
CYBERCRIME AND DRUG TRAFFICKING: A HUMAN RIGHTS PERSPECTIVE

Swetha R, B.A. LL.B. (Hons.), School of Excellence in Law (TNDALU)

Ms. T. Vaishali, B.A., B.L (Hons.), LL.M., Assistant Professor of Law, Department of Criminal Law and Criminal Justice Administration, The Tamil Nadu Dr. Ambedkar Law University, Chennai

ABSTRACT

“Drug addiction is an evil, and with evil there can be no yielding or compromise”, says Pope Francis. Drug trafficking is one of the foremost problems for many countries across the world. Drug trafficking is defined as an illegal trade that involves cultivation, manufacture, distribution and sale of substances that are subject to drug prohibition laws. This drug has been traced back to the 19th century. It was been trafficked through so many routes but at present online drug trafficking becomes a fashionable one. The act of engaging in drug trafficking on the internet is considered as online drug trafficking. The online drug trafficking is quite profitable than other routes as it becomes easy to contact the buyers. Those who seek to distribute drugs through online has to face number of technological challenges. The websites which were created for this illegal trafficking was hidden from casual internet surfer’s view and was considered to be part of dark web. One such incident is “Silk Road”, an online platform launched in 2011 exclusively for drug trafficking. This not only leads to mental distress but also encourages a human to favor violence and sows the seed for suffering and death. This infringes rights of the people residing in the country socially and economically. The main aim of this research paper is to deal with the drug trafficking with respect to human rights perspective also covering international legal frameworks on drug trafficking.

Keywords: Cyber-crime, Drug trafficking, Dark web, Crypto currency, Silk Road, Human rights.

INTRODUCTION:

The globe is currently dealing with a new wave of illegal activity in cyberspace that is being perpetrated everywhere, regardless of geographic borders. The internet is becoming the town square for the global village of tomorrow. We are all connected by the internet, like neurons in a giant brain. The rise of social media and the widespread use of smartphones have given rise to a large number of cybercrimes including a lethal new drug threat: illegal drug networks are misusing social media to reach a wider audience, open up new markets, and attract new customers. Organized criminal groups derive a significant portion of their income from drug trafficking; many of these groups also engage in other serious crimes like crimes involving firearms, modern slavery, and immigration crimes. Recently, drug trafficking on darknet-based marketplaces has drawn the attention of law enforcement authorities. Dark markets are altering the social networks of the drug trade and creating a new paradigm for connection between drug sellers and purchasers, although making up a very small portion of the worldwide drug trade. Thus, combating drug trafficking has a far more extensive disruptive effect on organized crime. Drug trafficking as a cyber crime is a key part of this research paper. The authors delve into analysing the international legal frameworks on drug trafficking, violation of human rights in the light of drug trafficking and conclude by suggesting the recommendations that can be implemented to reduce drug trafficking.

REVIEW OF LITERATURE:

The phenomenon of drug trafficking has been widely examined from criminological, sociological, economic, and human rights perspectives. With the rapid growth of digital technologies, scholars have increasingly focused on the intersection of cyber-crime and illicit drug markets, especially the rise of online drug trafficking through the dark web. Existing literature highlights both the operational sophistication of such crimes and their profound implications for human rights and national security. The

Drug Trafficking as a Global and Human Rights Issue: International agencies such as the United Nations Office on Drugs and Crime (UNODC) have consistently identified drug trafficking as a serious transnational organized crime that undermines public health, rule of law, and human rights. According to UNODC's *World Drug Report*, drug trafficking fuels violence, corruption, and social instability, while also violating the right to health, life, and

security of individuals and communities.¹ Scholars argue that drug addiction resulting from easy access to narcotics disproportionately affects marginalized populations, thereby deepening socio-economic inequalities.²

From a human rights perspective, authors such as Barrett and Nowak emphasize that punitive drug control policies often coexist with human rights abuses, including arbitrary detention, denial of healthcare, and social exclusion of drug users.³ This dual impact—harm caused by drugs and harm caused by enforcement—has become a key theme in contemporary literature.

Emergence of Online Drug Trafficking and the Dark Web: The evolution of the internet has transformed traditional drug trafficking routes. Aldridge and Décaray-Hétu explain that online drug markets leverage anonymization technologies such as Tor networks and cryptocurrencies, making detection difficult for law enforcement agencies.⁴ The literature frequently cites the Silk Road marketplace, launched in 2011, as a landmark case demonstrating how digital platforms facilitate large-scale drug distribution while concealing the identities of buyers and sellers.⁵

Martin's analysis of crypto markets highlights that online drug trafficking reduces physical risks for traffickers but increases accessibility for users, particularly youth.⁶ This ease of access intensifies addiction, mental health disorders, and social harm, raising serious concerns regarding the protection of vulnerable groups and the right to a healthy life.

Cyber-Crime and Enforcement Challenges: Several studies focus on the technological and legal challenges faced by law enforcement in combating online drug trafficking. Brenner notes that cyber-crime transcends territorial boundaries, making traditional policing methods ineffective.⁷ In the Indian context, scholars point out that while cyber laws exist, enforcement remains fragmented due to lack of technical expertise and inter-agency coordination.⁸

¹ UNODC, *World Drug Report* (United Nations Publication, latest ed.).

