mum.

May God bless all of you who wished me the best from the Start

TABLE OF CONTENTS

DECLARATION.....	i
APPROVAL.....	i
DEDICATION.....	ii
ACKNOWLEDGEMENT.....	iii
LIST OF FIGURES.....	viii
ACRONYMS.....	ix
ABSTRACT.....	x
1.0.CHAPTER ONE.....	1
1.1. General Introduction.....	1
1.2. Definition of Key Terms.....	1
1.3. Back ground of the Study.....	2
1.4. Statement of the Problem.....	5
1.4.1. Drug Trafficking.....	5
1.5.0. Objectives of the Study.....	7
1.5.1. General Objectives.....	7
1.5.2. Specific objectives.....	7
1.6.0. Significance of the Study.....	7
1.7.0. Justification of the Study.....	8
1.8.0. Scope of the Study.....	9
1.8.1. Conceptual Scope.....	9
1.8.2. Geographical Scope.....	10
1.8.3. Time Scope.....	10
1.8.4. Chapterization.....	10
1.9.0. Literature Review.....	11

1.9.1. Drug trafficking.....	11
1.9.1. (i) Causes of Drug Trafficking.....	12
1.9.1. (ii) Effects of Drug trafficking.....	14
1.9.2. Drug Abuse.....	15
1.9.2. (i) Factors contributing to increasing rates of drug abuse among youth.....	17
1.9.2.(ii) Types of drugs commonly abused in Uganda.....	20
1.9.2.(iii) Effects of drug abuse.....	22
1.9.3. Threats posed by drug trafficking and abuse on society.....	26
 2.0.CHAPTERTWO.....	28
2.1.0. Research Methodology.....	28
2.1.1. Introduction.....	28
2.2. Research Design.....	28
2.3. Population of the Study.....	28
2.4.0. Sample size and Sampling Techniques.....	29
2.4.1. Sample size.....	29
2.4.2. Sampling Techniques.....	29
2.5.0. Data collection methods and instruments.....	29
2.5.1. Primary Sources.....	30
2.5.2. Secondary Sources.....	30
2.6.0. Quality control methods.....	30
2.6.1. Data analysis Techniques.....	30
2.6.2. Ethical consideration.....	31
2.7. Limitations of the Study.....	31

2.8. Instruments.....	32
3.0.CHAPTER THREE.....	33
3.1. An analysis of the legal and policy frame work of Uganda onto drug trafficking and abuse.....	33
3.2. Challenges to the Legal and Policy framework in fighting Drug trafficking in Uganda.....	40
4.0.CHAPTER FOUR.....	42
4.1.0. Findings, Conclusions and Recommendations.....	42
4.1.1. Findings.....	42
4.1.2. Conclusions.....	46
4.1.3. Recommendations.....	48
4.1.4. Suggestions for further research.....	49
Bibliography.....	51
APPENDICES.....	53
Appendix (1).....	53
Questionnaire for the employees of the customs department Entebbe airport.....	53
Appendix ((II)).....	57
Questionnaire for the employees of the various government departments (police, / judiciary, / ministry of health).....	57

Appendix (III).....	61
Interview guide with elders, local council leaders, church leaders and members of the society.....	61

List of figures

Conceptual framework.....9

ACRONYMS

UN: United Nations

UNODC: United Nations Office on Drugs and Crime

NDA: National Drug Authority

UNRISD: United Nations Research Institute for Social Development

PCP: Phencyclidine

ABSTRACT

Uganda has for long troubled with the problem of drug trafficking, which has resulted into an adopted habit of drug abuse

As a result, the government enacted various laws to counter the drug trafficking and abuse problems that were growing like a summer time bush fire. Under these laws, it is prohibited for anyone to illegally possess, sell or use the drugs so classified as under international control.

With laws in place however, the problem of drug trafficking and abuse has only lived to see an increase, which has also been reflected in the increased rates of drug related crimes in Uganda. The question on whether the legal and policy framework aimed at curbing drug trafficking and abuse in Uganda, led to this study: *“a study on the influence of the legal and policy framework onto drug trafficking and abuse in Uganda”* under which an analysis of the effectiveness and weaknesses in the government policy on combating drug trafficking and abuse was done. The achievements, challenges, and failures of the legal and policy framework are looked at and recommendations are made in respect of the loopholes in the law which if addressed would help fight drug trafficking and abuse in Uganda.

The study finds that the reason as to why drug trafficking and abuse are on the increase in Uganda is because of the weak laws which are too lenient to the culprits with the fines being very small in comparison to the amounts of drugs price value, and also the short jail terms.

It is therefore recommended that government should pass more stringent laws to counter drug trafficking and abuse in Uganda.

1.0.CHAPTER ONE

1.1. General Introduction

This chapter mainly introduces problem under study; that is an examination of the legal and policy frame work mechanisms in Uganda with reference to their level of the influence and impact on the growing Drug trafficking and drug abuse. This was by show of the back ground of the study, problem statement, illustration of the relevance and effectiveness of the legal and policy frame work, research objectives (both general and specific), research questions and a hypothesis to the general objectives.

There was also need to show the scope of the study (conceptual, geographical, and time), significance of the study, justification of the study, definition of key terms and the conceptual frame work of independent variables (legal and policy frame work) and the dependent variables (drug trafficking).

1.2. Definition of key terms

The legal and policy frame work: This is the legal position or stance in reflection of society's behaviour towards a certain act. The legal position is thus codified into a law by government which aims at regulating the people's code of conduct as a way of justifying that society's norms, the violation of which carries a punishment so as to deter the commission of that said act.

Crime: This is an action or omission giving rise to an instance of negligence that is deemed injurious to the public welfare, moral norms or to the interest of the state, which act is legally prohibited in a given society setting¹.

1 – Oxford Advanced Learner's Dictionary of Current English: Fifth Edition: A S HORNBY: Oxford University Press. Pg 276

Drugs

A drug is a substance that is intended for use as a medicine in the diagnosis, cure, treatment, or prevention of a disease or a natural or synthetic substance that alters one's perception and consciousness by stimulating the nervous system²

Drug trafficking

This is the act of moving items classified as drugs from one territory into another through illegal means.

Drug trafficking has been classified under multinational systemic crime³, as crimes committed by various kinds of organisations that operate across national boundaries and in two or more countries simultaneously.

Drug abuse

This is the detrimental habit of drug dependence produced or brought about as the result of the repeated consumption of a narcotic drug or other potentially dangerous drug, other than that as prescribed by the medical practitioners to treat an illness or other medical condition.

1.3. Back ground of the study

Until the end of 19th century, trade in narcotics was considered a legitimate business. Misuse of addiction-producing substances was thought to be a result of ingrained habits in particular areas of the world, and the problem was considered a domestic one.

2 – Oxford Advanced Learner's Dictionary of Current English: Fifth Edition: A S HORNBY: Oxford University Press. Pg 358

3– John M Martin an Anne T Romano, in their book, Multinational Crime; terrorism, Espionage, Drug and Arms trafficking

However, the advancement in technology and the expansion of transport and world trade introduced a new dimension. An increasing number of alkaloids and the 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 domestic became global.

A few large, vertically integrated, multinational illicit drug distribution organisations existed as early as 1930s; such trafficking is now increasingly facilitated by sophisticated organisations and distribution techniques able to counter the technology currently available to law enforcement agencies. From three to five decades ago, much illegal drug trafficking was akin to a cottage industry, small time traffickers, including tourists, picked up a few hundred grams of heroin or cocaine or a kilogram of marijuana from a producer and distributed the product directly to casual but trusted contacts and personal friends. They in turn passed along small amounts, some of it for financial gain⁴. Although a proportion of the trade in illegal drugs is still carried out this way, trafficking is increasingly organised, particularly at the whole sale and intermediary levels and for cocaine or heroin (less for marijuana).

To date, Drug trafficking remains one of the largest sources of illicit funds world over, the UNODC 2010 world Drug report estimated that the profits derived from the illegal narcotics trade were about US\$600billions annually and that up to US\$1.5 trillion in drug money was laundered through seemingly legitimate enterprises associated with this trade.⁵

4- REPORT BY UNITED NATIONS RESEARCH INSTITUTE FOR SOCIAL DEVELOPMENT: Illicit Drugs: Social impacts and policy responses: UNRISD Briefing paper No.2 World Summit for social development November 1994

5 – THE ; *LAUNDERING THE PROCEEDS OF ILLICIT TRAFFICKING IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES*

(ESAAMLG REGION) REPORT- International Conference centre Grand Baie Mauritius *executive summary* page 4

Evidence has shown substantial organised production and marketing networks not only for the principal consuming countries, but, also for many of the processing and transit regions, as East Africa has also been hit with the problem of drug trafficking. Today, East Africa is a big producer of cannabis, also known as marijuana. An anecdotal report from these countries shows that cannabis poses the biggest problem among all drugs of abuse and in terms of seizure.⁶

In Uganda, drug abuse has been described as a problem especially among the youth, which is suspected to be a result of increased availability of drugs on the streets yet not under the control of the authorities. This has been reported to be especially among marginal groups, who are unemployed, school and street youth, as per the 2009 Uganda annual police crime report, there were 2,034 reported and investigated cases leading to 2,274 arrests as compared to 2,542 arrests in 2008.⁷

Uganda is now known as a producer, consumer, and transit country for drug trafficking. Traffickers of whom some are Ugandans have been arrested as far as china. In 2008-9 over 54 Ugandans were arrested on drug related offences and 38 had been convicted to death. Other traffickers from various countries like India, Nigeria, Pakistan, and of recent Tanzania, have been arrested at border points trying to traffic drugs where they obtain heroine, mandrax, cocaine and other drugs, which they then transit through Uganda to Kenya, South Africa, and Europe⁸.

