

## A LEGAL OVERVIEW OF DRUG ABUSE AND SUBSTANCE DEPENDENCE IN NIGERIA: LAW ENFORCEMENT POWERS, ACHIEVEMENTS, AND THE WAY FORWARD

### Introduction

Drug abuse and substance dependence have evolved into serious public health and security concerns in Nigeria. From the trafficking of hard narcotics to the rising misuse of prescription drugs and locally available psychoactive substances, the crisis cuts across socio-economic classes. Nigeria's legal framework approaches drug control primarily from a criminal justice perspective, with enforcement driven by specialized agencies such as the National Drug Law Enforcement Agency (NDLEA). But how effective is the current legal regime? What has law enforcement achieved? And what reforms are necessary to balance punishment with rehabilitation? This article provides a legal overview.

### The Legal Framework Regulating Drug Offences in Nigeria

The principal legislation governing drug control is the:

- National Drug Law Enforcement Agency Act
- Dangerous Drugs Act
- Indian Hemp Act

These laws criminalize:

Cultivation of cannabis,

Importation and exportation of narcotic drugs,

Manufacturing and processing of psychotropic substances,

Possession and trafficking,

Conspiracy and aiding drug-related crimes.

Penalties range from long-term imprisonment to life sentences, particularly in trafficking cases.

## Powers of the NDLEA

The National Drug Law Enforcement Agency is empowered to:

- Investigate and prosecute drug offences,
- Conduct surveillance and intelligence operations,
- Arrest and detain suspects,
- Seize and forfeit drug-related assets,
- Collaborate with international agencies.

Recent reforms have strengthened asset forfeiture provisions, enabling confiscation of properties linked to drug trafficking. The agency also operates rehabilitation and counselling programmes, though enforcement remains its primary mandate.

## Achievements of Law Enforcement

Over the past decade, NDLEA operations have yielded measurable results:

### 1. Increased Drug Seizures

The agency has intercepted large consignments of cocaine, heroin, tramadol, cannabis, and methamphetamine at ports, airports, and land borders. These seizures disrupt supply chains and signal enforcement visibility.

### 2. International Collaboration

Nigeria works with global partners such as:

- United Nations Office on Drugs and Crime
- INTERPOL

Through intelligence sharing and joint operations, transnational drug networks have been targeted more effectively.



### 3. Asset Forfeiture and Financial Disruption

Modern drug enforcement increasingly focuses on financial flows. Confiscation of drug proceeds weakens criminal enterprises more sustainably than arrest alone. Asset tracking and forfeiture proceedings have improved under amended NDLEA powers.

### 4. Public Awareness Campaigns

Beyond arrests, NDLEA has intensified drug education campaigns in schools and communities, recognizing prevention as critical to long-term reduction.

## The Limitations of a Purely Punitive Model

Despite enforcement successes, drug abuse remains widespread. Several structural limitations exist:

### 1. Over-Criminalization of Users

Many individuals arrested for possession are not traffickers but dependent users.

Treating addiction solely as a criminal offence:

- Overcrowds prisons,
- Fails to address root causes,
- Increases recidivism.

Global best practice increasingly treats substance dependence as a public health issue rather than purely a criminal one.

### 2. Inadequate Rehabilitation Infrastructure

Although the NDLEA Act contemplates treatment and rehabilitation, facilities remain limited relative to demand.

Drug dependence is a medical condition requiring structured psychological and medical intervention.

Without robust rehabilitation, enforcement only temporarily suppresses symptoms.

### 3. Socio-Economic Drivers

Youth unemployment, poverty, peer pressure, and urban dislocation contribute significantly to substance abuse patterns. Law enforcement alone cannot resolve structural social problems.

## The Role of the Courts

Nigerian courts have generally adopted a strict stance in trafficking cases, reflecting the seriousness of the offence. However, sentencing reforms and judicial discretion could allow differentiated treatment between:

- Organized traffickers,
- Small-scale distributors,
- Dependent users.

A more nuanced sentencing policy may better serve justice.

## What Can Be Done Better?

A sustainable drug policy requires multi-sector reform.

### 1. Decriminalization of Minor Possession (Policy Debate)

Some jurisdictions globally have adopted limited decriminalization for minor possession while maintaining strict penalties for trafficking. Nigeria may consider whether limited reform could:

- Reduce prison congestion,
- Encourage voluntary treatment,
- Refocus enforcement on cartels.
- This remains a sensitive policy question requiring legislative action.

### 2. Strengthening Rehabilitation Centres

Greater funding for:

- State-run treatment facilities,
- Community rehabilitation programmes,

Mental health integration would shift the approach from punishment to recovery.

### 3. Data-Driven Enforcement

Improved national drug-use data collection would allow:

- Evidence-based policy,
- Targeted interventions,
- Resource optimization.

Collaboration between NDLEA, health ministries, and academic institutions is essential.

### 4. Community-Based Prevention

Sustainable impact requires:

- School-based drug education,
- Faith-based and civil society involvement,
- Youth empowerment programmes,
- Social investment in at-risk communities.

## Balancing Security and Public Health

Drug trafficking poses a real national security threat. Nigeria's geographic position makes it vulnerable as a transit hub for the international narcotics trade. Strong enforcement remains necessary. However, substance dependence is both a criminal and medical issue.

An effective framework must combine:

- Enforcement,
- Financial disruption of cartels,
- Treatment and rehabilitation,
- Prevention and social reform.

## Conclusion

Nigeria's drug control laws provide robust enforcement powers, and agencies like the National Drug Law Enforcement Agency have achieved significant operational successes in seizures, prosecutions, and international collaboration. Yet enforcement alone cannot eliminate substance abuse. A more integrated model, combining criminal justice with public health intervention, offers a stronger path forward. As Nigeria continues to refine its legal and institutional approach, the challenge lies not merely in punishing drug crimes, but in reducing dependency, protecting communities, and restoring lives.

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