² D. Bewley-Taylor, *International Drug Control: Consensus Fractured* (Cambridge University Press, 2012).

³ D. Barrett & M. Nowak, "The United Nations and Drug Policy: Towards a Human Rights-Based Approach," *International Journal of Drug Policy* (2009).

⁴ J. Aldridge & D. Décaray-Hétu, "Hidden Wholesale: The Drug Diffusing Capacity of Online Drug Cryptomarkets," *International Journal of Drug Policy* (2016).

⁵ U.S. Federal Bureau of Investigation, *Silk Road Investigation Case File* (2013).

⁶ J. Martin, *Drugs on the Dark Net: How Cryptomarkets Are Transforming the Global Trade in Illicit Drugs* (Palgrave Macmillan, 2014).

⁷ S. Brenner, *Cybercrime: Criminal Threats from Cyberspace* (Praeger, 2010).

⁸ P. Sharma, "Cyber Crime and Law Enforcement in India," *Journal of Indian Law Institute* (2018).

The Information Technology Act, 2000, along with the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act), forms the primary legal framework to address online drug trafficking in India. However, literature by Kumar and Dahiya suggests that these laws were not originally designed to tackle darknet-enabled crimes, leading to gaps in investigation and prosecution.⁹

Socio-Economic and Psychological Impact: The literature extensively documents the social and economic consequences of drug trafficking. Becker's economic theory of crime explains how profitability drives illicit markets, particularly in low-risk online environments.¹⁰ At the societal level, drug abuse leads to increased healthcare costs, unemployment, family breakdown, and crime, thereby infringing upon collective social and economic rights.¹¹

Psychological studies further establish a strong link between drug abuse and mental distress, including depression, anxiety, and violent behaviour.¹² This aligns with moral and ethical perspectives, such as those expressed by Pope Francis, who characterizes drug addiction as a social evil that destroys human dignity and life.¹³

Research Gap: While substantial literature exists on drug trafficking and cyber-crime as separate fields, limited research examines online drug trafficking through an integrated human rights framework. Most studies, particularly in India, focus on statutory and enforcement mechanisms rather than the human impact on individuals and communities. The intersection of cyber-enabled drug markets with violations of rights to life, health, privacy, and dignity remains underexplored. Additionally, there is insufficient analysis of international legal frameworks addressing online drug trafficking in the digital age. This research seeks to bridge these gaps by conceptualizing online drug trafficking as both a cyber-crime and a human rights violation.

OBJECTIVES OF THE STUDY

- To understand the concept of drug trafficking and its growth through online platforms.

⁹ A. Kumar & R. Dahiya, "Dark Web and Drug Trafficking: Challenges for Indian Legal System," *Indian Journal of Criminology* (2020).

¹⁰ G. Becker, "Crime and Punishment: An Economic Approach," *Journal of Political Economy* (1968).

¹¹ World Health Organization, *Substance Abuse and Social Consequences* (WHO Press).

¹² N. Volkow et al., "Drug Addiction and Its Mental Health Impact," *The Lancet Psychiatry* (2016).

¹³ Pope Francis, Address to the International Conference on Drugs and Addiction, Vatican (2018).

- To study how the internet and dark web are used for online drug trafficking.
- To examine the impact of online drug trafficking on human rights, especially the right to life and health.
- To understand the social, mental, and economic problems caused by online drug trafficking.
- To suggest measures to control online drug trafficking and protect human rights.

HYPOTHESES OF THE STUDY:

1. Online drug trafficking, as a form of cyber-crime, significantly violates human rights by exacerbating mental distress, social instability, and economic harm, and the existing legal enforcement mechanisms in India are inadequate to effectively address these violations.
2. The anonymity and accessibility of the dark web have increased the scale and profitability of drug trafficking, making law enforcement detection and prosecution more challenging in India.
3. Online drug trafficking contributes to the violation of fundamental human rights, particularly the right to life, health, and social security, as guaranteed under the Indian Constitution and international human rights instruments.

RESEARCH METHODOLOGY:

In the present paper Doctrinal Methodology has been adopted by the researchers, which involves the analysis and interpretation of existing laws and legal principles. The study is based entirely on secondary sources, including statutes, judicial decisions, international conventions, reports of international organizations, textbooks, and scholarly articles. Primary legal materials such as constitutional provisions, drug control laws, cyber laws, and human rights instruments are critically examined to understand the legal framework governing drug trafficking and online drug trafficking. Secondary sources are used to analyse scholarly interpretations and policy perspectives.

DRUG TRAFFICKING:

Drug trafficking refers to the illegal production, transportation, and distribution of narcotic drugs and psychotropic substances and constitutes a major form of transnational organized crime. From a human rights perspective, drug trafficking poses serious threats to the right to life, health, and personal security, as it fuels violence, addiction, and public health crises. Drug-related violence by trafficking networks often leads to loss of life and destabilization of communities, engaging the state's obligation to protect individuals from harm caused by non-state actors.¹⁴

Drug trafficking also undermines the right to health, as illicit drugs contribute to addiction, overdose deaths, and the spread of infectious diseases. International human rights bodies emphasize that drug dependence should be addressed through prevention, treatment, and rehabilitation rather than exclusively punitive measures.¹⁵ Harsh criminal justice responses, including mandatory minimum sentences and prolonged detention, raise concerns regarding due process and proportionality, potentially violating the presumption of innocence and fair trial guarantees.¹⁶

Further, drug trafficking disproportionately affects marginalized groups, exploiting poverty and social inequality, while women and children are particularly vulnerable to coercion and exploitation.¹⁷ International law also condemns the use of the death penalty for drug offenses, holding that such crimes do not qualify as the “most serious crimes” under the right to life.¹⁸ A human rights-based approach therefore requires balancing enforcement with public health, rehabilitation, and social justice measures.

