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Analysis and Pathology of Policies for Combating Narcotic Drugs and Psychotropic Substances under Iranian Law

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The present study analyzes and critically examines policies for combating narcotic drugs and psychotropic substances under Iranian law and seeks to assess the effectiveness of these policies in light of domestic laws and regulations, criminological developments, and contemporary standards of criminal policy. The central research question is whether the existing legislative and executive framework—particularly the Anti-Narcotics Law and its subsequent amendments—has succeeded in establishing an appropriate balance among security-oriented, punitive, therapeutic, and public health objectives. The study employs a descriptive-analytical method based on an examination of legal documents, judicial practices, and scholarly sources. The findings indicate that although Iran's legal system in this field encompasses a broad range of special regulations, general policies, and executive mechanisms, it continues to face challenges such as legislative inflation, ambiguity in the definition of criminal offenses, excessive penal severity, inadequate differentiation between drug users and traffickers, and an inability to respond promptly to newly emerging psychotropic substances. Moreover, the predominance of punitive and law-enforcement approaches over treatment-oriented strategies has caused certain anti-drug policies, rather than sustainably reducing crime and harm, to contribute to increased penal congestion, the perpetuation of cycles of drug use, and the intensification of social and public health consequences. Accordingly, the study concludes that restructuring the Anti-Narcotics Law, updating the list of prohibited substances, strengthening non-penal measures, partially decriminalizing drug use, and prioritizing treatment and social reintegration could facilitate the development of a more balanced and effective criminal policy in this field.

Keywords: *Anti-Narcotics Law; criminal policy; harm reduction; psychotropic substances*

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1. Introduction

The misuse, production, distribution, and trafficking of narcotic drugs and psychotropic substances have become among the most significant legal, social, public health, and security challenges in Iran and worldwide during recent decades (Mortazavi Qomi, 2003). The wide-ranging harmful consequences of this phenomenon—from the destabilization of the family structure and the increase in addiction-related offenses to threats to public health and the imposition of substantial costs on the judicial and executive systems—have prompted the Iranian legislature to adopt a stringent yet relatively integrated approach based on penal, legislative, and executive policies (Goldouzian, 2001). Within this framework, the Anti-Narcotics Law and its subsequent amendments and supplementary provisions, together with regulations, circulars, and decisions adopted by the relevant institutions, constitute the principal legal basis for addressing this phenomenon within the Iranian legal system (Rahmdel, 2004). Nevertheless, rapid transformations in the drug market, the emergence of new psychotropic substances, the complexities involved in distinguishing among users, persons with drug dependence, small-scale dealers, and traffickers, and the necessity of incorporating harm-reduction and treatment-oriented policies have raised serious questions and challenges concerning the effectiveness of this legislative and executive system (Malek-Mohammadi & Dehghani, 2023).

Under Iranian law, criminal policy concerning narcotic drugs and psychotropic substances is not exclusively directed toward punishing offenders; rather, certain regulations also incorporate therapeutic, supportive, and preventive dimensions (Ehteshami et al., 2024). Nevertheless, an examination of legislative developments demonstrates that the predominant approach continues to be based on penal repression and deterrence and that, in certain instances, the severity of the penal response to particular forms of conduct conflicts, or is at least in tension, with principles such as proportionality between crime and punishment, individualization of punishment, and the need to distinguish dangerous offenders from individuals requiring treatment (Ghannad, 2000). Moreover, the growing use of synthetic psychotropic substances and new compounds, which often emerge more rapidly than the legislative process can respond, has caused existing regulations to encounter conceptual and operational gaps in certain cases (Zabihi, 2016). This situation further underscores the necessity of a critical and pathology-oriented analysis of policies for combating narcotic drugs and psychotropic substances under Iranian law (Malek-Mohammadi & Dehghani, 2023). Accordingly, the principal hypothesis of the study is that although Iran's policies for combating narcotic drugs and psychotropic substances possess a substantial legislative foundation, they encounter significant deficiencies at the implementation stage because of the predominance of the penal approach, the fragmentation of regulations, inadequate adaptation to developments concerning new psychotropic substances, and the limited prominence of treatment-oriented and preventive policies (Zali et al., 2018). A further hypothesis is that revising certain regulations, strengthening non-penal sanctions and interventions for users, expanding treatment and rehabilitation mechanisms, and updating statutory lists and legal definitions may improve the effectiveness of Iran's system for combating narcotic drugs and psychotropic substances (Mousavi Mojab et al., 2020).