6- A Report on; *drug abuse trends, magnitude and response in eastern African region*; by Rogers Kasirye WFAD Board member. email.

kasiryer@yahoo.com

7- see 6 above

8 -- See 6 above

Today, Entebbe airport is being used as a transit route for heroin and mandrax from the Far-East on their way to South Africa. A review of drug seizures in 1998 and 1999 indicated an increase in the trafficking of heroin from Pakistan, Thailand and India, to the East African countries⁹. Due to the large amounts of seizure, one is inclined to think that Uganda is being used as a major country of transit, a practice that has only lived to see some Ugandans develop more temptations to earn quick money from the illegal business.

Summarily put, for so long, the ever vibrant Ugandans had taken the issue of drug trafficking not serious since it has been an alien practice to most of the customs, however, for one reason or another, in addition to the foreign cultural influences, Ugandans have developed a drug sub-culture with an overwhelming need for some artificial means to cope with daily existence, that is making quick and easy money, especially in a country filled with unexhausted fragile opportunities though with no resources available. This has only led to an increased rate of drug trafficking, use and abuse.

1.4.0. Statement of the problem

1.4.1. Drug trafficking:

As many people have developed the urge to perform supernaturally, artificial substances like narcotics that do enhance such desired performances in a short time have not by passed the attention of Ugandans, as a result, with the government's ban on illegal possession and abuse of drugs, many have resorted to cheaper ways of accessing these drugs, by trafficking them into the country, hence the ever increasing drug trafficking and drug abuse rates in Uganda.

9 - publication in the Independent magazine;- the inside story of drug trafficking in Uganda; written by Patrick mastiko wamucooli;

The Ugandan law enforcement departments for long have troubled to combat the ever expanding problem of drug trafficking despite the several arrests and prosecutions of some of the suspects. In the past decade several traffickers have been arrested at Entebbe Air international port carrying drugs worth billions but this has not stopped more traffickers from attempting to use the same route¹⁰.

The Afrik.News magazine ran an article that One German national, a Kenyan, a Nigerian and one Ugandan were being held by police in Uganda after being arrested at Entebbe international airport in possession of cocaine. The article also ran a story that in the previous five days four drug traffickers had been arrested at Uganda's Entebbe international Airport with banned drugs worth over one million US dollars¹¹

In a related story, the US state department released a report¹² which appeared in an online article by Simon Mukama in the chimpreport online magazine¹³ titled *US Warns: Drug trafficking Escalating in Uganda* in which it was reported that; "while Uganda is generally viewed as safe, secure and politically stable country within the region, its extensive and porous borders are inadequately policed, which has only led to increased trafficking rates which are reflected in the seizures of illicit drugs which are on the high rise, in addition to the increasing illegal exports from Uganda.

10 -The Anti narcotics department, between 2009 through 2011, 30 cases of hard drug seizures were reported at Entebbe airport (220 kg of cocaine, heroin, methamphetamine, and pharmaceutical drugs seized in the same time frame)

11- Article by GEOFF MAAGA, reported 8/6/2010:accessed on 12/11/13 at 14:35 pm: <http://www.afrik-news.com/article17740.html>

12 - (the Uganda 2012 overall Crime and Safety situation (OSAC) : <http://www.chimpreports.com/index.php/news/4309-us-warns-drug-trafficking-escalating-inuganda.html#sthash.Csz4pMz7.dpuf>

13 - see 12 above

1.5.0. Objectives of the study

1.5.1. General objective

To examine the effectiveness of the Legal and Policy frame work in Uganda onto the fight against drug trafficking

1.5.2. Specific objectives

- i) To analyse the relationship between the Legal and policy frame work and Drug trafficking and abuse
- ii) To identify the influence of drug trafficking and drug abuse on the crime rates change in Kampala city
- iii) To analyse the influence of Drug trafficking onto drug abuse in Kampala

1.5.3. Research Questions

How does the Ugandan Legal and Policy frame work impact on the fight against Drug Trafficking and abuse.

How do drug abuse and trafficking affect human behaviour?

What is the influence of drug trafficking onto Drug abuse in Kampala?

1.6.0. Significance of the study

This research was aimed at identifying the means of strengthening the Ugandan Legal and Policy frame work so that an immediate solution to Drug trafficking and abuse could be found, in addition to the research being used in future as a foundation of research.

This research was also aimed at providing a range of proposed ideas and mechanisms expected to be more effective in the fight against Drug trafficking and Drug abuse

It was also in the interest of this research, to contribute to the awareness campaign on the effects of drug trafficking and abuse on our society and lives.

This research was also intended to help the local authorities, policy makers, communities, Government, and the offenders and the drug abusers themselves, on what to do next, by proposing amendments in our Legal and policy frame work, where necessary, so as to help curb the worsening situation. This was intended to cover the loopholes in our policy frame work that this research did identify.

This research also proposes new mechanisms of rehabilitation aimed at helping the offenders become useful citizens again.

1.7.0. Justification of the study

In Uganda, when a drug related crime offender gets arrested and reported in the news, everyone starts demanding for the heaviest punishment to be imposed on him, this means that people want the problems solved without finding out the root causes of the problems.

Whereas criminals should never have gone unpunished for their crimes, when it came to drug related offences, much emphasis needed to be put on the root causes of the uncontrolled access of illegal drugs to the public. If the Government does not manufacture such drugs, and does not allow their possession, it means that there are illegal means being used by crooks to get them into the public domain, a question that not only requires answers, but also, an extended research and investigation.

It is common knowledge that Ugandan laws¹⁴, don't allow illegal possession and use of drugs, but, surprisingly, drug trafficking and abuse cases have over the years been increasing.

14 - Section 2 (1) of the National Drug Policy and Authority Act cap 206 laws of Uganda.

My research thus proposes new mechanisms that can help our society get rid of the habit of Drug trafficking and Drug abuse, by filling the gap and loopholes in our legislations in relation to drug related offences by advising the Government to pass more stringent and tougher laws and also strengthen the anti-narcotic departments in all Government agencies.

In addition to passing more stringent and tougher laws, the proposed mechanisms also include extensive education of the public about the dangers and risks attached to the use of narcotic substances, and full engagement with the society in alternative activities in disguise of the drug related activities like sports, art and science.

1.8.0. Scope of the study

1.8.1. Conceptual scope

The research was neither subjective nor selective, but rather focused on the influence of the legal and policy frame work onto drug trafficking and abuse.

The independent variables are the weak laws reflected in the legal and policy framework of Uganda whereas the dependent variables are drug trafficking and drug abuse

Figure 1.1 conceptual framework

Independent variable

Dependent variable

Causes of weak legal and policy framework	Effects
Corruption	drug trafficking
Poor enforcement mechanisms	drug abuse
Poverty	drug dependence

1.8.2. Geographical scope

Because of the need to yield the desired results in a limited time amongst financial constraints, this research was mostly centred on Kampala city.

1.8.4. Time Scope

This research looked at the facts and events from the last decade, with specific reference to the period from 2005 to 2013.

1.8.5. Chapterization

1.8.5. (i) Chapter one

Chapter one simply introduced the research study, explained the history and trend of the evolving problem of the study, identified what the problem was that required urgent attention, explained the possible risks posed by the problem and its effects, reviewed the literature already in the public domain similar to the problem of study, justified the relevancy and significance of the research study, and the scope of the study.

1.8.5. (ii) Chapter two

This chapter simply explained the research methods that the researcher used in the course of research. This included scope, data collection methods, sampling techniques, and the limitations.

1.8.5. (iii) Chapter three

This chapter analysed the influence of the Ugandan legal and policy frame work onto drug trafficking and abuse. It also looked at the effectiveness, weaknesses and challenges faced in the implementation of the policy framework.

1.8.5. (iv) Chapter four

Chapter four explained the findings, conclusions and recommendations to the authorities in the fight against drug trafficking and abuse

1.9. Literature review

This chapter looked at the influence of the legal and policy frame work onto Drug trafficking and drug abuse. Individual human societies may each define crime differently, in different localities, and at different time stages.

Crime is an action or instance of negligence that is deemed injurious to the public welfare or morals or to the interests of the state and that is legally prohibited¹⁵ International conventions¹⁶ and treaties have criminalised drug trafficking and abuse, and have gone ahead to require all member states to domesticate these provisions prohibiting the illegal use and possession of illicit drugs.

1.9.1. Drug trafficking

Literary, Drug trafficking refers to the illegal sale and distribution of illegal drugs; it is a global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws¹⁷.

15 - <http://dictionary.reference.com/browse/crime> Accessed on 8th November 2013 at 09:05 hours

16 – The 1971 Convention on Psychotropic substances, The 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic substances, and The Single Convention on narcotic drugs amended by the 1972 protocol amending the single convention on narcotic drugs of 1961

17 - (<http://www.unodc.org/unodc/en/drug-trafficking/index.html>) accessed on 13th sept.2013 at 10:44 am

Drug trafficking has throughout history never been a benign economic activity played by the gentlemen's rules, always and everywhere, drug trafficking has been characterised by endemic violence.

1.9.1. (i) Causes of drug trafficking

The first answers that a person would give to be the causes of drug trafficking are, poverty and unemployment, corruption, ignorance, and weak boarder management.

a) Poverty and unemployment

The fact that Uganda is still ranked among the least developed countries where the biggest percentage of the population lives under the poverty line, i.e. living on less than a dollar per day.