ONLINE DRUG TRAFFICKING:

The digitalization of criminal networks has led to the emergence of online drug trafficking, wherein traffickers use social media platforms, encrypted messaging applications, dark web marketplaces, and cryptocurrency-based payment systems to conduct transactions with reduced

¹⁴ U.N. Human Rights Council, Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, U.N. Doc. A/HRC/44/38 (2020).

¹⁵ U.N. Comm. on Econ., Soc. & Cultural Rights, General Comment No. 14, U.N. Doc. E/C.12/2000/4 (2000).

¹⁶ International Covenant on Civil and Political Rights arts. 9, 14, Dec. 16, 1966, 999 U.N.T.S. 171.

¹⁷ Convention on the Rights of the Child art. 33, Nov. 20, 1989, 1577 U.N.T.S. 3.

¹⁸ U.N. Econ. & Soc. Council, Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, U.N. Doc. E/1984/53 (1984).

risk of detection. These online methods enable decentralized operations, anonymous communication, and cross-border distribution, significantly complicating traditional enforcement mechanisms. The use of digital platforms has also facilitated targeted marketing strategies, algorithm-driven outreach, and rapid delivery models, raising concerns regarding increased accessibility, particularly among young users. In response, states increasingly rely on cyber surveillance, digital evidence collection, and platform regulation. However, such measures must operate within clear legal frameworks to avoid disproportionate interference with privacy, data protection, and procedural safeguards. International human rights standards require that online monitoring and cross-border data sharing be necessary, proportionate, and subject to judicial oversight, ensuring that the expansion of cyber enforcement does not erode fundamental rights while addressing technologically advanced trafficking networks.¹⁹

WHAT IS THE DARK NET?

Dark net is the area of internet that most of the people are largely unaware of. It is a hidden part of the internet where user's activity is extremely hard to trace. Dark net is a network of websites and serves that use encryption in an attempt to keep their activities secret. Although search engines neglect to index it, criminals purchase weapons, drugs, credit card information, and personal data there. In general, financial data is one of the most popular types of personal information that fraudsters sell and buy on the dark net, and login details are also widely sought after.²⁰ The dark net is not only used by the criminals but also due to the high degree of anonymity that it provides it has been used by government agencies, journalists and dissidents. However, drug dealers and their clients use the "**Silk Road**", one of the most well-known features of the Dark net. These can be used to access sensitive information on corporate sites as well as personal bank accounts. Data leaks, phishing, skimming, and illicit conduct carried out by a single employee of the company all contribute to the information that ends up on the Dark net.²¹

¹⁹ U.N. Office on Drugs & Crime, World Drug Report 2023 (2023). & U.N. Human Rights Council, The Right to Privacy in the Digital Age, U.N. Doc. A/HRC/48/31 (2021). (Last visited Dec. 26, 2025)

²⁰ Internet Organized Crime Threat Assessment (IOCTA), Europol, [<https://www.europol.europa.eu/publications-events/main-reports/internet-organised-crime-threat-assessment>] (<https://www.europol.europa.eu/publications-events/main-reports/internet-organised-crime-threat-assessment>) (last visited Jan. 7, 2026).

²¹ Andy Greenberg, Hacker Lexicon: What Is the Dark Web?, WIRED (Nov. 19, 2014), <https://www.wired.com/2014/11/hacker-lexicon-whats-dark-web/>. (Last visited Dec. 26, 2025)

To prevent their data being traded on this sinister version of the internet, organisations need to ensure that they have appropriate controls and monitoring measures in place. A layered approach should include anti-cyber-attack technology alongside staff training and awareness campaigns.²²

Monitoring the dark net requires knowledge and experiencing due to its complexity, lawlessness, and lack of transparency. It is often difficult for organisations due to a lack of highly skilled resources and skillset they typically have available. Rather, companies would be better off collaborating closely with a technology supplier that can offer the necessary expertise as well as help closely monitoring the dark net for pertinent data using specialized tools and approaches.

TRADING OF DRUGS MOVES FROM STREET VENDORS TO WEBSITES:

The dark net has shifted drug trade from the streets to the internet, changing the way drugs are traded globally. In a recent year, most of the youngsters and drug users are shopping for drugs on the so-called dark net, accessible not through traditional search engines but by way of special browsers and software that conceal IP addresses and make users harder to trace. These drug markets are clandestine dispensaries of illicit and dangerous substances that are sold in exchange for cryptocurrencies, such as bitcoin.

