

Another major enforcement loophole has been closed with a unique provision for pre-trial disposal of seized drugs. Since, under the law, the drug peddler has to be caught red-handed, seized drugs were routinely kept as critical evidence—and just as routinely reentered the contraband market. Under the new law, on arrest, seized material is presented to a magistrate together with the accused, and full details of the material are recorded, photographed, etc. The trial court is compelled by the law to accept this record as “primary evidence,” and the drugs are to be immediately destroyed.

The other major new provision is for confiscation of assets of drug traffickers and their accomplices. Significantly, the real estate and financial management support network for the drug traffic has been made specifically liable. “To provide for the forfeiture of property derived from, or used in, illicit traffic in narcotic drugs and psychotropic substances, to implement the provisions of the International Convention on Narcotic Drugs and Psychotropic Substances,” is the way the law now reads.

“Illicit traffic” is further defined as including, beyond growing or handling of illegal substances, the “handling or letting out any premises” for carrying out those activities, as well as “financing, directly or indirectly” any such activities, “abetting or conspiring in the furtherance of or in support of” those activities, or “harboring persons engaged” in them.

The confiscation of assets and forfeiture of property provisions have a wide scope. They apply to anyone convicted under the NDPSA in India, or anyone convicted under similar laws outside of India, to those in detention under the new “preventive detention” law for suspected narco kingpins and co-conspirators. Enacted six months ago, 204 individuals are now in custody under its provisions. Significantly, the confiscation of assets and property provisions also apply to relatives or associates of those individuals as well as any holder of property previously held by them.

Under the new law, authorities are empowered to investigate any and all assets acquired going back six years before the offense, and, importantly, the burden of proof lies with the offender and his associates, to prove that the properties were acquired lawfully and not with dope money.

A powerful tool

The amended anti-drug law is a powerful tool in the hands of the Narcotics Control Board. With a staff of 164—including a mere 80-odd enforcement officers of its own—and centers in Bombay, Madras, Calcutta, Varanasi, and Delhi, NCB coordinates anti-drug activities across the country, operating through the whole spectrum of police and enforcement agencies. Despite its fledgling status—it began work in February 1987—and a persistent shortage of funds, the NCB has made real gains.

Last fall, NCB chalked up a string of successes, including the arrest in October of Gurbux “Sam” Bhiryani, the elusive, Bombay-based kingpin of a syndicate that was shipping over

a ton of heroin annually to the United States. A month earlier, a Delhi-based network smuggling heroin from Pakistan to the Netherlands, United Kingdom, and United States was taken apart.

As in other cases, these milestones also reflected the

Bhutto stands firm under Soviet pressure

by Ramtanu Maitra

The much-ballyhooed Feb. 4-5 visit to Pakistan by Soviet Foreign Minister Eduard Shevardnadze, the highest-level Soviet official to visit Pakistan since Aleksei Kosygin in the late 1960s, to “work out an acceptable solution” on Afghanistan fell flat on its face. Pakistan Prime Minister Benazir Bhutto, referring to Moscow’s continuing pledge of support to the Kabul regime, said bluntly at a press conference, “Why should they try to stay out, yet stay in by shoring up the regime?”

The fact is that the Soviet withdrawal from Afghanistan, to be completed before Feb. 15, is conceived by the Kremlin as a tactical ploy. That the Soviets do not have any intention of washing their bloody hands of Afghanistan became evident when Shevardnadze, piqued by Mrs. Bhutto’s firmness, warned, “If new complications happen, if there is continued fighting, the Soviet Union has obligations to that country,” Afghanistan. But careful not to show his hand in full, Shevardnadze quickly added, “We are not thinking of any Soviet reentry to Afghanistan.”

Shevardnadze’s visit to Pakistan at this late hour, with nine days remaining before the last Soviet troops are to leave Afghanistan, was to armtwist into submission the 35-year-old prime minister of Pakistan. But he found that he was making the same mistake that India’s Congress Party political barons had with the late Mrs. Indira Gandhi when she assumed the prime ministry of India in 1966 following the death of Prime Minister Lal Bahadur Shastri. At that time, Mrs. Gandhi, known chiefly as the daughter of Jawaharlal Nehru, seemed to the Congress heavyweights to be “easy pickings.” However, they found out soon enough their mistake and faded into oblivion.

It is that kind of illusion that brought Shevardnadze to Islamabad. Earlier, Soviet Deputy Foreign Minister and Ambassador to Kabul Yuli Vorontsov had tried the usual carrot-and-stick approach with Mrs. Bhutto, without any

growing efficiency of international cooperation in the anti-drug fight. NCB officials told this writer that while foreign assistance per se to the anti-drug effort was negligible—the United Nations Front for Drug Abuse Control has just begun the first of two projects here, involving \$7.5 million assis-

tance to the NCB—the information collaboration with enforcement agencies of other countries has been very good and useful. Key embassies now have designated anti-drug liaisons in New Delhi.