Today Uganda is one of the most densely populated areas in the sub Saharan region with over 80% of the population still living in rural areas. Uganda still has over 7.5 million people living under the poverty line.¹⁸ which makes these people vulnerable to take up risky ventures to make quick money, and when the drug lords present to them these opportunities it's rare that such offers, however much illegal, would be turned down. Many reports have actually shown that most of the traffickers are fooled into the practice.

One of the ways through which drug kings have devised to lure unsuspecting young people into drug deals is by posting advertisements around Kampala offering free trips to work in Japan, the Middle East and other Asian countries. Stories from such schemes indicate that when the drug kings get these young men and women, before they fly them to some Middle East countries they force them to swallow drug pallets and on reaching the destinations their

¹⁸ _ the state of Uganda report 2012: "*Uganda at 50 years, population and service delivery: challenges, opportunities and prospects*"

travel documents are taken away. This has exposed many young people to severe punishments including death in countries like Iran and China when they eventually get arrested.¹⁹

b) Corruption.

With corruption in Uganda causing public outcry, it would be a surprise if the security agencies were to be reported 100% clean. Questions have been cast as to why and how drug traffickers would make it past one of the most secured areas in the country carrying illegal substances?, and it seems there could be foul play overseen by some security officials at these entry and exit points of the country.

Today, it is clear knowledge that with big amounts of money the drugs trafficked are worth, the security officials would also find it hard fighting the temptations of the large sums of money in bribes from the drug lords.

c) Weak border management.

This is a challenge especially to the government since Uganda is financially poor, which means there are limited resources that government can spend to fully man and equip to Capacity, all the borders keeping in mind the big porous borders. This leaves us with no option, but, to employ the unskilled security personnel who are unable to detect drugs at the entry points.

d) Ignorance and the Western Culture influence.

This is reflected by the infiltration of the African culture by the western materialistic culture which is traced back to the colonial era which brain washed Africans and Ugandans in

19 - by the end of last year, 50 Ugandans were being held in china and Iran, with 20 of them anxiously waiting for the hangman's noose. in 2008, Mauritius sentenced a Ugandan man – Francis Ogudo Tukei- to 22 years in jail for smuggling heroin.

particular to associate everything western with goodness.

This has led to the allure for a “high life” especially among the youth and the middle aged²⁰, and when some of them cannot afford the life style, they resort to the fastest means of making money available, not considering the legality and dangers posed to their lives. As a result of increased drug trafficking in Uganda, a number of young men and women are reportedly living under the influence of drugs in Kampala today characterised by excessive use of illegal drugs like, smoking marijuana, a habit that many people blame on the increased uncontrolled flow of illegal drugs on the streets of Kampala, an issue that casts doubt on the effectiveness of the Ugandan legal and policy frame work towards the fight against drug trafficking and drug abuse.

1.9.1. (ii) Effects of drug trafficking

Some of the notable effects of drug trafficking are;

- a) **Corruption.** This arises as a result of the desire to sneak drugs into another territory illegally without being detected by the security agents.

This is done by the drug lords by bribing security officials at the major entry and exit points of the country, i.e. airports and borders. Because most drugs trafficked are very expensive, even the bribes offered for their illegal trafficking are always “high”, a thing that becomes very hard for these security officials to resist the temptations.

- b) **Violence.** This always arises as a result of the struggles by the drug kings to control various ventures in the drug game.

20 - The report on: *laundering the proceeds of illicit trafficking in narcotic drugs and psychotropic substances (esaamlg region)*-

This is because being an illegal venture, it is rare that such a practice would be played and regulated by the gentle man's rules and thus the strongest always sets the agenda.

Additionally, the violence also erupts when there develops suspicions about some of the subjects or agents being security under covers, which subjects are vulnerable to suffer death and torture as the means of disciplining such elements in betrayal of their bosses, and setting examples for the rest of the crew members.

1.9.2. Drug abuse

Drug abuse refers to the excessive use of drugs or the misuse of legal drugs. It is also the compulsive, excessive, and self-damaging use of a habit forming drugs or substances, leading to an addiction or dependence, serious physical injury, (such as damage to the kidneys, liver, heart) and/or psychological harm (such as dysfunctional behaviour patterns, hallucinations, memory loss) or death.²¹

One can therefore define drug abuse as a misconceived behaviour of unnecessary and reckless use of drugs and narcotic substances for whatever reason put forward.

Research by several international organisations shows that illicit drug use is quickly becoming a global problem to be resolved, probably because of the influence of popular culture, substance abuse among the youth has become an acute problem and as a result, In Uganda today, recent studies²² in schools around Kampala indicated that 62 per cent of

21 - <http://www.businessdictionary.com/definition/drug-abuse.html> accessed on Monday 16th sept. 2013 at 17:25

22 – an article: *DRUG ABUSE MUST BE DEALT WITH NOW* in the Daily Monitor News Paper: BY the Editorial posted on the Saturday, FEB. 23rd 2013, accessed on 16th sept. 2013 at 18:01 pm, from the site:

<http://www.monitor.co.ug/OpEd/Editorial/Drug+abuse+must+be+dealt+with+now/-/689360/1701526/-/5jfd4pz/-/index.html>

Secondary school students consume alcohol while 15 per cent of the students use marijuana and another seven per cent said they used other addictive substances.

At least 70 per cent of drug abusers are said to combine the toxicants which they use.

Confessions by students that were interviewed about drug abuse are worrying and if the trend in drug abuse continues as it is, it could become more difficult to deal with in the future²³.

Drug abuse has actually disturbed everyone in society, and this has not gone without the government's attention, for instance an article in the Observer magazine²⁴ the minister of state for Higher Education, John Chrysostom Muyingo, while presiding over the graduation ceremony of Butabika School of Psychiatric Nursing at the institution's campus in Butabika, last year 2012, said if not checked, drug abuse, especially among the youth, could curtail the country's economic development and lead to increased crime.

Drug and substance abuse has for years been slowly becoming a phenomenon in school going children, a study done on drug and substance abuse²⁵ in secondary schools in Kampala and Wakiso districts found that 71% of the students were using drugs with alcohol and cannabis taking the biggest percentage.

23 – see 22 above

24 – an article published in the Observer Magazine, written by James Kikonyogo, on Sunday 6th may 2012, 19:06, accessed on 16th sept.

2013 at 18:22 pm from web site: http://www.observer.ug/index.php?option=com_content&view=article&id=18568:drug-abuse-rising-in-uganda

25 – Interface of substance abuse and Child Prostitution: intervening in the lives of slum and street children of Kampala Uganda. by: Rogers Kasiye. UYDEL (2003)

According to Hellen Byomire²⁶, most drugs are easy to access and are cheap; packs of “kuber” cost between shs. 1,000 and 3,000, she further said that some of the products are neither registered by the Uganda Revenue Authority nor the Uganda national bureau of standards so they keep changing the packaging and the colours and wordings to confuse the Authorities,

In 2011, the Uganda police reported and investigated 1,563 cases compared to 871 cases in 2010, which marked a 79% increase. A total of 2,054 males were arrested and 42 females were arrested and charged in court. 40 women were accused of drug related offences (narcotics) while the number of accidents that occurred as a result of drug/narcotics influence was 194 in 2010 but by 2011 it rose to 299.²⁷

1.9.2. (i) Factors contributing to increasing rates of drug abuse among youth

There is no generally agreed, definitive list of such things as antecedents to drug abuse, but there is widespread consensus about some of them, some of which include: curiosity, experimentation, seeking new experiences and thrills, risk-taking, desire to perform extraordinary functions, indifference to possible long-term harm to one’s health, peer pressure and desire to impress the opposite sex and boredom.

The other factors that have been postulated include the desire to alleviate the stresses, pain and damage to self-esteem associated with family breakdown and dysfunction, overcrowded or otherwise inadequate housing, domestic violence, homelessness, sexual assault, poverty, Family neglect and poor academic and work achievement. It can be noted that negative role modelling by the adults especially parents is a further important cause of drug use and abuse.

26 - The head of drug information at National Drug Authority (NDA) in an interview with

27 – Uganda police crime annual report: state of alcohol and substance abuses in Uganda: policy and practices: second Edition 2013

There are, however some factors that need a special mention, and they are:

a) Lifestyles of the Rich and Famous

When we people look at the world's so called celebrities (entertainers, politicians, medical practitioners, sports men and women, Actors, just to mention but a few) there arises a temptation to capture a little of their glamour for our own lives. The pressure to live life in the so-called fast-lane is very tempting to young adults²⁸.

b) Domestic violence and torture by guardians:

From the time children are very little, parents and guardians are the caregivers, their first – and most important-teachers. Home is their first “classroom”. Examples taught by the actions of parents and caregivers provide the foundation for the values that children build upon through their adulthood²⁹

In an article titled *Doped up: Drug use in the slums of kampala*³⁰ Paul who lived in Mayuge, about 90 kilometres from Kampala says he was subject to severe abuse at the hands of the relative after he was orphaned, he says “when my parents died, my aunt started torturing me”, pointing to visible scars on his face. “She used to batter me and at times would burn me using “*buveera*” (polythene papers)”

A similar situation prompted kato to leave his home; he travelled by foot from Mpigi to Kampala, 20 kilometres away, after his father had died ... “when my father died, my mum was taking “*waragi*” (hard liquor) and whenever she came back home, she would batter me,

28 - According to Barret (2006

29 - (Barret, 2006).