Traffickers and users have been drawn to these sites since Silk Road, the first significant dark net drug market, launched in 2011. This is partly because the sites provide a level of anonymity that is not possible when doing business on the streets. By encrypting IP addresses and, consequently, identities, specialized software, like the widely used TOR (The Onion Router)²³, spies user data across a multitude of servers and nodes across the globe, making it challenging for law authorities to follow. With the use of encryption techniques, buyer-seller communication is typically scrambled. Additionally, cryptocurrency adds an extra degree of security for anybody trying to avoid being suspected by the authorities. Silk Road quickly became the largest operating Dark net marketplace and was shut down by the FBI in 2013,

²² Tracing crime on dark net, <https://www.ftitechnology.com/resources/white-papers/tracing-crime-on-the-dark-web> (last visited Jan. 7, 2026).

²³ TOR is a torrent-based operating system that is completely encrypted and anonymous, allowing users to anonymously browse the dark net. A torrent is a communication protocol for peer-to-peer file sharing and can be used to distribute all types of data and electronic files over the internet. <https://landmarkrecovery.com/unpacking-the-drug-trade-of-the-dark-web/> (last visited Jan. 8, 2026)

seizing \$28.5 million bitcoins. The shutdown of Silk Road, however, did not stop the flourishing business of dark net marketplaces, with new marketplaces opening immediately after the shutdown of silk road. After Silk Road's shut down, many darknet places opened in the next eight years. The business of online drug trade grew rapidly.²⁴ Customers can purchase illegal goods, firearms, counterfeit goods, intellectual property, and even human trafficking on these websites. Dream Market, Trade Route, and Valhalla Market are reportedly currently the biggest sellers on the dark net.

Dream Market is the biggest dark net vendor of illicit drugs, much like the Silk Road and can be accessed only through specialized computer software and used for illegal activities including drug trafficking. In addition, things like luxury clothing, fake currency, and compromised internet banking credentials are available for purchase. Authorities worry that the dark net has opened the door to even more addiction because of how simple it is for users to create an account and get started, especially for those who might not have gotten involved in this illegal marketplace if it weren't for the dark net's safety and anonymity. Further, anyone using the dark net for illegal conduct still puts themselves in grave risk.

HOW DRUGS ARE BEING SOLD THROUGH INTERNET?

Over the past few years, the usage of online platforms for the sale of synthetic narcotics has grown and changed, giving criminals more effective ways to conceal their illicit businesses and advertise their goods to potential clients. Through the promotion of the items with thorough descriptions, images, availability details, offers, and discounts, as well as the building of an online reputation among clients, these platforms have also contributed to the professionalization of the drug selling industry. Darknet markets, social media, messaging apps, communication services, and payment methods are examples of online platforms. Narcotics utilize several end-to-end encrypted messenger services to market and sell their goods, exchange geolocation information with potential customers, and interact with each other. In order to facilitate bitcoin exchanges, underground traders also use messenger services. Narcotics utilize several end-to-end encrypted messenger services to market and sell their goods, exchange geolocation and interact with each other. In order to facilitate bitcoin exchanges, underground traders also use messenger services.

²⁴ Journal of Economic Behaviour & Organization, Volume 202, Oct 2022, Pages 274-306, <https://www.sciencedirect.com/science/article/pii/S0167268122002827> (last visited Jan. 3, 2026).

Clear net: It is one of the platforms where the drugs are being sold by the people. The Clearnet, which is easily available to the general public via a regular web browser and an internet connection, is home to websites like Google, Netflix, You Tube, Wikipedia, and online gaming. A wide range of synthetic pharmaceuticals can be advertised on the several websites, blogs, forums, and markets hosted by the Clearnet. These online markets frequently pretend to be generic drug stores and highly controlled precursor chemical distributors.²⁵

Deep web: The publicly available portion of the Internet that is not visible to search engines like google is known as the “Deep web.” It contains things like private databases, encrypted or unindexed webpages, and other unlinked content like academic databases, legal documents, and medical records.²⁶

Dark net: The portion of the internet that is inaccessible by regular web browsers like internet explorer, Firefox, Edge, or Chrome is known as the Darknet.²⁷ To maintain anonymity, it functions inside specific encrypted networks. Thousands of online sites are hosted by the darknet, just like by the Clearnet, but they can only be accessed by connecting to a darknet, just like by the Clearnet, but they can only be accessed by connecting to a darknet. Drugs are the most commonly traded category of goods on the darknet. These include prescription medications (mainly benzodiazepines), MDMA, amphetamine, methamphetamine, cocaine, cannabis in all forms, ketamine, hallucinogenic mushrooms, and opioids in all forms.

Undoubtedly, social media has increased social contact chances, but it's also a tool used by individuals and international organized crime groups to trade in drugs. Using photographs and videos, social media sites and applications like Facebook, Instagram, Snapchat, and others have been used to help the trafficking of illegal narcotics. In messages, tweets, or usernames on social media, vendors frequently promote their drugs using a range of illegal substances and obtain comprehensive details about where and how to obtain them.²⁸

²⁵ U.N. Office on Drugs & Crime, World Drug Report 2023, <https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html> (last visited Jan. 7, 2026).

²⁶ Federal Bureau of Investigation, Dark Web, [<https://www.fbi.gov/investigate/cyber/darkweb>] (<https://www.fbi.gov/investigate/cyber/dark-web>) (last visited Jan. 7, 2026).