Previous studies in this field have primarily focused on one of three areas: first, the jurisprudential and legal analysis of the criminalization of narcotic drugs; second, the examination of penal policy and the punishments prescribed under the Anti-Narcotics Law; and third, the study of the criminological and social dimensions of addiction and trafficking (Saki, 2001). However, many of these studies have either addressed the issue in a fragmented manner or have been less successful in simultaneously analyzing substantive laws, executive regulations, and emerging challenges associated with psychotropic substances (Akbari, 2014). Consequently, the absence of an integrated study capable of examining the theoretical foundations of criminal policy while also assessing the effectiveness of existing regulations in light of recent developments remains evident (Malek-Mohammadi & Dehghani, 2023). This study employs a descriptive-analytical method based on library and documentary research. Within this framework, in addition to examining the Anti-Narcotics Law and its subsequent amendments, attention is devoted to implementing regulations, executive rules, the policies of relevant institutions, and, where necessary, judicial practice and legal doctrine (Zeinali, 2017). The objective is to analyze the legislative and executive foundations, identify the strengths and weaknesses of the existing system, and ultimately propose solutions consistent with legal, criminological, and social requirements for reforming and improving policies for combating narcotic drugs and psychotropic substances under Iranian law (Zali et al., 2018).

The central research problem is whether Iran's legislative and executive policies concerning narcotic drugs and psychotropic substances have succeeded in establishing an acceptable balance among the objectives of repression, prevention, treatment, and social reintegration (Ehteshami et al., 2024). In other words, does the existing structure of laws and regulations, including the Anti-Narcotics Law and its associated implementing provisions, possess the coherence, effectiveness, and contemporaneity required to address emerging developments? (Malek-Mohammadi & Dehghani, 2023). A further question is whether the prevailing punitive severity, particularly regarding offenses involving the transportation, possession, distribution, and trafficking of drugs, has produced an actual reduction in supply and demand or has instead contributed to the accumulation of judicial cases, growth in the prison population, and weakening of therapeutic and preventive capacities (Pourbaferani & Masaeli, 2017). Moreover, to what extent is the status of harm-reduction policies, addiction treatment, and the distinction between users and traffickers clear, coherent, and operational within the Iranian legal system?

2. Theoretical Foundations

The concepts of narcotic drugs and psychotropic substances within the Iranian legal system cannot be understood without reference to international instruments, because a substantial portion of criminalization and policymaking in this field has been shaped by international conventions, particularly the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Mortazavi Qomi, 2003). These instruments have established a framework for identifying prohibited substances and controlling their production, distribution, consumption, and trafficking, while requiring states to adopt legislative and executive measures to confront this phenomenon (Saki, 2014). Under Iranian domestic law, the legislature has likewise sought, through the enactment of the Anti-Narcotics Law and its subsequent amendments, particularly those addressing synthetic psychotropic substances, to establish a relatively comprehensive system for criminalizing and combating such conduct (Zeraat, 2007). Nevertheless, the statute does not provide a substantive, comprehensive, and exhaustive definition of narcotic drugs and psychotropic substances and instead relies primarily on enumerated substances and official schedules. Although this approach increases the flexibility of the law, it has also generated interpretive ambiguity and difficulties in precisely determining the scope of the relevant provisions. Consequently, the concepts of narcotic drugs and psychotropic substances under Iranian law must be interpreted through the relationship among international obligations, the Anti-Narcotics Law, its supplementary provisions, and official schedules, through which the legislature seeks to establish a legal response to both traditional narcotic drugs and newly emerging synthetic psychotropic substances (Saki, 2014).

2.1. Iran's Criminal Policy in the Field of Narcotic Drugs

Iran's criminal policy concerning narcotic drugs and psychotropic substances is multidimensional and may be examined at the legislative, judicial, and executive levels (Goldouzian, 2001). At the legislative level, through the Anti-Narcotics Law and its subsequent amendments, the legislature has sought to prescribe severe sanctions for conduct such as the production, possession, transportation, distribution, purchase, sale, and trafficking of narcotic drugs (Zabihi, 2016). This approach demonstrates that the Iranian legislature has prioritized strict confrontation with the supply side and organized trafficking networks in this field (Farajiha & Moghaddasi, 2014). At the judicial level, pursuant to special laws and provisions governing court jurisdiction, narcotics offenses are predominantly adjudicated within a specialized structure possessing distinctive procedural characteristics, with the objectives of ensuring speed, decisiveness, and consistency in the handling of such offenses (Zeraat, 2007). At the executive level, institutions such as the Drug Control Headquarters, the Law Enforcement Command, the Anti-Narcotics Police, the Prisons Organization, and therapeutic and social-support agencies perform decisive functions (Ehteshami et al., 2024). Accordingly, Iran's criminal policy in this area is not exclusively punitive but incorporates preventive, therapeutic, law-enforcement, and judicial instruments, although in practice the weight of penal and repressive policies continues to exceed that of other approaches (Akbari, 2014). This predominance has caused the effectiveness of the policy to be questioned not only from the perspective of reducing supply but also with regard to its effects on treatment, harm reduction, and the social reintegration of users (Malek-Mohammadi & Dehghani, 2023).

