Country profile

India

N/A

46/100

Overall Index

position 18 of 30 countries

63/100 **ABSENCE OF EXTREME RESPONSES**

38/100 **PROPORTIONALITY OF CRIMINAL JUSTICE RESPONSE**

49/100 **HEALTH AND HARM REDUCTION**

33/100 **AVAILABILITY OF AND ACCESS TO INTERNATIONALLY CONTROLLED SUBSTANCES FOR THE RELIEF OF PAIN AND SUFFERING**

N/A **DEVELOPMENT**

ABSENCE OF EXTREME RESPONSES

63/100

Death penalty

29/100

1. Does the country retain the death penalty for drug offences? *Yes*

SOURCE: "Harm Reduction International (2021), THE DEATH PENALTY FOR DRUG OFFENCES: GLOBAL OVERVIEW."

2. What is the extent of death penalty application for drug offences in the country? *Low Application*

SOURCE: "Harm Reduction International (2021), THE DEATH PENALTY FOR DRUG OFFENCES: GLOBAL OVERVIEW."

Extra-Judicial Killing

75/100

3. To what extent is the practice of extra-judicial killing prevalent in the course of military and police anti-drug activity? *To a small extent*

SOURCE: Survey of Experts in States' Drug Policy

Militarised Policing

75/100

4. To what extent are military or special security forces are involved in drug operations? *To a small extent*

SOURCE: Survey of Experts in States' Drug Policy

Life Sentencing

100/100

5. Is there provision in legislation or sentencing frameworks for the imposition of life imprisonment for drug offences? *No*

SOURCE: GDPI Coding Team.

6. Where there is provision in legislation or sentencing frameworks for the imposition of life imprisonment for drug offences, what is the nature of such sentences? *N/A*

SOURCE: GDPI Coding Team.

7. How frequently are formal life sentences imposed for drug use and personal possession offences? *N/A*

SOURCE: Survey of Experts in States' Drug Policy

8. How frequently are formal life sentences imposed for drug supply offences (production, dealing, or trafficking)? *N/A*

SOURCE: Survey of Experts in States' Drug Policy

Non-consensual confinement

50/100

9. To what extent is there a practice of non-consensual confinement in compulsory drug treatment centres?

To a moderate extent

SOURCE: Survey of Experts in States' Drug Policy

PROPORTIONALITY OF CRIMINAL JUSTICE RESPONSE

38/100

Human Rights Violations

41/100

10. How often are suspects in drug cases subject to violence or torture by the police?

Frequently

SOURCE: Survey of Experts in States' Drug Policy

11. To what extent does arbitrary arrest and detention for drug offences exist?

To a large extent

SOURCE: Survey of Experts in States' Drug Policy

12. What is the country's score on the World Bank Fair Trial Indicator?

Moderately Restricted

SOURCE: World Bank Data Repository

Equity of Impact of Criminal Justice Response

41/100

13. To what extent does enforcement of drug policy disproportionately impact certain ethnic groups?

To a small extent

SOURCE: Survey of Experts in States' Drug Policy

14. To what extent does enforcement of drug policy disproportionately impact women?

To a large extent

SOURCE: Survey of Experts in States' Drug Policy

15. To what extent does enforcement of drug policy disproportionately impact low-income groups?

To a large extent

SOURCE: Survey of Experts in States' Drug Policy

Mandatory minumum sentencing and pre-trial detention

37/100

16. Do the state's drug laws or legal frameworks include mandatory minimum sentences for any drug offences?

Yes

SOURCE: GDPI Coding Team.

17. For states whose drug laws or legal frameworks include mandatory minimum sentences for any drug offences, does this relate to first offences or multiple offences?

Mandatory Minimum Sentences Apply to the First Offence

SOURCE: GDPI Coding Team.

18. Do the state's laws include mandatory pre-trial detention for drug offences?

No

SOURCE: GDPI Coding Team.

Alternatives to arrest/prosecution/conviction/punishment

44/100

19. Is there any provision in state criminal justice policy for alternatives to arrest, prosecution, conviction and/or punishment for drug-related offences?

Yes

SOURCE: GDPI Coding Team.

20. Do alternatives exist at the point of initial contact with law enforcement (i.e., the police or other law enforcement officers) – before arrest and/or prosecution? *No*

SOURCE: GDPI Coding Team.

21. Do alternatives exist after the point of arrest, but before conviction or formal criminal court proceedings? *No*

SOURCE: GDPI Coding Team.

22. Where individuals are convicted with a final sentence (courts), are there alternatives to incarceration for drug offences? *Yes*

SOURCE: GDPI Coding Team.