30 – An article by Abdu Kiyaga, accessed from <http://www.dispatchesinternational.org/?p=18> on 16th Sept. 2013 at 20:20hrs

saying that I was the one that made her take it and that I ruined her life”³¹ When such kids who are mostly between the ages of 8 to 20 get onto the streets of Kampala where no one has a moral responsibility over them, they engage in all kinds of practices that would help them associate with the members of that society, and because such slums are prone to all kinds of ‘dirty’ activities like drug abuse, such kids end up adopting the practices.

c) Peer Pressure:

Peer group influences on deviance are especially likely when there is weak bonding to the family and **school**³² Peer pressure as an influencing factor comes in because our relationships sometimes cause people to engage in some behaviour in order to maintain that relationship. Teenage life is the most vulnerable time when this problem exists, kids always want to be ‘cool’ or accepted as a part of group so they take drugs especially when the other members do, as a way of showing off. For example, while making new friends, in order to be a part of a group, Someone tries to show off their pressure by engaging in acts that such group members are engaged in, smoking and even taking drugs.

d) Extra ordinary Desires and unrealistic ambitions

Today most people are increasingly getting over ambitious, which would be good if not blown out of proportion, of which, like it is today, people have instead turned out to be day dreamers. They want to perform extra ordinary acts and functions, just because they have watched a super athlete, actor, fighter, just to mention but a few. It is this desire for one to become “a hero” that makes such a person to get tempted to use a narcotic substance.

31 – An article by Abdu Kiyaga, accessed from <http://www.dispatchesinternational.org/?p=18> on 16th Sept. 2013 at 20:20hrs

32 – (Elliott et al. 1985; Kandel 1980; Jessor and Jessor 1977; Hirschi 1969).

Some people resort to drugs because of the society pressures, especially those in some kind of self employment, with a desire to do work longer. Eugene, a mechanic in a garage says³³ he smokes banghi as a pick-me up. *"I take it because it gives me energy to do my work without getting tired for long hours"* he says as he relaxes and blows the smoke up into the air.

Ahmed Ali, a Somali truck driver, who drives around shirtless says *"mira"* gives him the energy. *"It helps me drive for more than 24 hours without resting"* he explains. Erick kitooke, a black smith in kisenyi says the reason he takes *"mira"* is *"because it gives me energy to raise the hammer without getting tired."*³⁴ with such excuses in the minds of many, drug abuse in Uganda, especially in Kampala, has only lived to increase day by day.

1.9.2.(ii) Types of drugs commonly abused in Uganda

A wide range of drugs are sold and used, some of which are addictive and others not, some provide hallucinations, others cause a depressing, relaxing stupor, and a few give an immediate, exhilarating uplift. They are as below classified.

a) Anaesthetics: These are drugs as nervous system depressants. The most abused of these is called phencyclidine (PCP) known on the street as "angel dust" in Uganda most people that use it are those that use marijuana because it can be sprayed on the leaves of marijuana or other plant leaves and smoked, or it can be drunk or injected. Its effects can last up to two days.

33 –in an interview reported in an article *Doped up: drug abuse in the slums of Kampala*. by Abdu kiyaga of dispatchesinternational.org.

email: abdu.kiyaga@dispatchesinternational.org

34 - in an interview reported in an article *Doped up: drug abuse in the slums of Kampala*. by Abdu kiyaga of dispatchesinternational.org.

email: abdu.kiyaga@dispatchesinternational.org

b) Cannabis (Marijuana): Commonly called “pot” “grass” “ganja” “maryjane” “dope” and a variety of other names, marijuana is produced from the leaves of *cannabis sativa*, a plant that is grown throughout the world. Hashish (hash), is a concentrated form of cannabis made from unadulterated resin from the female plant. Small doses of “pot” produce an early excitement (“high”) that gives way to a sedated effect and drowsiness. “Pot” use is also related to decreased physical activity, overestimation in time and space, and increased food Consumption (“the munchies”). When the user is alone, marijuana which is the commonly abused drug in Uganda produces a quiet, dreamy state. In a group interaction, it is common for users to become giddy and lose perspective. Though marijuana is least addictive in all the drugs abused, its long term effects have been the subject of much debate.

c) Steroids Anabolic steroids are used to gain muscle bulk and strength, commonly used by athletes and body builders. Though they are not so addictive, steroids use can be an obsession among people who desire athletic success.

d) Tobacco

Studies show that people including the youth cite many reasons for using tobacco, including pleasure, improved performance and vigilance, relief of depression, curbing hunger, and weight control. The primary addicting substance in cigarettes is nicotine. But cigarette smoke contains thousands of other chemicals that also damage health. Hazards include heart disease, lung cancer and emphysema, peptic ulcer disease, and stroke. Withdrawal symptoms of smoking include anxiety, hunger, sleep disturbances, and depression.

e) Cocaine: this is an alkaloid derivative of the coca leaf first isolated in 1860 by Albert Niemann of Gottingen Germany. Its use produces euphoria, laughter, restlessness, and excitement.

It's over dose can cause delirium, increased reflexes, violent manic behaviour, and possible respiratory failure. Cocaine can be sniffed or "snorted" into the nostrils or injected. The immediate feeling of euphoria ("rush") is short-lived, and heavy users may snort coke as often as every ten minutes.

f) Alcohol

This is one of the most common substances that are abused by people particularly the youth. Although many people have a drink as a pick me up,' alcohol actually depresses the brain. Although the purchase sale of alcohol in Uganda is legal, it may be illegal for one to sell to a minor. Drinkers report that alcohol reduces tension, diverts worries, enhances pleasure, sometimes improves social skills, and transforms experience for the better³⁵

1.9.2.(iii) Effects of drug abuse

Health risks

The global burden of death and disability attributed to illicit drugs was first estimated by Donoghoe (1996)³⁶ he estimated that illicit drug use was responsible for 100,000 deaths globally in 1990, the majority of which (62%) occurred in developing countries. Donoghoe's estimate was based on the attributable fractions of various causes of mortality and morbidity attributed to illicit drug use with a review of all studies published up to 1993, majority of which were cohort studies, conducted in the US and Europe.

Premature death is the most serious health outcome experienced by problem drug users; it is also the best studied health out come in today'

35 - (public order crime: sex and substance abuse; chapter 14 page 415)

36 - as part of the global burden of disease (GBD) project (Murray and Lopez 1996)

More so, each of the major causes of premature mortality probably causes substantial morbidity, and drug dependence which is highly prevalent among problem drug users is also a cause of disability.

Evidence has further put it that the prevalence of hepatitis B and C Viruses (HBV and HCV) is high among injecting drug users³⁷ both of these viruses are associated with substantial morbidity and premature death due to the sequel of chronic infection.

The other health risk related to drug trafficking is death³⁸ which may result from the body complications, especially for those people that opt to swallow the pellets.

a) Effects of marijuana use

The main effects of marijuana use on mood vary and may include euphoria, calmness, anxiety, or paranoia (according to the national institute of drug abuse). Marijuana use causes drastic distortion in auditory and visual perception, even producing hallucinatory effects. Small use of it produces an early excitement which gives way to the sedated effect of drowsiness. Other short term effects include distorted sense of time, paranoia, magical or random thinking, short term memory loss among others.

37 - (Alter et al. 1990; Anderson et al. 1994; Levine et al. 1994; Mac Donald et al. 1996, 2000)

38 - for instance one Tanzanian John Mwanjaba died on December 8 2011 at Entebbe airport grade B hospital after swallowing more than 100 pellets of heroin narcotic drugs which had intended to smuggle to Tanzania, and the drugs were worth 27million weighing 1kilogram

source: Uganda anti-trafficking law coming: <http://consolationtanzania.wordpress.com/2011/02/09/uganda-anti-trafficking-law-coming/>

Heavy marijuana use lowers men's testosterone levels and sperm count and quality, in addition to reducing libido and fertility in some heavy smoking men³⁹

Contrary to what many marijuana smokers may tell you, marijuana is addictive, at least psychologically even among occasional users, one in 12 can feel withdrawal symptoms if

They can't get high when they want to. Among heavy smokers the rates of dependency are higher.

b) Effects of cocaine use

Today cocaine can be produced chemically into different forms, that is;

Powdered cocaine, this is commonly known on the streets as "coke" or "blow" and dissolves in water and users can snort or inject the powdered one

Crack cocaine, commonly known on the street as "crack" or "rock" is made by chemical process that leaves it in its "free base" form, which can be smoked.

Smoking or injecting cocaine results in nearly instantaneous effects, for instance, rapid absorption through nasal tissues makes snorting cocaine nearly as fast-acting. And once in the brain, it interferes with the chemical messengers, neurotransmitters that nerves use to communicate with each other. It then blocks nor epinephrine, serotonin, dopamine and other neurotransmitters from being reabsorbed, and the resulting chemical build up between nerves causes euphoria or feeling high

39 - (<http://www.webmd.com/mental-health/marijuana-use-and-its-effects>)

Cocaine users often describe the euphoric feeling as; an increasing sense of energy and alertness, an extremely elevated mood, a feeling of supremacy, thus leading to a desire to take more of the drug more often⁴⁰

Cocaine harms the heart in that it increase the heart beat rate and blood pressure while constricting the arteries supplying blood to the heart. Result can be a heart attack, even in young people without heart diseases. Cocaine can also trigger a deadly abnormal heart rhythm called Arrhythmia.

Cocaine also affects the lungs and the respiratory system, especially the snorted cocaine. It damages the nose and sinuses and regular use can cause nasal perforation. Smoking crack cocaine irritates the lungs and in some people causes permanent lung damage.