An examination of Iranian laws and regulations concerning narcotic drugs demonstrates that the prevailing criminal policy is based on two principal approaches: first, a repressive approach directed primarily toward traffickers, distribution networks, and organized criminal conduct; and second, a treatment-oriented approach that adopts a supportive and rehabilitative position toward persons with drug dependence and users, particularly at the initial stages of intervention (Rahmdel, 2004). Certain provisions of the Anti-Narcotics Law, including those governing the treatment of persons with drug dependence, demonstrate that the legislature does not focus exclusively on punishment and recognizes treatment as part of the legal response to addiction (Zali et al., 2018). At the same time, the penal response prescribed under the same law, particularly in relation to transportation, possession, distribution, and trafficking, remains extremely severe, reflecting the predominance of strong deterrence and the protection of public security (Pourbaferani & Masaeli, 2017). This duality in criminal policy reflects, on the one hand, the complex realities of addiction and trafficking and, on the other, the conflict between the logic of punishment and the logic of treatment within Iranian criminal law (Farajiha & Moghaddasi, 2014). It may therefore be concluded that the Iranian legal system is moving between the two poles of repression and treatment but has not yet succeeded in establishing a stable and effective balance between them.

2.2. Laws and Regulations

The Anti-Narcotics Law constitutes the principal legislative instrument within the Iranian legal system for combating offenses involving narcotic drugs and psychotropic substances (Rahmdel, 2004). Enacted to control the production, distribution, transportation, possession, purchase, sale, and trafficking of prohibited substances, the law has undergone numerous amendments and supplementary additions over time in an effort to respond to changes in criminal activity, shifting patterns of consumption, and the emergence of new substances (Saki, 2014). One of the most significant turning points involved later amendments, particularly those limiting the circumstances in which severe punishments could be imposed and revising penal policy toward certain offenses (Mousavi Mojab et al., 2020). These changes indicate that, in response to criticism concerning the severity of punishments, particularly in relation to minor offenses or cases in which the offender did not perform a principal role within a trafficking network, the legislature adopted a partially moderating approach (Sadeghi et al., 2017). Nevertheless, the multiplicity of amendments and supplementary provisions, combined with regulatory fragmentation and the use of terminology that is not always uniform, has generated challenges concerning the law's internal coherence and practical implementation (Zeinali, 2017). Thus, although the Anti-Narcotics Law remains the central pillar of Iranian penal policy in this area, a reconsideration of its provisions demonstrates a continuing need for revision, consolidation, and harmonization with emerging realities, particularly synthetic psychotropic substances and new chemical compounds (Malek-Mohammadi & Dehghani, 2023).

Harm-reduction policy has gradually acquired a place alongside penal policies under Iranian law, although this approach has not yet been fully and systematically institutionalized at all legislative and executive levels (Ehteshami et al., 2024). The principal rationale of harm reduction is that not all users can discontinue consumption or be immediately removed from drug use in the short term and that the harmful consequences of use must therefore be mitigated through therapeutic, supportive, and preventive instruments (Saki, 2014). Under Iranian law, provisions concerning the treatment of persons with drug dependence, their referral to treatment centers, access to rehabilitation services, and certain measures designed to reduce the secondary consequences of addiction reflect partial acceptance of this approach (Zali et al., 2018). In practice, this policy seeks to establish a balance between public health and penal security and, rather than focusing exclusively on punishment, addresses the management of the social and medical harms associated with addiction (Malek-Mohammadi & Dehghani, 2023). Nevertheless, harm reduction continues to be treated within the Iranian legal system primarily as a supplementary and secondary policy rather than as an independent and principal strategy (Farajiha & Moghaddasi, 2014). As a result, its capacities to reduce the spread of disease, diminish high-risk behaviors, and facilitate users' return to ordinary social life have not been fully utilized. From this perspective, although the position of harm reduction under Iranian law is expanding, it remains distant from contemporary policymaking standards in this field.

The implementation of policies for combating narcotic drugs and psychotropic substances in Iran is impossible without the participation of judicial and law-enforcement institutions (Ehteshami et al., 2024). The Law Enforcement Command and the Anti-Narcotics Police operate at the forefront of detecting, investigating, and confronting distribution and trafficking networks and are responsible for identification, arrest, evidence collection, and the prevention of further criminal activity. Alongside these institutions, competent courts and prosecutorial authorities bear responsibility for applying statutory sanctions through the specialized adjudication of cases in this field (Zeraat, 2007). Nevertheless, an analysis of institutional performance demonstrates that the dominant emphasis has been placed on law-enforcement operations and the physical seizure of drugs, while the connection among policing measures, treatment policies, and rehabilitative interventions has remained weak in certain cases (Zali et al., 2018). Moreover, judicial proceedings encounter challenges such as the multiplicity of regulations, the diversity of offense classifications, differences in assessing the offender's role, and difficulties in distinguishing among users, small-scale dealers, and members of organized networks, occasionally producing inconsistency in judicial decisions (Zabihi, 2016). Accordingly, although the role of judicial and law-enforcement institutions in implementing counter-narcotics policy is indispensable, their effectiveness increases when their activities are coordinated with therapeutic, preventive, and social policies (Agharzaei Tarkhorani, 2025). Otherwise, the mere intensification of policing and judicial intervention cannot, by itself, adequately address the complexities of narcotic drugs and psychotropic substances.

