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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

ROLE OF COMMUNITY BASED INITIATIVE IN COMBATING DRUG ABUSE AND PROMOTING HUMAN RIGHTS - A FOCUS UPON NGOs

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ABSTRACT

Many people don't understand why or how other people become addicted to drugs. They may mistakenly think that those who use drugs, lack moral principles or will power and the user think that they could stop their drug use simply by choosing to. Whereas in reality, drug addiction is a complex disease, and quitting usually takes more than good intentions or a strong will. Drugs change the brain in ways that make quitting hard, even for those who want to.

In India, Drug Abuse and Human Rights violations present significant challenges, particularly among vulnerable populations, including youth, rural communities, and economically disadvantaged individuals. The rising prevalence of drug abuse—linked with issues such as unemployment, mental health struggles, and easy access to synthetic substances—has impacted public health, family structures, and economic productivity. Compounding this problem, individuals facing addiction often suffer discrimination, lack of healthcare access, and human rights abuses.

In the battle against these intertwined challenges, community-based initiatives have emerged as an impactful approach. Such initiatives are essential because they work at the grassroots level, addressing local needs and fostering inclusive solutions. Among these, Non-Governmental Organizations (NGOs) play an especially prominent role. NGOs not only facilitate awareness, prevention, and rehabilitation programs but also advocate for rights-based approaches that treat addiction as a health issue, rather than a criminal one. This project explores the role of community-based initiatives, with a specific focus on NGOs, in combating Drug Abuse problem and promoting Human Rights in India.

KEYWORDS: DRUG ABUSE, HUMAN RIGHTS, NGOS, COMMUNITY INITIATIVES, DRUG ADDICTION

INTRODUCTION

Addiction is a serious disease with characteristic of repeated drug seeking urges which are compulsive, or difficult to control, despite of its harmful consequences. Most of the time the initial step to take drugs is voluntary, its repeated use leads to changes in brain which challenges the persons Will Power and Self-Control. These brain changes can be persistent, which is why drug addiction is considered a "relapsing" disease—people in recovery from drug use disorders are at increased risk of relapse even after years of not taking the drug.

The Drug Addiction problem is not of any particular area or a city or a state of any country, it certainly is a global issue. India has been its victim for many decades. It is a curse to a society, causing economic breakdown leading to paralyse the social and economic structure of the society. It is like cancer, which is destroying lives of its users as well as of their friends and family. It has now taken form of an octopus whose tentacles are spreading to all the classes of society. It has led to increased crime rate, addicts resorts to crime to pay for their drugs. Drugs remove inhibition and impairs judgement egging one to commit offences.

This issue of Drug Addiction and Public Health is covered under **Goal Three** which talks about Good Health and Well Being, **Goal Eleven** which is Sustainable communities and Cities and under **Goal Sixteen** which talks about peace, Justice and Strong Institutions, of Sustainable Development Goals (SDGs).

2.1. WHAT ACTUALLY HAPPENS TO A PERSON'S BRAIN WHEN HE TAKES DRUGS REPEATEDLY?

Most drugs affect the brain's "reward circuit," causing euphoria as well as flooding it with the chemical messenger dopamine. A properly functioning reward system motivates a person to repeat behaviours needed to thrive, such as eating and spending time with loved ones. Surges of dopamine in the reward circuit cause the reinforcement of pleasurable but unhealthy behaviours like taking drugs, leading people to repeat the behaviour again and again. As a person continues to use drugs, the brain adapts by reducing the ability of cells in the reward circuit to respond to it. This reduces the high that the person feels compared to the high they

felt when first taking the drug—an effect known as tolerance. They might take more of the drug to try and achieve the same high.¹

UNDERSTANDING DRUG ABUSE AND HUMAN RIGHTS ISSUES IN INDIA

● Scope and Scale of Drug Abuse

India has Drug Abusers from age from 10 to 75², with maximum being the Alcohol, Cannabis, Opium, Heroin users³. Border states like Punjab and regions in the Northeast have experienced drug infiltration through its borders. The urban areas have seen a surge in synthetic and pharmaceutical drug abuse, while alcohol and opioids remain common across rural and urban spaces.