²⁷ Europol, Drugs and the Darknet: Perspectives for Enforcement, <https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet> (last visited Jan. 7, 2026).

²⁸ Online sales platforms,
<https://syntheticdrugs.undoc.org/syntheticdrugs/en/cybercrime/onlinetrafficking/onlinesalesplatforms.html#:~:te>

CRYPTOCURRENCIES AS A SECURED WAY OF PAYMENT ACROSS THE DARKNET:

Virtual currencies are being used increasingly in human and drug trafficking. Also, its anonymizing features can attract criminals' use to avoid detection when paying for illicit activities such as human and drug traffic.²⁹

'In 2008, the Bitcoin whitepaper introduced cryptocurrency as a kind of scientific experiment. With trillions of dollars in capitalization, it was a part of the global financial system in less than a decade. Cryptocurrencies are digital assets that use cryptographic techniques to secure and verify transactions and to control the creation of new units. Usually, they run on decentralized platforms known as blockchains, which eliminate the need for a central authority like a bank and enable safe and transparent transactions. A bitcoin transaction is recorded on the blockchain, which is effectively an international public ledger shared and kept up to date by numerous computers. A network of users known as "miners" verifies and processes transactions; in exchange, they are paid with more bitcoin units. Like more conventional currencies like dollars or euros, cryptocurrencies are frequently used as a method of exchange. The possibility if cryptocurrencies being utilized for illegal activities exists. In 2020, it is projected that 10 billion USD were utilized illegally. Large financial flows are the result of drug trafficking and scams. Action is required since the threat is growing quickly.

Users of the dark net use VPNs to establish a secure tunnel via which they can send and receive data across networks, and they use TOR (The Onion Router) to hide their identities. With cryptocurrencies like Bitcoin, sending money on the Dark net is the safest method. Additionally, online marketplaces act as an escrow by accepting payments from customers, holding onto them until the customer receives their transaction, and then releasing the money to the seller. Usually, consumers receive the drugs through the e-mail after purchasing them on the Dark net. Most are sent via postal services operated by the government. It is very hard to remain anonymous when using postal services. Shipping is a critical weakness that law enforcement may use to find online drug sellers because it is unlikely that they will be able to avoid using conventional shipping methods to deliver goods to customers. In most cases, in

xt=online%20platforms%20include%20darknet%20marketplaces,with%20buyers%20sharing%20geolocation%20data (last visited Jan. 8, 2026)

²⁹ Crypto increasingly used in human/drug trafficking says GAO, Jan 10 2022, <https://www.forbes.com/sites/tedknutson/2022/01/10/crypto-increasingly-used-in-human-drug-trafficking-says-gao/> (last visited Jan. 8, 2026)

order to confuse law authorities, drugs have to be hidden not just within parcels but also inside counterfeit goods.³⁰

REASONS FOR TRAFFICKING DRUGS THROUGH ONLINE PLATFORMS:

The United Nations Office on Drugs and Crime (UNODC) identifies several reasons for the increasing use of online platforms for drug trafficking.

One of the primary reasons is **greater anonymity**. Individuals involved in online drug distribution are difficult to detect due to the use of dark net technologies, strong encryption, virtual private networks (VPNs), proxy servers, and anonymizing browsers such as Tor, which are used to conceal the users' identities and locations.³¹

Another significant factor is **global outreach**. Online platforms enable traffickers to distribute drugs across national borders with minimal physical interaction. The internet allows traffickers to reach buyers worldwide, expanding markets beyond local or regional limits and facilitating transnational drug trafficking networks.³²

Further, the internet provides **easy access to knowledge and experience** related to drug trafficking. Online forums, dark web marketplaces, and encrypted communication channels contain extensive information, including drug preparation manuals, methods for procuring illegal precursor chemicals, guidance on packaging and concealment, distribution logistics, and digital payment systems designed to evade law enforcement detection.³³

ACTORS IN THE MODE OF OPERATION OF ONLINE DRUG TRAFFICKING

Several actors are involved in the operation of online drug trafficking networks. **Administrators** manage and maintain the functioning of online marketplaces, ensuring security, dispute resolution, and anonymity of users. **Vendors** act as suppliers who sell drugs

³⁰ ibid

³¹ U.N. Office on Drugs & Crime, World Drug Report 2023 (2023), <https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html> (last visited Jan. 9, 2026)

³² Europol, Drugs and the Darknet: Perspectives for Enforcement (2019), <https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet>. (last visited Jan. 9, 2026)

³³ U.N. Office on Drugs & Crime, Darknet Drug Markets and Organized Crime (2021), [https://www.unodc.org/documents/data-and-analysis/Studies/Darknet_Study_2021.pdf](https://www.unodc.org/documents/data-and-analysis/Studies/Darknet_Study_2021.pdf). (last visited Jan. 9, 2026)

through online platforms and operate digital storefronts for distribution. **Buyers** are individuals who purchase drugs online and often provide feedback or reviews regarding product quality and delivery, contributing to trust-based systems within these illicit markets. **Mules** are responsible for physically transporting drugs from sellers to buyers, often using postal or courier services to complete the delivery process.³⁴