2.3. Pathology of Iran's Anti-Narcotics Policies

Iran's legislative policy concerning narcotic drugs and psychotropic substances has primarily been shaped by the crisis-generating nature of the phenomenon, security pressures, public health requirements, and international obligations. The principal foundation of this policy is the Anti-Narcotics Law enacted in 1988, which has subsequently been supplemented by numerous amendments, additions, implementing regulations, and complementary decisions and constitutes one of the most significant special statutes in Iranian criminal law (Zeraat, 2007). In addition to this statute, the Law Amending the Anti-Narcotics Law, the 2017 Single-Article Amendment to the Anti-Narcotics Law, the law's implementing regulation, resolutions and directives of the Drug Control Headquarters, and certain provisions contained in general legislation, including the Islamic Penal Code, the Criminal Procedure Code, the Law on the Establishment of General and Revolutionary Courts, the Law on the Law Enforcement Command of the Islamic Republic of Iran, and regulations governing the Prisons Organization and security and correctional measures, have produced a body of rules that formally constitutes a relatively comprehensive system. In practice, however, this multiplicity and diversity have generated legislative inflation and, at times, normative fragmentation (Saki, 2014).

Legislative inflation becomes problematic because, in response to each new wave of consumption or trafficking, the legislature has generally resorted to piecemeal amendments, increased punishments, additional provisions, or expanded categories of prohibited conduct rather than undertaking a structural and coherent revision of criminal policy (Farajiha & Moghaddasi, 2014). This process has produced a body of regulations that lacks sufficient clarity at both the conceptual and operational levels. For example, under the Anti-Narcotics Law, conduct such as possession, transportation, purchase, sale, distribution, concealment, adulteration, production, manufacture, importation, exportation, participation, and complicity in related offenses may each carry independent or aggravated criminal consequences. Nevertheless, the boundaries between several of these classifications are not sufficiently clear in practice (Mortazavi Qomi, 2003). This ambiguity, particularly where the quantity of the substance, the offender's intent, or the individual's role in the criminal chain is uncertain, gives rise to divergent judicial practice and, at times, inconsistent decisions (Zeinali, 2017).

Penalization under the Anti-Narcotics Law also suffers from serious deficiencies. In several parts of the statute, the legislature has prescribed extremely severe responses, including lengthy imprisonment, substantial fines, confiscation of property, ancillary deprivations, and, in certain circumstances, the death penalty (Pourbaferani & Masaeli, 2017). Although subsequent amendments, particularly the 2017 amendment, partially restricted the scope of the death penalty (Mousavi Mojab et al., 2020), severe punishment continues to dominate many statutory provisions and offense categories. This situation is inconsistent with principles such as proportionality between crime and punishment, individualization of punishment, criminal justice, and differentiation among professional offenders, members of organized networks, users, and small-scale dealers (Javanbakht & Mohammadi, 2016). From the perspective of criminal law, legislation should distinguish dangerous offenders from individuals who have entered the criminal process at the periphery of addiction as users or persons dependent on drugs. Under the current structure, however, this distinction is not always clear or effective (Akbari, 2014).

Certain concepts and forms of prohibited conduct are either not precisely defined in existing legislation or are determined through supplementary schedules and administrative decisions. This situation, particularly with respect to new psychotropic substances and emerging chemical compounds, causes legislation to remain consistently one step behind developments in the drug market (Saki, 2014). Consequently, rather than operating proactively, the legislature often responds retrospectively after new substances have already entered circulation. This issue is also connected to the principle of legality of crimes and punishments, because every criminalization must be explicit, clear, and prospective (Ardabili, 2013), and new conduct cannot be punished under existing classifications solely through expansive interpretation or penal analogy (Katouzian, 1998). Accordingly, the most significant legislative deficiency in this field is the absence of a coherent and contemporary legislative policy based on the precise classification of conduct and offenders—a policy capable of remaining consistent both with the Anti-Narcotics Law and its amendments and with fundamental principles of criminal law and emerging developments in the drug market.