The consequences of drug abuse not only affects the society, but the users health their family structures and even the law enforcement agencies. Users harm individual health, but it also contributes to social issues such as crime, domestic violence, and joblessness. Furthermore, drug abuse significantly impacts young people, leading to lost educational and employment opportunities, thus circling through the cycles of poverty and substance dependence.

● Human Rights Issues Related to Drug Abuse

People struggling with addiction often face multiple forms of discrimination and rights violations.⁴ They mostly encounter societal stigma, lack of access to healthcare, and abuse within institutions such as healthcare facilities and the criminal justice system. For marginalised communities, these challenges are compounded by limited resources, inadequate healthcare, and social exclusion. Treating addiction as a criminal issue rather than a health condition often results in imprisonment rather than support and rehabilitation, perpetuating the cycle of drug abuse and human rights abuses.

¹ National Institute on Drug Abuse; National Institutes of Health; U.S. Department of Health and Human Services ; last visited on 15/10/2024

² United Nation Office of Drug Control Report, website visited on 15/10/2024

³ Report Published on National Library of Medicine, website visited on 15/10/2024

⁴ <https://www.canada.ca/en/health-canada/services/opioids/stigma.html> ; (last visited on 15/10/2024)

COMMUNITY-BASED APPROACHES TO ADDRESSING DRUG ABUSE AND HUMAN RIGHTS

Community-based initiatives in India contribute to combating Drug Abuse and also promote Human Rights. These initiatives leverage the power of local communities, governmental and semi-governmental organizations, as well as collaborative efforts to create comprehensive support networks for affected individuals. By working within communities, these initiatives have proven to be successful, since they work at a grassroots level and provide a culturally relevant response that resonates with local populations. They leverage the power of community leaders, foster peer support, and create awareness, making them particularly effective in high-risk areas. Such initiatives are often collaborative, involving various stakeholders, from government bodies to NGOs and local leaders, ensuring a multi-faceted approach to this complex social issue.

Some Key examples :

- **Government-Led Community Programs**

The Indian government has implemented a range of programs to address drug abuse and promote human rights, often working at the community level. These programs target awareness, prevention, and rehabilitation, and involve collaboration with local institutions, such as schools and healthcare centres. [To curb the menace of drug demand, the Ministry of Social Justice and Empowerment (MoSJE), Government of India has been implementing National Action Plan for Drug Demand Reduction (NAPDDR) which is an umbrella scheme under which financial assistance is provided to State Governments/ Union Territory (UT) Administrations for Preventive Education and Awareness Generation, Capacity Building, Skill development, vocational training ⁵ and livelihood support of ex-drug addicts, Programmes for Drug Demand Reduction by States/UTs etc. and NGOs/VOs for running and maintenance of Integrated Rehabilitation Centres for Addicts (IRCA), Community based peer Led intervention (CPLI) for early Drug Use Prevention among Adolescents and Outreach and Drop In Centres (ODIC) and District De-addiction Centres (DDACs) in the identified districts and Addiction treatment facilities (ATFs) in Government Hospitals’]⁶

⁵ Title : “Nasha Mukta Bharat Abhiyaan (NMBA) - MoU signed between Department of Social Justice & Empowerment and the All World Gayatri Pariwar” available on <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1959734>; (website. Last visited on 20/10/2024)

⁶ see *supra* 5

- **National Action Plan for Drug Demand Reduction (NAPDDR)**⁷: In accordance with the spirit of UN Conventions and existing NDPS Act, 1985, NAPDDR is prepared for 2018-2025, which basically aims at reduction of adverse consequences of drug abuse through multi-pronged strategy involving education, de-addiction and rehabilitation of affected individuals and their families.⁸ This program is an overarching initiative led by the Ministry of Social Justice and Empowerment (MSJE) to reduce the demand for drugs through awareness and community-based approaches. NAPDDR funds awareness campaigns, skill development programs for recovering addicts, and workshops aimed at educating young people and families about the risks of drug use.

- **Integrated Rehabilitation Centres for Addicts (IRCA)**: Aided by the Ministry of Social Justice and Empowerment, IRCAs provide rehabilitation and counselling services across India. These centres are designed to cater to local needs, offering de-addiction services that are accessible to people from diverse socioeconomic backgrounds.