Cocaine causes gastrointestinal tract where it constricts blood vessels supplying the gut. The result is oxygen starvation which causes ulcers or even perforation of the stomach or intestines.

Cocaine can also affect the kidneys by causing sudden, overwhelming kidney failure through a process called rhabdomyolysis. In people with high blood pressure, regular cocaine use can accelerate the long term kidney damage caused by high blood pressure.

Although cocaine has a reputation as an aphrodisiac, it actually may make you less able to Complete what you started.

40 - (Erickson PG, Drugs, violence and public health, Canada, fraser institute digital publication 2001: Mernard S Huizinga D drugs and crime revisited. Justice quarterly 2001 18:2 & Aldridge j, Medina j, young gangs in an English city: social exclusion, drugs and violonce. Manchester, university of Manchester report ESRC RES-000-23-0615, 2008)

Chronic cocaine use can impair sexual function in men and women. In men it causes delayed or impaired ejaculation⁴¹

1.9.3. Threats posed by drug trafficking and abuse on society

The illegal drug economy may at times act as the safety valve to compensate for the shortcomings of the formal economy. In Bolivia in the mid 1980s, for instance, the dollars brought in by drug traffickers were welcomed by the central bank in order to ease the foreign exchange shortage in the country. However, the adverse effects of drug trafficking can undermine any economic benefits in producing and transit countries. Traffickers infiltrate bureaucracies, buy public decisions, and conduct business through violence and intimidation.

They also create an anti-state outside any rule of law or central government control, necessitating the expenditure of millions of dollars for law enforcement activities. In the social sphere traffickers corrupt significant proportion of the population by attracting new generations to the drug trade, glamorising gangs and glorifying the role model of the conspicuously consuming new rich. They thereby contribute to social disorganisation and disintegration. One would therefore, be justified to imagine that because of the above discussed effects, the Ugandan government found it reasonable on humanitarian grounds to declare the unauthorised use of some drugs illegal. This was based on the fact that Uganda was a party to a number of conventions like the 1971 Convention on psychotropic Substances, the 1988 Convention against Illicit Traffic in Narcotic Drugs and psychotropic substances, and the Single convention on Narcotic Drugs 1967⁴² under which state parties are under obligation to Prohibit the production and supply of specific (normally narcotics)

41 - (<http://www.webmd.com/mental-health/cocaine-use-and-its-effects>)

42-The Single Convention on Narcotic Drugs Amended by 1972 protocol amending the single convention on narcotic drugs 1961.

drugs or other substances with similar effects except under the licence for specific purposes, such as medical treatment and research.

From that, Ugandan laws have thus prohibited the illegal possession and abuse of drugs and narcotics, for instance, in *the National drug policy and authority Act*⁴³ section 19 prohibits the importation and exportation of narcotic and psychotropic drugs without a valid licence from a competent authority.

The narcotics enforcement is under the jurisdiction of the Ministry of Health, which also has the responsibility for other severe medical threats, such as malaria and AIDS. Through the preventive steps employed by the ministry, four Ugandan law enforcement officers received anti-drug training in the US in 1990⁴⁴

This was aimed at combating the problem of weak border management and ill trained security agencies deployed to detect the illegal drug trafficking into the country. This was one of the issues pointed in a UN Report that the East African region is attractive to international drug traffickers and their syndicate because of the lax border controls limited regional cooperation, and overwhelming injustice systems⁴⁵ the report further indicated that *"the low seizure figures are rather an indication that few resources are allocated to drug control and that border controls are weak, than a sign that no drugs are being trafficked through the region"*

43 – The national Drug Policy and Authority regulations SI 206-1: under Sections 19, 47 and 60 of the Act.

44 – (INCSR 1993)

45 – UNODC'S REPORT ON DRUG TRAFFICKING PATTERNS SINCE 2006 says;

2.0. Chapter Two

2.1.0. Research Methodology

2.1.1. Introduction

This chapter shows the instruments that a researcher used and the methods in which data was collected during the research process and they include; interviewing, administering questionnaires, reading educative literature like text books, journals, magazines, reports, surfing the internet. The population of the study, sample size, and selection, as well as the research design are discussed below.

2.2. Research design

The researcher used qualitative data collection methods through which the data collection from interviews and literature from secondary sources was acquired. The qualitative methods were preferred because they help to study the reality of the subject on the ground thus helped the researcher attain a higher degree of validity in the research findings.

The researcher used the comparative design with interest in Kampala and the surrounding areas in Uganda as a whole, in order to find out how and what the influence poised by the legal and policy frame work was.

2.3. Population of the study

The population of Kampala is currently estimated to be over 1,800,000 people. Much emphasis was given to the youth who make up the biggest percentage of the population, most of whom are either still in school or unemployed.

A sample was picked from the most populated areas, specifically Kampala central because of its business hype some parts of kamokya, Nakawa and Makindye where cases of drug

trafficking and abuse are reported to be on the increase yet it is where most of the youth are running to in pursuit of greener pastures.

2.4.0. Sample size and Sampling Techniques

2.4.1. Sample size

A sample size of 500 people around Kampala was used in the study, which helped me get the general view of people around the city and get more influencing factors and challenges in the fight against drug trafficking and abuse. This helped me get the desired information for my research since it was in these interactions with people around the city that I was able to get into the depth of the matter, in addition to the web sourced and local authority based reports.

2.4.2. Sampling Techniques

Non random sampling techniques were used in the study, specifically purposive sampling, accidental and random walk sampling.

The reason for choosing purposive sampling was because there are some people that I expected to have firsthand knowledge about the subject of the influence of the legal and policy frame work onto drug trafficking and abuse, for example the district police commanders, state attorneys, officials from the ministry of justice and constitutional affairs, officials from the ministry of internal affairs, airport authorities, customs officials on border check points, former convicts, slum duellers, just to mention but a few.

I chose the non random sampling techniques because as a researcher, it would help me acquire first hand information and allow room for in depth study of the facts reported.

2.5.0. Data collection methods and instruments

Throughout the research, various methods of data collection, both primary and secondary, were deployed to acquire as far as possible the most reliable information.

2.5.1. Primary Sources

As a researcher I went to the field got fresh and unique information by using methods like interviewing where there were interactions with the respondents by asking questions regarding the study. Interviews were more flexible; they gave me deep information and allowed room for clarification on questions that would have been left hanging if there were to be no one on one interaction.

2.5.2. Secondary Sources

As a researcher I made reference to the already existing information provided by other researchers in text books, journals, reports, magazines, news papers, dissertations, and the internet to compile the information necessary for the study and these helped me analyse the trend of the problem, which enabled consistency in my analysis of the subject.

2.6.0. Quality control methods

The validity and reliability of the instruments was tested using pre-tests, for example interviews with questionnaires were carried out with a group similar to the one the researcher was to use and then after some time, the same questions asked during the interviews would be asked again to the same group and the results of the two administrations were compared.

However, I felt that this was more effective where the expected results information was precisely identified, which enabled me to determine the accuracy and the consistency in what the interview was supposed to measure.

2.6.1. Data analysis Techniques

During data analysis, as a researcher, I mainly tested the goodness of the data. The data collected would be qualitatively analysed in a way that it was first edited, categorised, and then recorded for analysis.

This data analysis technique helped me in determining the accuracy and relevancy of the information got from the interviews. In addition, in analysing interview data, I attempted to analyse how they conveyed their views of their situations.

2.6.2. Ethical consideration

As a researcher, I adhered to the relevant professional codes of conduct which included; accuracy in gathering and reporting data, respecting the privacy of respondents, informing the respondents first before they accepted to participate in the study, ensuring confidentiality of the data collected by strictly using it for the primary purpose of which it was being collected.

2.7. Limitations of the study

The time allocated for the study was limited and not enough to study some issues and thus made references to events that were either ongoing or those that had already happened, for example in the study on the influence of the legal and policy framework onto drug trafficking and abuse, I looked at the past and the then ongoing events.

Further, the research was costly in a financial sense and the man power also became tiresome in the process of data collection, but this could only stop the faint hearted, which I am not. The research yielded some information which appeared to be biased especially from the respondents some of whom belonged to certain political ideologies of in analysing the social and political events in the country.

However much as there were challenges, as a researcher, I tried and saved some money and time for the study, and at all times avoided playing double standards by being objective and not subjective, and I always remained open minded, which I believe was also required of the respondents.

2.8. Instruments

Throughout the interviews, as a researcher, I used the interview guide which was a document with topics or themes that one would require to ask about during the research. In addition, unstructured interviews were also used to get information from the respondents.

3.0. Chapter Three

3.1. An analysis of the legal and policy frame work of Uganda onto drug trafficking and abuse

In the interest of fighting drug trafficking and abuse, the desired legal sanctions may vary in their severity and may include incarceration of temporary character aimed at reforming the convict, however, this does not justify the call for abuse and violation of the suspects' rights¹ but rather simply deterrent enough punishments like life imprisonment, and lengthy jail terms. And as such the law reflects a visionary path, though questionable on its effectiveness as below.

East Africa is a remarkable producer of cannabis plant commonly known as marijuana. An anecdotal report from the east African region countries continued to show that cannabis poses the biggest problem evidenced through drug abuse and items of seizure cases.

In Uganda drug abuse has been identified as a problem especially among the marginalised groups who happen to be unemployed. Cannabis is commonly abused by street and school youth, as well as soldiers, heroin is used by urban and street youth, cocaine abuse is prevalent among the high income groups, Somali refugees and some town youth also abuse khat. An increase has been reported in the abuse of opiates and cocaine, as well as in cannabis and volatile solvents, some increase in the abuse of benzodiazepines, a decrease in the abuse of barbiturates, and a large decrease in the abuse of amphetamines².