Iran's judicial policy concerning narcotic drugs has traditionally been founded on speed, decisiveness, and deterrence. Jurisdiction over these offenses predominantly lies with specialized courts, particularly the Revolutionary Courts, while special judicial officers, prosecutorial authorities, the Anti-Narcotics Police, and executive headquarters also perform important functions in the processes of detection and prosecution. Despite this institutional structure, the exceptionally high volume of cases, the large number of defendants, the broad range of criminal classifications, and evidentiary difficulties have caused prolonged proceedings and increased pressure on the judicial system (Rahmdel, 2004). The 2013 Criminal Procedure Code and its provisions concerning judicial officers, preliminary investigation, pretrial security measures, adjudication of flagrante delicto offenses, and court jurisdiction affect both the speed and quality of proceedings.

One of the most significant judicial challenges concerns the death penalty for drug offenses. During an earlier period, the Iranian legislature adopted an extremely stringent approach toward this category of offenses. However, as domestic and international criticism increased, particularly regarding proportionality and the possibility of judicial error, the 2017 amendment sought to restrict the scope of capital punishment (Kousha & Akbari, 2024). Nevertheless, the death penalty remains available in certain circumstances, particularly for major and organized offenses, thereby creating a serious challenge at the levels of criminal policy and criminal adjudication (Kazemi, 2014). The central issue is not merely the existence or abolition of the death penalty but also the determination of its conditions, the interpretation of aggravating classifications, the establishment of leadership within a criminal organization, the quantity of narcotics involved, the form of participation, and the existence of weapons or an organized network (Rahmdel, 2006). In the absence of fully transparent interpretive criteria, these factors may produce inconsistent judgments (Ghannad, 2000).

The extensive use of imprisonment constitutes another principal problem within the judicial system in this field. Under the Anti-Narcotics Law, imprisonment is one of the primary instruments of penal response alongside financial and ancillary sanctions. However, severe prison overcrowding, limited rehabilitative capacity, and the adverse consequences of long-term incarceration demonstrate that imprisonment alone is not effective in reducing crime and may contribute to the reproduction of the criminal cycle (Goldouzian, 2001). The Islamic Penal Code, regulations governing the Prisons Organization and security and correctional measures, and correctional and rehabilitation policies all emphasize the principle of social reintegration. In the field of narcotic drugs, however, this objective has not been fully achieved because of security pressures and legislative severity (Sadeghi et al., 2017). Consequently, prisons may, in many instances, become environments in which criminal identities are consolidated and connections among offenders are strengthened rather than places of reform.

From the perspective of judicial practice, a further principal problem is the distinction among users, persons with drug dependence, small-scale dealers, and traffickers. Although Articles 15 and 16 of the Anti-Narcotics Law address the treatment of persons with drug dependence and the substitution of treatment for punishment, this distinction is not always properly implemented during adjudication (Zabihi, 2016). Consequently, many low-level users or individuals undergoing dependence and treatment are subjected to responses of the same intensity as those prescribed for organized distributors. In addition to being incompatible with criminal justice, this situation results in the inefficient expenditure of judicial resources (Ghannad, 2000). Accordingly, the most significant judicial deficiency in this field is the predominance of security-based reasoning over restorative justice and treatment-oriented reasoning, together with the absence of stable and differentiated judicial practice concerning distinct categories of offenders.

At the executive level, Iran's policies for combating narcotic drugs and psychotropic substances encounter a range of inefficiencies rooted in the overlapping responsibilities of numerous institutions, resource shortages, weak coordination, and the predominance of a law-enforcement perspective. The Drug Control Headquarters, Law Enforcement Command, Anti-Narcotics Police, State Welfare Organization, Ministry of Health and Medical Education, Judiciary, Prisons Organization, and supportive and therapeutic institutions each bear responsibilities in this field. Nevertheless, the absence of a coordinated and coherent mechanism has caused their activities to be, at times, parallel, incomplete, or mutually non-reinforcing (Malek-Mohammadi & Dehghani, 2023). Although the Anti-Narcotics Law and its implementing regulation have established the required legal framework, serious structural limitations remain at the implementation stage (Zali et al., 2018).

One of the most significant deficiencies is the failure to distinguish precisely between users and traffickers. In various provisions, particularly those governing the treatment of persons with drug dependence, the legislature has stated that such persons should be placed on a treatment pathway and subjected to a different form of penal policy. In practice, however, many executive officers treat all persons associated with narcotic drugs at the same level during detection and arrest because clear operational criteria are lacking (Ehteshami et al., 2024). Consequently, low-level users become entangled in law-enforcement and judicial processes rather than being referred to treatment and rehabilitation centers, whereas the principal focus should be placed on identifying major networks, trafficking routes, financial flows, and organized criminal structures. This issue is particularly important in relation to provisions governing the confiscation of property and the proceeds of crime, because without targeting the economic benefits of trafficking, enforcement remains confined to superficial interventions.