23. Do alternatives to arrest, prosecution, conviction and/or punishment for drug-related offences include treatment or care elements? *Yes*

SOURCE: Survey of Experts in States' Drug Policy

24. Where alternatives to arrest, prosecution, conviction and/or punishment for drug-related offences include treatment or care elements, is relapse / non-attendance / treatment "failure" associated with subsequent imprisonment or punishment? *Yes*

SOURCE: Survey of Experts in States' Drug Policy

25. Where alternatives to arrest, prosecution, conviction and/or punishment for drug-related offences include treatment or care elements, are a range of treatment options and modalities made available to people based on their clinically assessed need or preferences? *No*

SOURCE: Survey of Experts in States' Drug Policy

Extent of imprisonment of individuals involved in non-violent drug-related offences **25**/100

26. To what extent does the pursuit of state drug policy result in the imprisonment of non-violent offenders? *To a large extent*

SOURCE: Survey of Experts in States' Drug Policy

Deciminalisation Policy **37**/100

27. Is there a provision in national legislation or in official national policy documents for the decriminalisation of drug use and the possession of drugs for personal use? *No*

SOURCE: GDPI Coding Team.

28. What % of the population live in a state/territory with decriminalisation provisions? *Less than 1%*

SOURCE: GDPI Coding Team.

29. For states or sub-national units with decriminalisation, what substances are decriminalised? *All Drugs*

SOURCE: GDPI Coding Team.

30. Where there are administrative (non-criminal) sanctions for drug use and possession for personal use, what is the severity of these sanctions? *Moderate*

SOURCE: Survey of Experts in States' Drug Policy

31. To what extent has decriminalisation in this state been effective in diverting people who use drugs away from the criminal justice system? *To a small extent*

SOURCE: Survey of Experts in States' Drug Policy

HARM REDUCTION

49/100

Extent to which State Policy Prioritises Harm Reduction for People Who Use Drugs

87/100

32. Is there an explicit supportive reference to harm reduction in national policy documents? *Yes*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

33. Are people who use drugs included in the HIV national strategic plan? *Yes*

SOURCE: GDPI Coding Team.

34. In states where people who use drugs are included in the HIV national strategic plan, are people who use drugs specified as key and vulnerable populations to be targeted for services? *Yes*

SOURCE: GDPI Coding Team.

35. Are people who use drugs included in the Hepatitis-C national strategic plan? *Yes*

SOURCE: GDPI Coding Team.

36. In states where people who use drugs are included in the Hepatitis-C national strategic plan, are people who use drugs specified as key and vulnerable populations to be targeted for services? *Yes*

SOURCE: GDPI Coding Team.

37. Are people who use drugs included in the Tuberculosis national strategic plan? *Yes*

SOURCE: GDPI Coding Team.

38. In states where people who use drugs are included in the Tuberculosis national strategic plan, are people who use drugs specified as key and vulnerable populations to be targeted for services? *No*

SOURCE: GDPI Coding Team.

Harm Reduction Funding

1/100

39. How Adequate Are Levels of Harm Reduction Funding Relative to Estimated Need? *Very low*

SOURCE: Harm Reduction International GDPI team

40. Which of the following best describes the sustainability of harm reduction funding in the state over the next 3-5 years? *Somewhat unstable*

SOURCE: Survey of Experts in States' Drug Policy

Harm Reduction Intervention Availability and Coverage

46/100

41. Is at least one needle and syringe programme operational in the state? *Yes*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

42. Which of the following best describes the availability of needle and syringe programmes for people who inject drugs? *Limited availability*

SOURCE: Survey of Experts in States' Drug Policy

43. Is at least one opioid agonist therapy programme operational in the state? *Yes*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

44. Which of the following best describes the availability of opioid agonist therapy programmes for people who use opioid drugs? *Limited availability*

SOURCE: Survey of Experts in States' Drug Policy

45. Is peer distribution of naloxone available in this state? *Yes*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

46. Which of the following best describes the availability of naloxone for people who use opioid drugs? *Very Limited Availability*

SOURCE: Survey of Experts in States' Drug Policy

47. Is at least one in-prison needle and syringe programme operational in the state? *No*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

48. Which of the following best describes the availability of needle and syringe programmes to people in prison? *Unavailable*

SOURCE: Survey of Experts in States' Drug Policy

49. Is at least one in-prison opioid agonist therapy programme operational in the state? *Yes*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

50. Which of the following best describes the availability of opioid agonist therapy to people in prison? *Very limited availability*

SOURCE: Survey of Experts in States' Drug Policy

51. Is at least one drug consumption room operational in ths state? *No*

SOURCE: Harm Reduction International (2021), The Global State of Harm Reduction 2020 - 7th Edition.