1 - Article 28 of the 1995 constitution of the republic of Uganda as amended

2 – Drug Abuse Trends Magnitude and Response in Eastern African Region: Report by Rogers Kasirye WFAD Board member: Email:

Kasirver@yahoo.com, at page 1

Uganda has been a party to a number of conventions like the 1971 Convention on Psychotropic Substances, the 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances., and, *the single convention on narcotic drugs 1967*³, under which state parties are under the obligation to prohibit the production and supply of specific (nominally narcotics) drugs and other substances with similar effects except under licence for specific purposes, such as medical treatment and research.

By 1994, the majority of countries Uganda inclusive were party to the single conventions⁴ under the influence of which it came up with the laws in reflection of the conventions, as per the obligations under these conventions.

The Ugandan legal and policy framework has been strategically drafted to avoid and prevent Ugandans from getting into drug trafficking and abuse, by the enactment of various laws⁵ which have impacted in their respective capacities, but, unfortunately, drug trafficking and abuse has remained on the rise throughout, and thus a review in their respect as follows;

For instance under section 2(1) (h)⁶ it is provided that the national drug policy shall be to comply with the international regulations on drugs including the conventions on narcotic drugs and psychotropic substances under international control.

3 - The single convention on narcotic drugs Amended by the 1972 protocol amending the single convention on narcotic drugs 1961

4 - like the single convention on narcotic drugs 1961, the convention on psychotropic substances 1971, and the United Nations convention against illicit traffic in narcotic drugs and psychotropic substances 1988.

5 - Some of which are: The Food and Drugs Act Cap 278, the National drug policy and Authority Act Cap 206,

6 - The national Drug policy and Authority Act Cap 206, laws of Uganda

In Uganda, the law has for long prohibited the illegal possession and abuse of drugs and narcotics, for instance, in *the National drug policy and authority Act*⁷ section 19 prohibits the importation and exportation of narcotic and psychotropic drugs without a valid licence from a competent authority.

Furthermore, section 47⁸ restricts the possession of narcotics by providing that; (1) no person shall have in his or her possession, without lawful excuse, proof of which lies on him, any narcotic drug or psychotropic substance under international control

Section 48 also prohibits the smoking of opium or Indian hemp by providing that no person shall;

(a) smoke opium or Indian hemp or frequent any place used for the smoking of opium or Indian hemp.

(b) Permit premises owned or occupied by him or her to be used by persons smoking opium or Indian hemp, or

(c) Have in his possession pipes or other utensils for use in connection with smoking of opium or Indian hemp.

Section 49⁹ further forbids the cultivation of plants yielding narcotics that no person shall without the written consent of the minister responsible for health, proof of which shall lie on him or her, cultivate any plant from which a narcotic drug can be extracted. Unfortunately Ugandans still illegally own farms of cannabis (marijuana), which casts doubt on how

7 - The National drug policy and Authority regulations SI 206-1

8 - The national Drug policy and Authority Act Cap 206, laws of Uganda

9 - see 8 above

successful the fight against drug trafficking would be when people still cultivate crops from which such narcotics can be extracted, of which the planters have to look for market for their produce on harvesting.

Section 60 provides for punishments that a person contravening this Act shall be liable to a fine not exceeding one million Uganda shillings, and that the items in contravention impounded shall be destroyed, and that the person in contravention shall suffer an imprisonment not exceeding one year. This punishment is still seen to be not deterrent enough.

The criteria given under the Act in determining the nature of the punishment is provided under section 60 (2)¹⁰ where it says that where no Punishment is provided for an offence under the Act, where the offence relates to class A drugs, the offender shall be liable to a fine not exceeding two million shilling or a jail term not exceeding five years, or to both; The second criteria is that where the offence relates to narcotic drugs or psychotropic substances under international control and is a second or more subsequent offence, the offender shall be liable to a life imprisonment¹¹

The third criteria is that where the offence relates to manufacturing, smoking, or having in possession of any narcotic drug or psychotropic substance under international control and is a Second or more subsequent offence, the offender shall be liable to a jail term not exceeding ten years¹²

10 - The national Drug policy and Authority Act Cap 206, laws of Uganda

11- section 60 (2) of the national Drug policy and Authority Act Cap 206

12 - see 11 above

The Foods and Drugs Act¹³ under section 2(3) (b) provides that no person shall sell, offer, expose or advertise for sale or have in his or her possession for the purposes of sale, any drug injuriously affected in its quality, constitution or potency by means of any operation described in subsection (2)

It is then further put that any person who contravenes any of the foregoing provisions of this Act commits an offence and is liable on conviction to a fine not exceeding two thousand shillings or to an imprisonment not exceeding three months, or both the fine and imprisonment

On critically looking at this provision, a trafficker carrying drugs worth hundreds of millions would never get scared of such a punishment, this is one provision that even attracts more traffickers into the country because it looks like a green light to drug trafficking.

Robert Ojaba¹⁴, says that in comparison the Ugandan laws are laughable, the maximum sentence under the law, the National Drug Policy and Authority Act (NDA) of three years in prison, and or a fine not exceeding shillings two millions, makes it by far the weakest in the region.

Indeed when you look at the National Drug policy and Authority Act cap 206 under section 60, it is provided that the offender in contravention of the Act shall be liable to a fine not exceeding one million shillings, the destruction of the items seized, and an imprisonment term not exceeding one year.

13 - Cap 278 Laws of Uganda

14 - The Head of training and drug resistance education at the anti-narcotics department

Kenya has a maximum sentence of life sentence for traffickers and fines of up to three times the amount value of drugs when caught. Traffickers in Rwanda face life imprisonment, while those in Tanzania get nothing less than lengthy sentences and hefty fines.

According to Ojaba, the law renders the police efforts futile as lenient fines and sentences do not come close to being deterrent enough to stop drug trafficking. "Often those we nab will insist on being taken to court almost immediately, where they plead guilty and pay the fine. For someone trafficking worth tens or hundreds of millions, a two million fine is nothing" he said¹⁵.

Another area of concern is the poor enforcement mechanisms in Uganda, because even with the less stringent laws in place, where there are some offences though few that would fetch a lengthy jail term for the convicted offenders, these people never get to face this, for instance, Section 60 (2)¹⁶ provides for a maximum punishment of an imprisonment not exceeding five years and a fine not exceeding two million shillings where the offence relates to a class A drug, but hardly can anyone confess to know of any conviction based on that law.

The section further provides for a punishment of life imprisonment where the offence relates to narcotic drugs or psychotropic substances under international control and it being a second or subsequent offence. Still such convictions are yet to take effect with all the time these provisions have been in place.

Also when reference is had to section 60 (2) (c) there is a provision for the convicts to suffer imprisonment terms of up to ten years where the offence relates to manufacturing, smoking

15 - in an interview by daily monitor publications reported in an article by Christine wanjiru wanjala

16 - The National drug policy and authority Act Cap 206

Or having in possession any narcotic drugs or psychotropic substances under international control and happens to be a second or subsequent offence.

The problem here is that there is qualification of the offence being required to be either a second or a subsequent one for one to face the heavy punishments. This is in my view wrong because there is no reason why such offenders should be given second chances if we are serious about the fight against drug trafficking. The law should instead be to the effect that once a person is convicted of dealing narcotic drugs or psychotropic substances, such a person shall be liable to suffer ten years of imprisonment, and this should also apply to section 60(2). The law is thus too lenient to fight drug trafficking.

Certainly one would be justified if he said that Uganda lacks the political will to fight drug trafficking, otherwise government would have at least maximised on the existing laws to do something overwhelming.

Whereas one would argue that shifting the blame towards the weak government legal and policy framework as the main reason for the increased drug trafficking and abuse cases in Uganda would be farfetched, it's not an exaggeration to lament that had the government acted strongly by passing stringent laws and regulations, we would not be facing these increasing drug related crimes.

The main reasoning is that once government fails to fight drug trafficking, drugs which would have been otherwise too expensive for most Ugandans (cocaine and heroin) end up being smuggled into the country and then sold cheaply.

Another worthy noting point is that once the mostly unemployed Ugandans realise that there is a loophole and thus easy to smuggle drugs in and out of the country without risking heavy

punishments, and at the same time be able to make some good money out of it, many of them once the opportunity strikes to engage in the drug trafficking business, quickly get into it and before they know it they will be using those drugs themselves, only to the detriment of their lives.

3.2. Challenges to the legal and policy framework in fighting Drug Trafficking

i) Facilitation.

Uganda being among the least developed countries does not have the financial muscle to counter all the rich international drug traffickers that are using Uganda as a transit route. This is because these traffickers dispense themselves with huge chunks of money, which the poor Ugandans would hardly resist. This leaves the government in a dilemma where it is required to both fight the foreign influenced corruption, and also to invest heavily in equipping the security agents so that they may be able to detect such drugs in transit, a thing that our government cannot afford to do not because they do not want, but due to the financial difficulties with the little money available already budgeted for to full use.

ii) Inefficiency.

The other challenge is that the coordination efforts between government and the civil society is still wanting and thus requires strengthening and support to create more awareness and other preventive activities, a thing that would require the full participation of NGOs and the civil society community.

Furthermore, drug trafficking is not as small as what it is reported to be, but rather part of the highly coordinated and complicated, well organised system that functions very much like modern international business corporation, and at the same time a secretive and complex system deeply touching the lives of politicians who make the system go and thus make it

almost impossible to trace the fulcrum. Once you fail to identify the fulcrum of the problem, there is no way you can fight such a problem to a successful level.