A further deficiency is evident in the fields of rehabilitation and treatment. Harm-reduction policies, maintenance treatment, drop-in centers, treatment facilities operating under Articles 15 and 16, and addiction-treatment programs exist at both legislative and executive levels, but their capacity is not proportionate to the scale of the problem. On the one hand, sufficient financial and human resources are unavailable, and on the other, continuous supervision and evaluation remain weak. Many treatment and rehabilitation centers lack adequate facilities, specialized personnel, psychological, counseling, and social services, and post-treatment follow-up (Agharzaei Tarkhorani, 2025). The return of many individuals to the cycle of drug use therefore reflects deficiencies in social reintegration. As long as treatment remains limited to medication or short-term programs and is not linked to employment, social support, education, and empowerment, executive policy cannot be regarded as successful. Supporting legislation must also be considered in this context. Laws protecting children and adolescents may play an important preventive and protective role where minors are exposed to drug use, transportation, or distribution. Regulations governing prisons and detention facilities must likewise prevent prisons from becoming environments that intensify addiction. Nevertheless, inadequate supervision, shortages of educational and therapeutic programs in prisons, and weak coordination between judicial and treatment institutions prevent rehabilitation from being effectively realized. From this perspective, executive inefficiency is observable not only at the level of police operations but throughout the entire chain of enforcement, treatment, and social reintegration.

One of the most significant and expanding challenges under Iranian law is the emergence of new psychoactive substances, namely, novel chemical compounds that replace traditional prohibited substances through modifications to their molecular structure and produce psychotropic or hallucinogenic effects in new forms. These substances generally enter the market far more rapidly than legislative processes and official scheduling systems can respond, making their identification and criminalization difficult. Although the Anti-Narcotics Law and its amendments establish a broad scope for prohibited substances, criminalization of newly emerging compounds generally requires their inclusion in statutory schedules or related regulations. This dependence on scheduling, combined with the rapid production of new compounds, generates legal gaps (Saki, 2014).

From the perspective of criminal-law principles, particularly the principle of legality of crimes and punishments, conduct involving new substances cannot be criminalized without a clear legal basis. Accordingly, every judicial or law-enforcement response to new psychoactive substances must be grounded in explicit and up-to-date statutory provisions (Nourbaha, 2008). Nevertheless, delays in updating schedules, administrative complexities in adding new substances, and inadequate coordination among medical, scientific, expert, and legislative institutions cause certain emerging substances to remain effectively outside the scope of enforcement for a period of time. This situation provides producers and distributors with opportunities to exploit legislative gaps. A further issue is that many new psychotropic substances may appear similar to lawful industrial or pharmaceutical products, while their technical identification requires properly equipped laboratories and specialized experts. Consequently, where the legal and judicial systems are not technically and scientifically current, the precise identification of substances and proof of criminal conduct become difficult. The legal gap in this field therefore does not merely signify the absence of statutory language but also encompasses the absence of a rapid, flexible, and technically competent mechanism for updating regulations. To remedy this deficiency, the legislature should replace reliance on fragmented amendments with a stable mechanism for rapidly adding new substances, maintaining continuous consultation with the Ministry of Health and scientific institutions, and developing schedules subject to regular revision.

3. Discussion

A comparative examination of Iran's policies concerning narcotic drugs and psychotropic substances against international standards and the experience of selected countries demonstrates that the global orientation in recent years has gradually shifted from exclusive penal repression toward intelligent management, harm reduction, treatment-centered policies, and the decriminalization of low-level users. Although international instruments, including the 1961, 1971, and 1988 conventions, require states to combat illicit trafficking and production, contemporary interpretations also emphasize public health, treatment, prevention, and social reintegration (Saki, 2001). In this context, institutions such as the United Nations Office on Drugs and Crime and the World Health Organization have recommended policies under which users are treated as patients or persons at risk rather than exclusively as offenders (Saki, 2014).

In the experience of certain countries, particularly those that have adopted harm-reduction policies, the decriminalization of personal use, substitution treatment, controlled distribution programs, counseling centers, psychosocial support, and intensified focus on organized trafficking networks have produced notable reductions in individual and social harm (Mortazavi Qomi, 2003). By contrast, Iranian criminal policy continues in many respects to rely on a classical punishment-centered model (Akbari, 2014). It must, of course, be recognized that Iran's social, cultural, economic, and security circumstances are not identical to those of other countries and that foreign models cannot be imported without localization (Agharzaei Tarkhorani, 2025). Nevertheless, comparative analysis demonstrates that domestic legislation, particularly the Anti-Narcotics Law and its implementing provisions, can reduce unnecessary severity and costs by incorporating contemporary approaches while simultaneously strengthening the response to organized trafficking (Rahmdel, 2006). Within this framework, reforming Iran's legislative system does not require abandoning penal enforcement but rather recalibrating it in light of principles such as proportionality, differentiation among offenders, restorative justice, treatment orientation, and harm reduction (Rahmdel, 2015). Effective confrontation with extensive and network-based trafficking is clearly impossible without strong penal instruments, but unilateral reliance on punishment in the absence of social and therapeutic programs cannot produce the necessary effectiveness (Farajiha & Moghaddasi, 2014). Comparative analysis therefore demonstrates that success in this field depends not on the severity of punishment but on intelligent policymaking and coordination among legislation, implementation, treatment, and prevention (Malek-Mohammadi & Dehghani, 2023).