• **Faith-Based Organizations and Religious Institutions**

Religious and faith-based organizations play a significant role in supporting people dealing with addiction, often providing a combination of spiritual guidance and practical support.

De-addiction Programs by Religious Institutions: Temples, churches, mosques, and other religious places offer support networks for individuals affected by drug abuse.

The Ministry has initiated ambitious **Nasha Mukh Bharat Abhiyaan (NMBA)** currently operational in all the districts of the country with an aim to create awareness about ill effects of substance abuse among the youth,⁹ with special focus on higher education institutes, university campuses, schools and reaching out into the community and garnering community involvement and ownership of the Abhiyaan. Taking a step in this direction, Department of Social Justice & Empowerment has entered into an MoU with the ISKCON for spreading the message of NMBA among the youth, women, students etc.¹⁰

⁷www.socialjustice.gov.in, visited on 20/10/24

⁸ https://socialjustice.gov.in/writereaddata/UploadFile/Scheme_for_NAPDDR.pdf

⁹ <https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=1979072> ; website visited on 10/10/2024

¹⁰ see supra 5

• **School and College-Based Programs**

Educational institutions play a vital role in drug prevention by engaging students through education, awareness, and intervention programs. These programs help young people understand the risks of substance abuse and provide resources to support them if they face related challenges.

- **Awareness and Education Campaigns:** Schools and universities across India, in collaboration with state education departments, run awareness programs that address the dangers of drug use. These programs are often delivered as workshops, seminars, or interactive sessions that use real-life stories, educational videos, and peer-led discussions to resonate with students.

-**Life Skills Training:** Life skills programs in educational institutions equip students with tools to make informed choices and resist peer pressure. These programs often cover decision-making, stress management, and communication skills, empowering students to handle situations where they might encounter drugs.

• **Youth Clubs and Sports Programs**

Youth clubs and sports programs offer a constructive outlet for young people, creating environments that discourage drug use through positive engagement. Physical activity and recreational activities can serve as effective deterrents to drug use by promoting healthy habits and offering community support. Local governments and schools organize sports tournaments, fitness programs, and youth clubs to engage young people in positive recreational activities. These programs provide a sense of community, promote teamwork, and offer alternative ways for young people to manage stress and avoid substance abuse.

• **Panchayat and Local Government Initiatives**

Village councils often organize local awareness drives, collaborating with district administration and law enforcement to inform the community about the dangers of drug abuse. These initiatives are often tailored to address local issues and are conducted in regional languages, making them more accessible and impactful.

-**Local Enforcement and Regulations:** Some panchayats work with police and district health departments to implement local rules against the sale of drugs, alcohol, and other substances, particularly near schools or public places. These regulations help to prevent easy access to drugs and discourage their use within communities.

• **Peer Support Networks and Self-Help Groups**

A self-help group is a group in which participants offer support to each other in recovering or maintaining recovery from alcohol or other drug dependence or problems, or from the effects of another's dependence, without professional therapy or guidance. Examples of mutual support groups are Alcoholics Anonymous (AA Meetings), Narcotics Anonymous are there in several countries for to support recovering addicts. These networks are often led by former addicts and are highly effective in reducing stigma and providing emotional support. Meetings offer a non-judgmental space where people can share their experiences, support one another, and find mentors who have successfully overcome addiction.

• **Corporate Social Responsibility (CSR) Initiatives**

Many corporations in India have undertaken social responsibility initiatives that address drug abuse prevention and rehabilitation, particularly in communities near their business operations. These CSR programs often work with local communities, educational institutions, and healthcare providers to promote health and wellness.

Through CSR initiatives, companies like Tata Group and Reliance Foundation fund community-based programs for drug awareness and rehabilitation. These projects often support local NGOs, educational institutions, and government initiatives, extending resources to high-risk communities and underserved areas.

THE ROLE OF NGO's IN COMBATING DRUG ABUSE

The government cannot tackle drug usage alone in a large nation like India, where there are over 140 crore people and poverty is the main social issue. In this situation, non-governmental groups play a crucial role. Any NGO's primary responsibility is to assist the government in combating social ills and in its efforts to promote social upliftment.¹¹ Hence NGOs have emerged as critical players in addressing drug abuse across India. They bring a multi-dimensional approach that includes prior education, rehabilitation programs, policy advocacy and legal support.