INTERNATIONAL LEGAL FRAMEWORK FOR DRUG TRAFFICKING:

The three major international drug control treaties are,

- The single convention on Narcotic Drugs of 1961 (amended in 1972)
- The convention on Psychotropic substance of 1971
- United Nations Convention against Illicit traffic in Narcotic Drugs and Psychotropic Substance of 1988

The first two treaties are codified to ensure the availability of narcotics drugs and psychotropic substance for medical and scientific purposes, international measures to control the diversion of illicit drugs. It also contains general provisions on illicit drug trafficking and drug abuse

In 1988 the third convention was framed to extend the measures to control the precursors and to combat illicit drug trafficking and money laundering and also to strengthen the international law related to criminal matters. It gives important functions to the Commission on Narcotic drugs and International Narcotics Control Boards

COMMISSION ON NARCOTIC DRUGS:

It consists of 53 member states elected by Economic and Social council for four-year term. It was framed to control the illegal drug trafficking around the world through any mode. The functional commission of the economic and social council makes resolution and recommends for adoption to better address the policy of drug phenomenon. It also decides the addition or deletion of any new substance in one of the schedules.

³⁴ Andy Greenberg, How the Dark Web's Drug Markets Actually Work, WIRED (Apr. 2015), <https://www.wired.com>. (last visited Jan. 9, 2026)

INTERNATIONAL NARCOTICS CONTROL BOARD:

It is a permanent body composed of 13 members and elected for five-year term by the Economic and Social Council. This board implement the laws related to drug trafficking and also make recommendation to the states. it also suggests possible measures to control the illicit drug trafficking on basis of the statistical data on drugs presented by the concerned government. It also submits annual reports to the Commission on Narcotic Drugs and Economic and Social Council on development in the world.

UNODC has major role in assisting these bodies in performing their treaty-based functions and assisting the state parties to implement the laws related to illicit drug trafficking and usages.³⁵

HUMAN RIGHTS VIOLATION:

Drug trafficking, particularly when facilitated through online platforms, results in widespread human rights violations affecting individuals, communities, and states. One of the most serious violations concerns the right to life and personal liberty. The drug trafficking has been also violating the social and economic rights mentioned in the human rights convention. The government has been criminalising the people to death who uses drugs or in possession, production and distribution. They have been investing billions of dollars to kill, prosecute, eradicate and imprisoning the drug dealers and users

On the other hand, human rights watch has repeatedly documented this approach and has devasted the human rights consequences under certain rights like right to health and privacy.

RIGHT TO LIFE:

Drug trafficking gravely threatens the right to life, as guaranteed under international human rights law. The production, distribution, and consumption of illicit drugs result in overdose deaths, drug-related violence, and fatalities arising from organized criminal activity. Online drug trafficking exacerbates this threat by enabling anonymous and easy access to lethal substances through digital platforms, particularly the dark web. Such activities contravene Article 3 of the Universal Declaration of Human Rights (UDHR) and Article 6 of the International Covenant on Civil and Political Rights (ICCPR), which obligate states to protect

³⁵ Legal framework for drug trafficking, UNITED NATIONS, <https://www.unodc.org/unodc/es/drug-trafficking/legal-framework.html>, (last visited Jan. 9, 2026).

human life.³⁶

RIGHT TO HEALTH:

The right to health is also severely impacted. The availability and online promotion of illicit drugs increase the risk of addiction, overdose deaths, and the spread of infectious diseases. Inadequate access to treatment, rehabilitation, and harm-reduction services further exacerbates these harms, particularly for vulnerable populations.³⁷ While dealing with the drug dependent persons, the harm reduction treatment should be used. It was right of the person to take harmless treatment. Related to which today there are possible measures to take syringe exchange programmes and opioid substitution therapy are available slightly less than half of the countries.

RIGHTS RELATING TO CRIMINAL JUSTICE:

The possession and use of drugs should be decriminalised as it affects the person right to health. While many countries have been convicting the victims for the possession of drug use to death penalty even for the minor charges. Some use relatively harsh conviction. It also affects a range of rights or entitlement to benefits.

RIGHTS OF VICTIM CHILDREN:

Children should be protected by focusing on prevention. They should be protected from the usage of drugs and their involvement in drug trafficking. They should be given proper treatment if they engage in the usage of drugs. According to the age, proper treatment should be given

RIGHTS OF INDIGENOUS PEOPLE:

The people who have the culture of practising drug usage have the right to follow the tradition, cultural and religious practices. Forced displacement, destruction of ancestral lands, and militarization of indigenous territories in the name of counter-narcotics operations infringe internationally recognized protections. The United Nations Declaration on the Rights of Indigenous Peoples affirms indigenous peoples' rights to maintain their cultural practices,

³⁶ Universal Declaration of Human Rights art. 3, G.A. Res. 217 (III) A, U.N. Doc. A/810 (Dec. 10, 1948); International Covenant on Civil and Political Rights art. 6, Dec. 16, 1966, 999 U.N.T.S. 171.