An assessment of the effects of Iran's existing policies on crime rates and public health demonstrates that purely repressive approaches have not, by themselves, sustainably controlled the consumption, distribution, and trafficking of narcotic drugs (Zali et al., 2018). Despite the Anti-Narcotics Law, its numerous amendments, intensified sanctions, strengthened judicial officers, and the expansion of specialized judicial structures, drug markets remain active in various forms, while new substances, particularly psychotropic compounds, rapidly enter the cycle of consumption (Zeraat, 2007). This demonstrates that although criminal law is necessary for controlling dangerous conduct, it cannot independently address the social, economic, and cultural roots of addiction (Nourbaha, 2008). From a public health perspective, punitive severity may also generate unintended consequences (Sadeghi et al., 2017). When users are marginalized by fear of punishment rather than directed toward treatment, consumption moves into hidden and high-risk environments. Such concealment increases the probability of shared syringe use, the spread of infectious diseases, reduced access to treatment services, and the intensification of secondary harms. Under such circumstances, penal policy not only fails to prevent the expansion of harm but may indirectly contribute to its aggravation (Goldouzian, 2001). Moreover, the extensive incarceration of individuals without adequate treatment, employment, education, or post-release support allows the cycle of use and offending to continue (Zeinali, 2017).

In the field of crime control, a distinction must be drawn between short-term and long-term indicators. During certain periods, increases in drug seizures or the issuance of severe sentences may be treated as evidence of success, but such indicators do not necessarily represent an actual reduction in crime (Kousha & Akbari, 2024). Many of these statistics merely reflect the responses of official institutions rather than a reduction in supply or demand (Ehteshami et al., 2024). A valid assessment must therefore be based on multidimensional data, including the prevalence of drug use, relapse rates, the number of individuals receiving treatment, the effectiveness of harm-reduction programs, the condition of the prison population, recidivism rates, and the effects of policies on social health (Zabihi, 2016). In light of these indicators, it may be concluded that although current policies have been successful in detecting and prosecuting certain offenses, they have not demonstrated sufficient effectiveness in achieving a sustainable reduction in social and public health harms (Pourbaferani & Masaeli, 2017). The discussion therefore indicates that the Iranian legal system must redefine its anti-narcotics policy within a more balanced framework in which the Anti-Narcotics Law, the Criminal Procedure Code, the Islamic Penal Code, the general policies of the state concerning narcotic drugs, implementing regulations, and therapeutic and supportive mechanisms operate in a coordinated and complementary manner (Mousavi Mojab et al., 2020). Such an approach can both preserve public security and combat organized trafficking while preventing users from becoming permanently criminalized.

4. Conclusion

The overall examination of the laws, regulations, and practices governing the control of narcotic drugs and psychotropic substances under Iranian law demonstrates that although the legislature has taken important measures through the enactment of the Anti-Narcotics Law and its subsequent amendments and supplementary provisions, particularly in recent years, to control supply, combat organized trafficking, and restrict certain severe punishments (Zeraat, 2007), this body of law continues to suffer from serious deficiencies concerning coherence, contemporaneity, precise differentiation among offenders, and coordination with emerging developments (Saki, 2014). The first and most fundamental recommendation is therefore a legislative restructuring of the Anti-Narcotics Law and its related provisions. Such reform should not focus merely on increasing punishments but should redefine legal concepts, precisely classify forms of conduct, and calibrate the penal response according to the nature and severity of the offense.

In this regard, the legislature must establish an explicit and operational distinction among users, persons with drug dependence, small-scale dealers, intermediaries, members of organized networks, and major traffickers. Existing law, particularly its provisions governing the treatment of persons with drug dependence, possesses the capacity to support such differentiation (Zabihi, 2016). However, this capacity has not been fully realized because of conceptual ambiguity, the absence of clear operational criteria, and the predominance of penal reasoning (Mortazavi Qomi, 2003). The redrafting of certain statutory provisions to reduce ambiguity, eliminate interpretive conflicts, and establish proportionality between crime and punishment is therefore indispensable. A more flexible legislative mechanism must also be established for new psychotropic substances so that schedules of prohibited compounds can be updated more rapidly and accurately and legislation does not remain behind developments in the drug market (Nourbaha, 2008). Otherwise, the principle of legality of crimes and punishments, although essential to the protection of individual liberty, may in practice hinder an effective response to emerging compounds.