4.0. Chapter Four

4.1.0. Findings, Conclusions and Recommendations

4.1.1. Findings

Drug trafficking systems appear to be sophisticated and complex organisations with close ties to various economic and political institutions on a national and international level. It is this institutional linkage, which offers various types of protection across national boundaries that makes the investigations and certainly the prosecution of the participants in this multinational crime system difficult and certainly impossible for a country like Uganda.

According to a New Vision article; *the campaign to free Uganda of drug and substance abuse*¹ Drug abuse has been a problem in Uganda and anyone lies if they deny knowledge of someone hooked to drugs or destroyed by them. You can rightly call it a scourge. It is owing to this dilemma that national drug authority (NDA) and other stake holders are holding a campaign to finally get rid of the menace eating society away ... the campaign is really a fight against drug abuse and substance use. Hellen says² “General reports show a cause of concern as the situation is already out of hand; drug and substance abuse has infiltrated communities in the suburbs, schools and we want the general public to be well aware of the situation, take responsibility as everybody has an important role to play,” she explains.

Drug trafficking and abuse in Uganda has over the last decade rapidly increased to the extent that Ugandans no longer feel any nervousness in dealing in narcotic drugs to the extent that they have started exporting the practice to foreign jurisdictions.

1 - an article by Gilbert Kidimu, published on Wednesday September, 4, 2013 accessed on line at 20:10hrs

2 - Hellen Byomire, Head of Drug information at NDA

This does not mean that drug trafficking is a Ugandan culture, but, because of the external influences especially the western materialistic culture, and the desire by some to perform supernatural functions, demand for drugs has increased which has given the opportunity to international traffickers to take advantage and dump all sorts of drugs in Uganda, on route to other destinations for supply.

This has however not been with the government's authorisation, but rather, because the government has not put in place the required mechanisms to counter drug trafficking, international drug traffickers have managed to always sneak in and out of the country unnoticed, and even when some get arrested, the law provisions cannot do more than just imposing petty fines and short imprisonment terms onto the offenders, a weakness of the legal and policy framework onto drug trafficking and abuse.

In a related story, the US state department released a report³ which appeared in an online article by Simon Mukama in the chimpreport online magazine⁴ titled *US Warns: Drug trafficking Escalating in Uganda* in which it was reported that; "while Uganda is generally viewed as safe, secure and politically stable country within the region, its extensive and porous borders are inadequately policed, allowing for a robust flow of illicit trade and immigration... while the report indicated that Uganda does not play a major role in the production, trafficking, or consumption of illicit narcotics or precursor chemicals associated with the drug trade, the country is strategically located along a major narcotics transit route between middle eastern, Asian, and west African heroin markets. "The amount of drugs transit via Uganda is increasing. Illicit narcotics transit Uganda for markets in Africa Europe, and the United states, primarily due to Uganda's good airline connections between those

3 – (<http://www.chimpreports.com/index.php/news/4309-us-warns-drug-trafficking-escalating-in-uganda.html>)

4 – see 3 above

Markets and Asia,” reads the report. ... “Narcotic drug traffickers use Uganda as a transit point on an increasing basis. Cannabis is grown throughout Uganda, and in rarely policed areas, allowing for large cannabis crops to flourish in remote rural areas of the country”

Between 1998 and 2000, when the police first noticed a serious increase in drug activity, they impounded and destroyed 422 tons of cannabis (marijuana) leaving the country, and were also able to seize 33 kg of hashish, 19 kg of heroin worth US\$ 5.7M, and cocaine worth US\$ 1.2M. Since then the legal and policy frame work has helped the security agencies make remarkable arrests of suspected drug offenders and traffickers, for instance, four years ago, There were 2,034 reported and investigated narcotic cases which led to 2,274 arrests compared to 2,542 in 2008, which is a very alarming number, a trend that has been attributed to inadequate laws and weak border controls⁵.

Between 2009 through 2011, there were 30 cases of hard drug seizures reported at Entebbe airport². There were 220 kg of heroin cocaine, methamphetamine, and pharmaceutical drug seizure in the same time frame.

However much the Uganda anti-narcotics department maintains an interdiction team at international air port as an obligation of being a party to the UN 1988 Drug Convention, up to date, Uganda still faces a problem of drug trafficking and according to Fabian Ahmadiya⁶, “Ugandans feature as couriers”... “Some of those arrested were fresh graduates or students hoping to make tuition quickly” even women are getting involved by the day; many are recruited and taken advantage of because of poverty and the lure of easy money.⁷

5 - According to the 2009 Uganda Annual police crime report

6 - the commissioner of Uganda's anti-narcotics department,

7 - in an interview by Christine Wanjala, monitor publications on

Of course the arrests⁸ at Entebbe airport prove that the immigration department is doing a good job which in fact has forced some drug criminals to start looking for alternative departures such as Jomo Kenyatta in Kenya, but many people agree that the prevalence of weak laws is encouraging drug gangs from abroad to Uganda as their base from where they spring to export the drugs.

It may not seem like a lot, but according to the United Nations Office on Drugs and Crime, (UNODC) seizures at East African airports are not all the reflective of the actual amounts that enter the country, nor do they reflect the actual true extent of the trafficking patterns. There may likely be hundreds of kilograms that go through the borders unnoticed in the absence of the detectors or through checking. The East African region is generally attractive to international drug traffickers and their syndicates because of the lax border controls, limited regional cooperation and overwhelming justice systems⁹. The report further indicates that *"the low seizure figures are an indication that few resources are allocated drug control and that border controls are weak, than a sign that no drugs are being trafficked through the region"*

Fabian Ahmadi, the commissioner of Uganda's anti-narcotics department agrees *"I have seen it myself, there is no serious checking really,"* during an interview with daily monitor journalists as he displayed a small assortment of confiscated goods¹⁰

8 - according to the Anti narcotics department, between 2009 through 2011, there were 30 cases of hard drug seizures reported at Entebbe airport (220 kg of cocaine, heroin, methamphetamine, and pharmaceutical drugs seized in the same time frame)

9 - UNODC's drug trafficking patterns since the 2006 report says.

10 - (one was an ordinary looking jewellery box from South America that was seized at the general post office. Under velvet lining where the imitation gold rests is a Formica lined partition, each holding about half a kilo or about \$10,000 worth of cocaine)

4.1.2. Conclusions

With the institutional and legal frame work machinery at their disposal, agents of the state through regulations can compel populations to conform to the codes and adopt to punish or attempt to reform those who don't comply, for instance, Section 60¹¹ provides that a person contravening this Act shall be liable to;

- a) A fine not exceeding one million, and further under paragraph (c) that,
- c) Items in contravention shall be impounded, and destroyed,
- d) Persons in contravention shall be liable to imprisonment of term not exceeding one year

Further, under section 60 (2), a person who commits an offence under this Act and no other punishment is provided, shall be liable, if the offence relates to class A drugs, to a fine not exceeding two million shillings or to a term of imprisonment not exceeding five years or to both; and, where the offence relates to narcotic drugs or psychotropic substances under international control and is a second or more subsequent offence, to a jail term of life imprisonment.

Under, section 60(2) (c) its provided that where the offence relates to manufacturing, smoking, or having possession of any narcotic drug or psychotropic substance under international control and is a second or subsequent offence, to a term not exceeding ten years.

Unfortunately, the law provisions summarised above does not play any favours to the government's commitment and proposed mechanisms aimed at operating through the implementation of the deterrent theory, aimed at deterring people from drug trafficking and

11 - The National drug Policy and Authority Act cap 206 laws of Uganda

abuse, a policy if successfully implemented, would save the population from the effects of drug trafficking and abuse, which effects have nothing productive, whether medically, socially, morally, or economically, that they fetch to the country.

Blame has been put on the weak government policy in Uganda which is reflected in the weak laws¹² of which when one looks at the criteria that determine ones level of liability, the question that can't be answered is why then has the agencies responsible not enforced the existing laws. With all the arrests reported, possibly hardly has any of the suspects ever got to face what the punishments provided under the law were designed for, the point is the law is not deterring any, after all no one has been sentenced for the seemingly lengthy sentences¹³

The biggest problem with our current laws is that it has not lived to serve as a basis of disciplining the drug related offenders in that most of the suspects get away with petty fines which they happily pay off as compared to the worthiness of the drugs trafficked.

Therefore, the legal and policy frame work of Uganda is realistically not deterrent enough to counter drug trafficking and abuse, in light of the fact that the influencing factors of the vice are increasing (poverty, peer pressure, corruption, infiltration of the Ugandan culture by western and foreign cultures, among others) yet little is being done to stop this (unmanned borders, ill equipped and ill trained security agencies, weak laws, failure to fight corruption, among others) growing disgraced habit. Despite The legal and policy framework's strategies having done something, a lot more, as required is yet to be done for Uganda to put up a resilient fight against drug trafficking and abuse.

12 - (like the provisions and penalties under the national drug policy and authority Act cap 206, the foods and drugs Act cap 278)

13 - with reference to the punishment under section 60 (2) of the national Drug policy and Authority Act Cap 206

Uganda therefore is in dire need of a strong and effective legal and policy framework providing strict and heavy punishments to the drug offenders. The absence of stringent laws has made people confident and continuously to engage in drug trafficking after all on being arrested they are willing to pay the meagre fines for their release regardless of how dangerous and expensive the drugs they were trafficking are worth.