Otherwise, NCB has been concentrating on building up

noticeable effect. From the outset, Shevardnadze put up the “strongman” façade and reiterated the old stand with force and verve, expecting Mrs. Bhutto to succumb. He told the Pakistanis that any attempt to form a stable government in Kabul following the Soviet troop withdrawal would fail if it does not include the Communists—the ruling People’s Democratic Party of Afghanistan (PDPA). “Whether you like it or not, the Communist Party is the most powerful force in Afghanistan,” he said. (One cannot help thinking of those backers of the murderous Khmer Rouge, who have been insisting that they are the true representatives of the Cambodian people for almost a decade.)

Ostensibly, Shevardnadze came to Pakistan to tell Mrs. Bhutto to pressure the Mujahideen to invite the ruling PDPA members to the Afghan *Shoora*, or Council, scheduled to be held at Peshawar on Feb. 10. At a press conference, held within hours of Shevardnadze’s departure, Prime Minister Bhutto made it clear that it was up to the Mujahideen to decide who was to attend the *Shoora*. She pointed out that they have refused repeatedly to entertain the idea of the PDPA’s participation. “It’s their country. They have fought the war. They have given their lives in the struggle,” she added.

Old vodka in new bottles

While Shevardnadze was trying to pressure Mrs. Bhutto to accede to his demands, his assistant, Yuli Vorontsov, was in Teheran, trying to convince the Iranians of the benefits of widening the existing fissure between the Shia-Mujahideen based in Iran and the Ussni-Mujahideen based in Pakistan. Vorontsov, who has long been playing this card with about as much success as Henry Kissinger had in solving the Middle East imbroglio, refused to realize that his mission was also doomed to failure, given the visit of Iranian Foreign Minister Ali Akbar Velayati to Pakistan and his talks with Prime Minister Bhutto. “Very soon after withdrawal of Soviet forces from Afghanistan, the Mujahideen will have their own government in Kabul,” Velayati, who was in Pakistan from Jan. 31 to Feb. 3, said in Karachi.

On Jan. 28, Pakistan Foreign Minister Yaqub Khan had air-dashed to Riyadh to hold urgent talks on the Afghanistan situation with his Saudi counterpart, Prince Saud al-Faisal. Reports indicate the talks went well.

Prior to Shevardnadze’s visit, the pro-Moscow rem-

nants in Pakistan were activated to support the Soviet line. Chief Bizenjo of a Baluchi clan and President of the Pakistan National Party, held a press conference in Quetta Jan. 31, urging the Pakistani government to “urgently take the necessary steps under the Geneva Accords to ensure peaceful conditions in Afghanistan and the early return of Afghan refugees.” These words of Bizenjo, who could not even get himself elected to the National Assembly in the last elections, went chiefly unnoticed.

On Jan. 30, one Urdu-language daily reported that the Soviet Union had expressed its “displeasure” over Pakistan’s current Afghan policy, and had made an offer of about \$4.2 billion to Islamabad “conditional on the solution of the Afghan dispute in terms of last April’s Geneva Agreement.” The report, which Pakistan’s Foreign Ministry quickly quashed, was disinformation evidently spread to affect Mrs. Bhutto’s policy.

The latest Soviet diplomacy to “solve the Afghan crisis” may well be a ruse. There are many indications that the Soviets are not keen to create an atmosphere in Afghanistan where peace may break out at any movement. In a report to the U.N. Economic and Soviet Council, an independent investigating panel said recently that estimates of the number of mines planted by Soviet and Afghan forces ranged from 5-30 million, many of them anti-personnel mines in civilian areas. According to available reports, the Soviets have speeded up bombing from Backfire bombers to keep the rebels at bay. There are also reports that some major towns in Afghanistan, the isolated places where the PDPA writ holds, have been stocked up with arms and ammunition and resemble huge arsenals.

Soviet duplicity in the withdrawal is already apparent. “The last of the Red Army soldiers pulled out of the Afghan capital on Feb. 5,” *Pravda* reported the next day. However, according to witness reports, Soviet soldiers are still manning the airport. There are also reports that a large number of Soviet “advisers” will continue to stay in Afghanistan after Feb. 15.

The threat of increased violence cannot be ruled out with so many weapons on the loose. The threat issued by the Afghan chargé d’affaires in Britain, Ahmed Sarwar, cannot be ignored. Sarwar told newsmen on Feb. 1 at a press conference in the House of Commons that the Afghan troops would begin using “the arms it has so far refrained from using” against the Afghan rebels. Whether it is just hot air or a mortal threat will soon be found out.