¹¹ available at : <https://www.scribd.com/document/673750082/3-Sem-3-Ethics-Values-Book-3-4-1>;(website last visited on : 27/10/2024)

The S.P. Mittal v. Union of India¹² case is a landmark judgment that, although not directly related to drug abuse, but has implications for community initiatives and human rights in India, particularly in the context of child labor and exploitation.

In this case, the Supreme Court emphasized the government's responsibility to protect vulnerable populations, including children. This has relevance for combating drug abuse, as many individuals who struggle with addiction are vulnerable due to socio-economic circumstances or lack of support systems

• **Awareness and Education**

Spreading awareness about the ill effects and consequences of the drug abuse is one of the fundamentals in preventing drug abuse. NGOs tie up with several schools, universities and even corporation which conduct seminars and workshops in order to spread awareness. This eventually shows a long term benefits.

Many NOGs used street theatre and folk art to communicate their message for example Kerala Sastra Sahitya Parishad must be mentioned in this context.

Organizations like Kripa Foundation from Maharastra and Narcotics Anonymous India conduct programs where former addicts share their experiences, helping young people understand the risks associated with drug use. NGOs also train teachers, parents, and community leaders to detect early signs of drug abuse, enabling preventive interventions and helping communities support affected individuals compassionately.

• **Rehabilitation and De-addiction Services**

Rehabilitation services offered by NGOs provide medical and psychological support, helping individuals recover from addiction. These facilities offer counselling, detoxification, and vocational training, focusing on long-term recovery and social reintegration.

For example, Society for Promotion of Youth and Masses (SPYM) operates several rehabilitation centres that provide comprehensive treatment, including mental health services and vocational skills training, to equip individuals for life post-recovery. By addressing the health, psychological, and social needs of those struggling with addiction, NGOs foster an environment where individuals can heal and rebuild. Kripa foundation provides a De-Addiction

¹² AIR 1983 SC 77

and Rehabilitation by designing Comprehensive programs for substance abuse treatment including detoxification, counselling, and rehabilitation of the drug abuser.

• **Peer Support Programs**

NGOs foster a supportive environment where individuals feel encouraged to seek help. Peer support programs bring together individuals with similar experiences, creating networks of support and accountability.

NGOs implement outreach programs in communities with high addiction rates. They work with local volunteers and recovered addicts, building a system of peer support that helps reduce the stigma around addiction. By involving former addicts as mentors, these programs encourage openness and community involvement, helping individuals on their journey to recovery and preventing relapses.

• **Research and Data Collection**

Reliable data on addiction trends and intervention outcomes is crucial for effective policymaking. NGOs contribute by gathering and analyzing data to understand addiction patterns, design targeted interventions, and support evidence-based policymaking.

The National Drug Dependence Treatment Centre (NDDTC) provides clinical services and are involved in research activities along with capacity building training programme for medical professionals working in the field of Substance Use Disorders. NDDTC collaborates with NGOs to collect data on drug abuse trends in India. This data helps identify high-risk areas, determine the resources needed, and shape programs that address addiction effectively. NGOs play a vital role in filling information gaps, enabling a data-driven approach to addressing addiction and human rights issues.

PROMOTING HUMAN RIGHTS THROUGH COMMUNITY INITIATIVES AND NGO's

• **Healthcare as a Human Right**

NGOs advocate for addiction treatment as a healthcare right, by challenging the view that drug addiction is a moral failing and a disease. By framing addiction as a health issue, NGOs promote access to healthcare, including mental health and rehabilitation services, for all individuals without discrimination. The private agencies and non-profitable or charitable

organizations run hospitals exclusively for treating addicts and this is a good step in the fight against substance abuse. Services given by TTR foundations are noteworthy. It is also heartening to note that some hospitals have separate department to handle issues of substance abuse related cases for example Work of St. John's Hospital, Bangalore is worth mentioning as well.