A further legislative recommendation concerns reform of the sentencing system. Lengthy imprisonment, substantial fines, confiscation of property, and certain ancillary sanctions should be redesigned in light of the offender's role, the quantity and type of substance, the nature of the criminal conduct, prior criminal history, and the individual's capacity for rehabilitation (Ardabili, 2013). Penal policy should be founded on individualized punishment and differentiated justice rather than uniform responses (Rahmdel, 2015). The legislation governing narcotic drugs must also establish a clearer position for non-penal interventions, security and correctional measures, conditional compulsory treatment, and social-reintegration programs so that law functions not only as an instrument of repression but also as a mechanism of rehabilitation and treatment. At the executive and judicial levels, the principal requirement is a gradual but genuine transition from maximal criminalization toward differentiation, treatment orientation, and the partial decriminalization of users. Practical experience demonstrates that treating all persons involved with narcotic drugs identically is not only ineffective but also diverts law-enforcement and judicial resources from the principal trafficking and distribution networks. Users and persons with drug dependence should therefore be treated primarily as subjects of therapeutic, supportive, and social intervention rather than as objects of penal reaction. This approach is compatible with the underlying rationale of the existing provisions governing treatment and compulsory rehabilitation (Zabihi, 2016), but it requires more consistent implementation and interpretation by judicial officers, prosecutorial authorities, and courts.

Within this framework, mechanisms of identification and differentiation must first be strengthened at the stages of detection and prosecution. Judicial officers, the Anti-Narcotics Police, and treatment authorities should distinguish among personal use, treatable dependence, and organized criminal activity on the basis of clear and scientifically grounded directives. Second, during judicial proceedings, judges should make greater use of statutory mechanisms for alternatives to imprisonment, referral to treatment, conditional suspension of prosecution, and non-custodial sanctions (Akbari, 2014). Although the Criminal Procedure Code and the Islamic Penal Code provide certain capacities for such responses, they are less frequently utilized in narcotics cases. Third, at the enforcement stage, imprisonment should be treated as a measure of last resort rather than the first response, because incarcerating low-level users rarely produces rehabilitation and frequently exposes them to further harm. The decriminalization of users does not mean abandoning or disregarding addiction but rather transferring the principal focus from punishment to treatment, harm reduction, and social support. This process requires cooperation among the Judiciary, Ministry of Health, State Welfare Organization, Prisons Organization, Law Enforcement Command, and Drug Control Headquarters. Expanding treatment centers, strengthening harm-reduction programs, improving access to counseling and psychotherapy, and creating supportive mechanisms for employment and social return are also essential components of this approach. Judicial policy may thereby contribute to the reconstruction of both the individual and society rather than reproducing the cycle of crime.

The future of policies for combating narcotic drugs and psychotropic substances under Iranian law depends on moving beyond an exclusively penal model toward a balanced, scientific, and multidimensional criminal policy in which security, public health, criminal justice, and social reintegration are addressed simultaneously. Global developments, the expansion of new psychotropic substances, changing patterns of consumption, the increasing complexity of trafficking networks, and the growth of organized crime demonstrate that reliance on traditional instruments cannot adequately respond to contemporary circumstances (Malek-Mohammadi & Dehghani, 2023). The desirable future therefore requires the legislature and implementing authorities to replace temporary and punitive reactions with evidence-based policymaking, continuous evaluation, and gradual reform. Under this perspective, the Anti-Narcotics Law should be reconstructed so that it can adapt to developments in the drug market while remaining consistent with fundamental criminal-law principles, including legality, proportionality, individualization, and restorative justice (Zali et al., 2018). Future criminal policy must also establish an appropriate balance among prevention, treatment, and penal enforcement. Social prevention through education, families, schools, media, and employment; treatment through expanded access to healthcare and harm-reduction services; and penal enforcement through concentration on principal trafficking organizations and organized crime should constitute the three central pillars of this approach.

From a legal perspective, the future of this field also requires the continuous modernization of legislation, the strengthening of specialized institutions, the incorporation of medical and criminological expertise into decision-making, and the use of successful comparative experiences. Proper implementation of this pathway may enable Iran's anti-narcotics policy to move from a reactive, fragmented, and predominantly punitive structure toward a more effective, humane, and scientifically grounded model—one that effectively confronts trafficking and illicit production while preventing users from becoming permanent offenders. The general conclusion of the study is that sustainable success in combating narcotic drugs and psychotropic substances cannot be achieved merely through the intensification of punishment but requires legislative reform, institutional coordination, strengthened treatment and harm-reduction measures, and attention to the social and economic roots of the problem (Saki, 2014). In other words, the desirable future depends on a transition from a policy of "mere confrontation" to a policy of "intelligent, justice-oriented, and health-centered management."

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

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