52. Which of the following best describes the availability of drug checking services to people who use drugs? *Very Limited Availability*

SOURCE: Survey of Experts in States' Drug Policy

Equity of Access to Harm Reduction Services **66**/100

53. To what extent are there disparities in access to harm reduction services due to individuals' ethnicity? *Not at all*

SOURCE: Survey of Experts in States' Drug Policy

54. To what extent are there disparities in access to harm reduction services for women, including during pregnancy? *To a moderate extent*

SOURCE: Survey of Experts in States' Drug Policy

55. To what extent are there disparities in access to harm reduction services due to individuals' sexual and/or gender orientation? *To a moderate extent*

SOURCE: Survey of Experts in States' Drug Policy

ACCESS TO MEDICINES

33/100

Policy prioritisation of availability and accessibility of controlled medicines for the relief of pain and suffering

75/100

56. Is there an explicit provision in national legislation (or in official national policy documents and regulatory instruments) that establishes the government's obligation to make adequate provision to ensure the availability of controlled medicines for the relief of pain and suffering?

Yes

SOURCE: GDPI Coding Team.

57. Is there an approved national medicines policy plan that recognises the importance of the availability and accessibility of controlled medicines for the relief of pain and suffering?

Yes

SOURCE: GDPI Coding Team.

58. To what extent does the policy-making process relating to controlled medicines meaningfully include stakeholders such as medical boards, health professionals (including pharmacists), patients, and representatives of patients?

To a small extent

SOURCE: Survey of Experts in States' Drug Policy

De facto availability and accessibility of controlled medicines for the relief of pain and suffering

0/100

59. What range of narcotic drug consumption does the state fall into?

Very Low Access

SOURCE: INTERNATIONAL NARCOTICS CONTROL BOARD (2021) 2020 Narcotic Drugs Report.

60. To what extent are there geographic disparities in access to controlled drugs for the treatment of pain?

To a moderate extent

SOURCE: Survey of Experts in States' Drug Policy

Equity of Access to controlled medicines for the relief of pain and suffering

49/100

61. To what extent are there disparities in access to controlled drugs for the treatment of pain due to individuals' gender?

To a moderate extent

SOURCE: Survey of Experts in States' Drug Policy

62. To what extent are there disparities in access to controlled drugs for the treatment of pain due to individuals' socio-economic status?

To a large extent

SOURCE: Survey of Experts in States' Drug Policy

63. To what extent are there disparities in access to controlled drugs for the treatment of pain due to individuals' ethnicity?

To a small extent

SOURCE: Survey of Experts in States' Drug Policy

64. To what extent are there disparities in access to opioid analgesics for the treatment of pain for people who use drugs?

To a moderate extent

SOURCE: Survey of Experts in States' Drug Policy

DEVELOPMENT

N/A

Alternative Development Policy Design

N/A

65. Does the country include 'alternative development' or 'sustainable development' programmes to provide alternatives to the cultivation of crops used for illegal drug production?

No

SOURCE: GDPI Coding Team.

66. Are Alternative Development policies and programmes embedded within a broader development programme?

N/A

SOURCE: GDPI Coding Team.

67. To what extent are local communities, participants, and (where applicable) indigenous and minority groups meaningfully included in the design, implementation, monitoring, and evaluation of alternative development policies and programmes?

N/A

SOURCE: Survey of Experts in States' Drug Policy

68. To what extent is the protection of the environment prioritised in alternative development policy and programmes?

N/A

SOURCE: Survey of Experts in States' Drug Policy

69. To what extent does alternative development operate within a framework of militarized/ security sector operations as part of security policy?

N/A

SOURCE: Survey of Experts in States' Drug Policy

Management of Crop Eradication

N/A

70. Does alternative development policy include provisions for forced crop eradication?

N/A

SOURCE: GDPI Coding Team.

71. Where provision is made for forced crop eradication, does policy also make provision for aerial spraying in forced crop eradication?

N/A

SOURCE: GDPI Coding Team.

72. To what extent are alternative development programmes sequenced to ensure that targeted households have adopted viable and sustainable livelihoods in advance of any crop eradication efforts?

N/A

SOURCE: Survey of Experts in States' Drug Policy

Efficacy of alternative development policy for key beneficiaries

N/A

73. To what extent do alternative development policies and programmes facilitate the empowerment of women?

N/A

SOURCE: Survey of Experts in States' Drug Policy

74. To what extent do alternative development policies and programmes benefit young people?

N/A

SOURCE: Survey of Experts in States' Drug Policy

75. To what extent do alternative development policies and programmes implement a successful 'pro-poor' strategy?

N/A

SOURCE: Survey of Experts in States' Drug Policy