³⁷ U.N. Comm. On Econ., Soc. & Cultural Rights, General Comment No. 14: The Right to the Highest Attainable Standard of Health, U.N. Doc. E/C. 12/2000/4 (2000)

control their lands and resources, and be free from forced removal without free, prior, and informed consent.³⁸

RIGHT TO HUMAN DIGNITY AND FREEDOM FROM EXPLOITATION

Drug trafficking often exploits vulnerable populations, including the poor, migrants, women, and persons suffering from addiction. Online platforms facilitate anonymous exploitation, coercion, and forced participation in illegal drug markets. Such practices violate the principle of human dignity and may amount to inhuman or degrading treatment prohibited under international human rights norms.³⁹

RECOMMENDATIONS:

Some of the recommendations to curb drug trafficking through internet are provided in Guidelines for Governments on Preventing the Illegal Sale of Internationally controlled substances through the internet⁴⁰ are as follows:

- The Board recommends that governments incorporate provisions enabling the relevant authorities to look into and prosecute Internet pharmacies and other websites run by domestic internet service providers that are used to sell internationally controlled substances illegally. These provisions should be included in national legislation.
- Governments are advised to adopt national legislation for the designated routing and inspection of all mail entering and exiting the country, including of items handled by international courier companies, since almost all international courier companies, since almost all internationally controlled substances sold illegally through the Internet are shipped by mail.
- The Board advises governments to make sure that mail-order shipments of internationally banned substances are completely respected by other states' laws and

³⁸ United Nations Declaration on the Rights of Indigenous Peoples Arts. 8, 10, 26, G.A. Res. 61/295 (Sept. 13, 2007).

³⁹ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment art. 16, Dec. 10, 1984, 1465 U.N.T.S. 85.

⁴⁰ Guidelines for Governments on Preventing the Illegal Sale of Internationally controlled substances through the internet, https://www.incb.org/documents/Narcotic-Drugs/Guidelines/internet/NAR_guide_Internet_guidelines_English.pdf (last visited Jan. 9, 2026)

that shipments to those nations are intercepted.

- It is recommended that governments foster tight collaboration between postal services, law enforcement (including police and customs), and health authorities. Governments should think about taking steps to fortify collaboration structures, which are now operating well in a number of nations.
- UNODC supports national structures and activities to enhance long-term and sustainable capacity building in the fight against cybercrime. In order to give technical help with capacity development, prevention and awareness raising, international collaboration, data gathering, research, and analysis on cybercrime, UNDOC specifically leans on its specialist experience on criminal justice systems response.

It is not simple to take action to stop illegal drug trafficking, and the difficulty increases when it occurs through cybercrimes because cyberspace knows no bounds and limits. The drug trade is a worldwide industry, and because cybercriminals are so diverse and skilled, law enforcement organizations are not always able to stop them. However, a few arrests here and there won't mean much because drug trafficking and cybercrimes both yield large profits. Strong international regulations and international cooperation will be necessary.

CONCLUSION:

“Addiction is certainly something that really does make you a shell of your former self. It’s not something that you can just fix overnight or even fix in a week or a month.” “Every day that you delay getting treatment or getting better, you are just postponing that. But at the end of the day, there’s really two options – either I get better or I die from drug use.”⁴¹

A developing subset of international crime is cybercrime. The fact that organized criminal groups are becoming more and more involved in these crimes just adds to their complexity since they occur in the borderless world of online. Cybercrime can have victims and perpetrators in many geographical locations, and its impacts can reverberate throughout global society, underscoring the necessity of mounting a swift, decisive, and multinational response. Drug trafficking has significant political and socioeconomic ramifications, which

⁴¹ Inside the dark net drug trade, <https://newsinteractives.cbc.ca/longform/the-new-frontier-of-the-drug-trade/> ((last visited Jan. 10, 2026))

make it a serious concern. Once illicit drug money enters an economy, it has an impact on civil society, political structures, and national production, which contributes to societal disintegration and the breakdown of democratic governance. Furthermore, drug misuse has an impact on the nation's productivity and health, which both have an impact on the nation's ability to prosper economically.

REFERENCES:

1. Klieman, Caulkins, & Hawken, 2011, p.xviii
2. United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, https://www.undoc.org/pdf/convention_1971_en.pdf
3. Tracing crime on dark net, <https://www.ftitechnology.com/resources/white-papers/tracing-crime-on-the-dark-web>
4. <https://landmarkrecovery.com/unpacking-the-drug-trade-of-the-dark-web/>
5. Journal of Economic Behaviour & Organization, Volume 202, Oct 2022, Pages 274-306, <https://www.sciencedirect.com/science/article/pii/S0167268122002827>
6. Online sales platforms, <https://syntheticdrugs.undoc.org/syntheticdrugs/en/cybercrime/onlinetrafficking/onine salesplatforms.html#:~:text=online%20platforms%20include%20darknet%20marketplaces,with%20buyers%20sharing%20geolocation%20data>
7. Crypto increasingly used in human/drug trafficking says GAO, Jan 10 2022, <https://www.forbes.com/sites/tedknutson/2022/01/10/crypto-increasingly-used-in-human-drug-trafficking-says-gao/>
8. Online trafficking of synthetic drugs, UNITED NATIONS, <https://syntheticdrugs.unodc.org/syntheticdrugs/en/cybercrime/onlinetrafficking/index.html>
9. Legal framework for drug trafficking, UNITED NATIONS, <https://www.unodc.org/unodc/es/drug-trafficking/legal-framework.html>,
10. Guidelines for Governments on Preventing the Illegal Sale of Internationally controlled substances through the internet, https://www.incb.org/documents/Narcotic-Drugs/Guidelines/internet/NAR_guide_Internet_guidelines_English.pdf
11. Inside the dark net drug trade, <https://newsinteractives.cbc.ca/longform/the-new-frontier-of-the-drug-trade/>