Finally, despite the reported increase in the rates of drug trafficking and abuse in Uganda for the previous decade, the legal and policy frame work put in place by government to curb the vice is an indication that Government intends to eliminate drug trafficking and drug abuse habits, though the problem is that a lot is still desired in the policy and the will to curb the ever increasing vice, an indication that probably the best things and mechanisms are yet to be put in place.

4.1.3. Recommendations

With drug trafficking and abuse proving to be a thorn into the cultures and norms of Africa, and Uganda in particular, as already seen, in addition to the dire need of more stringent laws that provide for lengthy jail terms for the drug related offenders;

Government should enact very stringent and tough laws that provide for heavy fines and long imprisonment terms which would serve to be deterrent to any one with the idea of joining the drug trafficking business.

Government should also look at the loop holes in the legal system as a whole, for instance it is expected that a stronger law on trafficking in persons (human trafficking) will help tighten the noose on the human resource that fuels drug trafficking.

Government would be doing justice to our society if it embarked on programs that do engage the youth and the public at large in productive and creative activities. Such activities that

would fully engage the public include recreational activities like sports, music dance and drama, through which government would get the masses appreciate the uselessness in using drugs.

Additionally, promoting public awareness campaigns about the effects of drug trafficking and abuse, and creating alternative and sustainable sources of income to the people, would do wonders in the fight against drug trafficking and abuse in the long run.

Government should if possible increase on the funding to the security operatives especially the border control and management patrol teams which would help on the problem of the unmanned borders

Government should strengthen the anti-narcotic department such that it would be able to unearth and investigate and monitor drug suspicious materials all over the country, instead of it being one which operates during emergency situations. It must be financed and equipped enough to spy and detect any drug related activities.

Government should start a department in all levels of the judicial system mechanisms aimed at trying drug related offenders. This can be done by having a department at the High court and the Magistrates levels

Despite the legal and policy frame work's provisions, Drug trafficking has remained a challenge to the authorities and society at large, given the rate at which drug trafficking and abuse cases have increased.

4.1.4. Suggestions for further research

Having looked at the influence of the legal and policy framework onto drug trafficking and abuse in Uganda, still one would love to see some questions further answered and they are;

The reasons as to why of all countries, Uganda would have up to date failed to pass very stringent laws to curb drug trafficking?

The reason as to why Entebbe airport is increasingly being used as a route for drug trafficking?

Why most of the Ugandans that have been arrested abroad trafficking drugs are reported to having used Entebbe airport while flying out?

Whether Ugandans consider drug abuse a culture or a habit?

Bibliography

Briefing on interpersonal violence and illicit drugs

Bureau of justice statistics (1994, September), *fact sheet; drug-related crime-drugs & crime data*; Washington, DC; US department of justice

Document on *the campaign against drug abuse among youth*

Drug abuse trends, magnitude and response, in the East African region; report by Rogers Kasirye; WFAD board member; email; kasirye@yahoo.com

Guatemala; *drug trafficking and violence* Latin America report n°39 – 11th October 2011

International conference on; *Laundering the proceeds of illicit trafficking in narcotic drugs and psychotropic substances* (ESAAMLG REGION) Grand Baie, Mauritius

International narcotics control, *an analysis of Uganda's level of compliance with its obligations under the single convention on narcotic drugs, 1961*; Angulia Daniel M/s Madiinah & Advocates

Multinational crime; terrorism, espionage, drug and Arms trafficking; John M Martin and Anne T Romano

Protocol combating drug trafficking in the East African region

The inside story of drug trafficking in Uganda; an article written by Patrick Matsiko Mucoori; in the independent magazine; on Tuesday 02 June 2009 20:21

The observer- Editorial; *Uganda doesn't need drug label*; Thursday 07 June 2012 23:17

The social impact of drug abuse a study prepared by UNDCP as a position paper for the world summit for social development (Copenhagen, 6-12 march 1995)

United Nations research institute for social development; *illicit drugs: social impacts and policy responses* UNRISD Briefing paper no.2 world summit for social development

November 1994

APPENDICES

APPENDIX (1)

QUESTIONNAIRE FOR THE EMPLOYEES OF THE CUSTOMS DEPARTMENT ENTEBBE AIRPORT

Dear respondent, I am ARINAITWE BENEDICT, a student of Kampala International University Uganda pursuing a bachelors degree in law, am here to conduct a research on the influence of the legal and policy frame work onto drug trafficking and abuse in Uganda, which research is part of the requirements of the award of the Bachelors degree. I therefore kindly request you to spare some time and fill this questionnaire with honesty. All the information given shall be treated with maximum confidentiality.

Instruction: Please tick where Appropriate

Section A. Biographical information

Sex

a) Male

b) Female

Age

a) 15-25 years

b) 25-35 years

c) 35-50 years

d) 50 and above

Education

level

a) Certificate b) Diploma c) Bachelors d) others (specify).....

Marital

status

a) Single

b) Married

c) Widowed

d) Divorced

5) Area of Residence. a) With in Kampala b) With in Wakiso District c) Others;

Specify.....

Section B. Causes and effects of drug trafficking and drug abuse

1. What is drug trafficking?

.....

.....

2. What do you think are the causes of drug trafficking and abuse in Uganda?

.....

.....

3. Does your agency in any way contribute to drug trafficking and abuse in the area?

.....

.....

if yes, state its contribution

.....

.....

Section C. Effects of drug trafficking and abuse

1. How has drug trafficking affected the people of Kampala?

.....

.....

2. What steps has your agency taken to curb drug trafficking and abuse?

.....

.....

Section D. Role played by concerned authorities in stopping drug trafficking and abuse

How has the Uganda police tried to stop drug trafficking?

.....

.....

How has the government tried to stop drug trafficking and abuse?

.....

.....

How has the judiciary tried to stop drug trafficking and abuse?

.....

.....

How has the public responded to the measures that have been implemented to stop drug trafficking and abuse?

.....

.....

Section E. Challenges encountered

What are the challenges faced by authorities in the fight against drug trafficking?

.....

.....

What challenges has your agency faced in the measures taken to stop drug trafficking?

.....

.....

Section F Possible solutions and recommendations

Given your experience with this agency, what do you think are the possible solutions to the problem of drug trafficking?

.....

.....

What do you think government should do to stop drug trafficking and abuse in the country?

.....

.....

Does Uganda have strong enough laws and measures to fight drug trafficking?

YES

b) NO

If yes, to what extent are the policy measures in the country being implemented?

.....

.....

If NO, what do you think government should do?

.....

.....

Thank you for your response

APPENDIX (11)

QUESTIONNAIRE FOR THE EMPLOYEES OF THE VARIOUS GOVERNMENT DEPARTMENTS (POLICE, / JUDICIARY, / MINISTRY OF HEALTH)

Dear respondent, I am ARINAITWE BENEDICT, a student of Kampala International University Uganda pursuing a bachelors degree in law, am here to conduct a research on the influence of the legal and policy frame work onto drug trafficking and abuse in Uganda, which research is part of the requirements of the award of the Bachelors degree. I therefore kindly request you to spare some time and fill this questionnaire with honesty. All the information given shall be treated with maximum confidentiality.

Instruction: Please tick where Appropriate

Section A. Biographical information

Sex

a) Male

b) Female

Age

a) 15-25 years

b) 25-35 years

c) 35-50 years

d) 50 and above

Education

level

a) Certificate b) Diploma c) Bachelors d) others (specify).....

Marital

status

a) Single

b) Married

c) Widowed

d) Divorced

Area of Residence. a) With in Kampala b) With in Wakiso District c) Others;

Specify.....

Section B. Causes and effects of drug trafficking and drug abuse

1. What is drug trafficking?

.....

.....

2. What do you think are the causes of drug trafficking and abuse in Uganda?

.....

.....

3. Does your Department in any way contribute to drug trafficking and abuse in Uganda?

.....

.....

if yes, state its contribution

.....

.....

Section C. Effects of drug trafficking and abuse

1. How has drug trafficking affected the people of Uganda?

.....

.....

2. What steps has your department taken to curb drug trafficking and abuse?

.....

.....

Section D Role played by concerned authorities in stopping drug trafficking and abuse

How has the government tried to stop drug trafficking and abuse?

.....

.....

In your opinion, do you think government taken the right path in fighting drug trafficking and abuse?.....

.....

How has the public responded to the measures that have been implemented to stop drug trafficking and abuse?

.....

.....

Section E. Challenges encountered

What are the challenges faced by your department in the fight against drug trafficking?

.....

.....

Section F Possible solutions and recommendations

Given your experience with this department, what do you think are the possible solutions to the problem of drug trafficking?

.....

.....

Does Uganda have strong enough laws and measures to fight drug trafficking?

YES

b) NO

If yes, to what extent are the policy measures in the country being implemented?

.....

.....

If NO, what do you think government should do?

.....

.....

Thank you for your response

APPENDIX (111)

INTERVIEW GUIDE WITH ELDERS, LOCAL COUNCIL LEADERS, CHURCH LEADERS AND MEMBERS OF THE SOCIETY

Name: ARINAITWE BENEDICT

Interview date.....

Survey interview

Despite the interests of various concerned agencies to de campaign drug trafficking and abuse in Uganda, it is still a problem with hardly a day passing by without a person being caught trafficking drugs, or even a person being arrested in possession of such drugs. The trends are increasing on a daily basis, a thing that has raised concern for government get more serious and tackle the drug trafficking and abuse disgraced habit.

Guiding areas

Definition of drug trafficking

Causes of drug trafficking

Effects of drug trafficking

Causes of drug abuse

Effects of drug abuse

Possible measures to fight drug trafficking and abuse