• Legal Representation and Protection

Drug users often face legal challenges, including discrimination in the legal system. NGOs help by providing legal aid to individuals caught up in drug-related offenses, advocating for their fair treatment and protection of rights.

Human Rights Law Network (HRLN) and Amnesty International India are examples of organizations that offer legal aid and representation. These NGOs work to protect individuals' rights within the judicial system, ensuring that they have access to fair treatment and are not unfairly punished due to addiction.

In *People's Union for Democratic Rights v. Union of India*¹³ case, though this case is not directly about drug abuse, this case was critical in promoting judicial activism in matters involving human rights, particularly the rights of marginalized groups who are often affected by substance abuse. This case highlights the importance of Community-based initiatives which identify and support vulnerable populations of the country, advocate and create awareness about exploitation of marginalised community

• Advocacy for Rehabilitation Over Punishment

NGOs consistently push for policies that emphasize rehabilitation over criminalization. They call for laws that treat addiction as a health condition, reducing stigma and providing individuals with opportunities for recovery and social reintegration.

Indian Harm Reduction Network (IHRN) supports harm reduction programs like needle exchanges, supervised injection sites, and access to healthcare services. By promoting harm reduction, NGOs advocate for policies that prioritize individual well-being over punishment, fostering a human-rights-based approach to addiction.

¹³ (1982) 3 SCC 235

In *State of Punjab v. Baldev Singh*¹⁴ the issue before the Hon'ble Supreme Court was of illegal possession of narcotics and the applicability of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.

One of the important discussions of this judgement were

- Rehabilitation over Punishment: The court emphasized the need for rehabilitation of drug addicts, stating that punishment alone may not be sufficient to address the issue.
- Social and Economic Factors: The court also recognized that drug abuse is often linked to social and economic factors, such as poverty and unemployment.
- The Supreme Court discussed about the proper implementation of the NDPS Act to prevent abuses of power in drug-related arrests, ensuring that the rights of individuals, including drug addicts, are protected under due process.

CHALLENGES FACED BY NGO's

Despite their impactful work, NGOs encounter several obstacles in their efforts to address drug abuse and human rights

• Limited Funding

Funding for NGOs is often limited, impacting their capacity to provide consistent services. Limited financial resources can restrict outreach, especially in rural and underserved areas. This makes NGOs dependent upon external fundings, which makes it difficult to maintain infrastructure, staff and services.

• Social Stigma

One of the biggest challenges faced NGOs is social stigma. Those who need help either doesn't acknowledge that they need help or just doesn't seek help, the fear of judgment and discrimination by the society stops them to seek help of professionals.

• Lack of Access to Remote Regions

Reaching out to remote or conflict-affected regions still remains a challenge for NGOs. Infrastructure limitations and high transportation costs can limit NGOs 'ability to extend their programs to underserved areas.

¹⁴ AIR 1999 SC 2378

• Inadequate Data and Research

Lack of trained and skilled professionals causes lack in having a comprehensive and detailed data on addiction trends, which ultimately hinders the targeted interventions. NGOs need more resources for data collection and analysis to shape effective, localized solutions.

CONCLUSION

Community-based initiatives play a unique role in addressing drug abuse and promoting human rights because of their localized and inclusive nature. By working within communities, these initiatives provide a culturally relevant response that resonates with local populations. They leverage the power of community leaders, foster peer support, and create awareness, making them particularly effective in high-risk areas. Such initiatives are often collaborative, involving various stakeholders, from government bodies to NGOs and local leaders, ensuring a multi-faceted approach to this complex social issue.

There are various NGOs which have done some good work in the field of substance abuse. It is not possible to give an exhaustive list but to name a few, TRADA (Kottayam) Kerala, CAIM Foundation 20 (Bangalore) Karnataka, TT Ranganathan Clinical Research Foundation, (Chennai) Tamil Nadu Shanti Seva Sadan, (Bangalore) Karnataka, Helping Hands, (Bangalore) Karnataka, Turning Point (Chennai) Tamil Nadu, Shakti (Pune) Maharashtra, Sahara House, New Delhi, Kripa Foundations (Bombay) Maharashtra, ADIC (Thiruvananthapuram) Kerala are few NGOs who are working tirelessly for prevention of substance abuse in India.

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