12. U.N. Office on Drugs & Crime, World Drug Report 2023 (2023), [<https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html>] (<https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html>).
13. Europol, Drugs and the Darknet: Perspectives for Enforcement (2019), [<https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet>] (<https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet>).
14. 3. U.N. Office on Drugs & Crime, Darknet Drug Markets and Organized Crime (2021), [https://www.unodc.org/documents/data-and-analysis/Studies/Darknet_Study_2021.pdf] (https://www.unodc.org/documents/data-and-analysis/Studies/Darknet_Study_2021.pdf).
15. Martin Décaray-Hétu & David Décaray-Hétu, The Structure of Dark Web Drug Markets, 21 Eur. J. Crim. Pol'y & Res. 1 (2015).
16. Europol, Internet Organised Crime Threat Assessment (IOCTA) (2022), [<https://www.europol.europa.eu/iocta-report>] (<https://www.europol.europa.eu/iocta-report>).
17. Andy Greenberg, How the Dark Web's Drug Markets Actually Work, WIRED (Apr. 2015), [<https://www.wired.com>] (<https://www.wired.com>).
18. U.N. Office on Drugs & Crime, Postal and Courier Services and Illicit Drug Trafficking (2020), [<https://www.unodc.org>] (<https://www.unodc.org>).
19. UNODC, *World Drug Report* (United Nations Publication, latest ed.).
20. D. Bewley-Taylor, *International Drug Control: Consensus Fractured* (Cambridge University Press, 2012).
21. D. Barrett & M. Nowak, “The United Nations and Drug Policy: Towards a Human Rights-Based Approach,” *International Journal of Drug Policy* (2009).
22. J. Aldridge & D. Décaray-Hétu, “Hidden Wholesale: The Drug Diffusing Capacity of Online Drug Cryptomarkets,” *International Journal of Drug Policy* (2016).

23. U.S. Federal Bureau of Investigation, *Silk Road Investigation Case File* (2013).
24. J. Martin, *Drugs on the Dark Net: How Cryptomarkets Are Transforming the Global Trade in Illicit Drugs* (Palgrave Macmillan, 2014).
25. S. Brenner, *Cybercrime: Criminal Threats from Cyberspace* (Praeger, 2010).
26. P. Sharma, “Cyber Crime and Law Enforcement in India,” *Journal of Indian Law Institute* (2018).
27. A. Kumar & R. Dahiya, “Dark Web and Drug Trafficking: Challenges for Indian Legal System,” *Indian Journal of Criminology* (2020).
28. G. Becker, “Crime and Punishment: An Economic Approach,” *Journal of Political Economy* (1968).
29. World Health Organization, *Substance Abuse and Social Consequences* (WHO Press).
30. N. Volkow et al., “Drug Addiction and Its Mental Health Impact,” *The Lancet Psychiatry* (2016).
31. Pope Francis, Address to the International Conference on Drugs and Addiction, Vatican (2018).
32. U.N. Comm. On Econ., Soc. & Cultural Rights, General Comment No. 14: The Right to the Highest Attainable Standard of Health, U.N. Doc. E/C. 12/2000/4 (2000)
33. United Nations Declaration on the Rights of Indigenous Peoples Arts. 8, 10, 26, G.A. Res. 61/295 (Sept. 13, 2007).
34. U.N. Office on Drugs & Crime, World Drug Report 2023 (2023),
[<https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html>]
(<https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2023.html>)
35. Europol, Drugs and the Darknet: Perspectives for Enforcement (2019),
[<https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet>]
(<https://www.europol.europa.eu/publications-events/publications/drugs-and-darknet>).

36. Andy Greenberg, How the Dark Web's Drug Markets Actually Work, WIRED (Apr. 2015), [<https://www.wired.com>] (<https://www.wired.com>).
37. U.N. Econ. & Soc. Council, Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, U.N. Doc. E/1984/53 (1984).
38. U.N. Office on Drugs & Crime, World Drug Report 2023 (2023). & U.N. Human Rights Council, The Right to Privacy in the Digital Age, U.N. Doc. A/HRC/48/31 (2021). (Last viewed Dec. 22, 2025)
39. Internet Organized Crime Threat Assessment (IOCTA), Europol, [<https://www.europol.europa.eu/publications-events/main-reports/internet-organised-crime-threat-assessment>] (<https://www.europol.europa.eu/publications-events/main-reports/internet-organised-crime-threat-assessment>)
40. Universal Declaration of Human Rights art. 3, G.A. Res. 217 (III) A, U.N. Doc. A/810 (Dec. 10, 1948); International Covenant on Civil and Political Rights art. 6, Dec. 16, 1966, 999 U.N.T.S. 171.
41. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment art. 16, Dec. 10, 1984, 1465 U.N.T.S. 85.