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**STRENGTHENING LEGAL FRAMEWORKS:  
COUNTERING NARCO-TERRORISM IN JAMMU AND  
KASHMIR, WITH A FOCUS ON ADDRESSING  
PAKISTAN'S ROLE AS THE PRIMARY CHALLENGE**

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**ABSTRACT**

For decades, the war in Jammu and Kashmir (J&K) has been marked by violence, unrest, and political insecurity. The rise of narco-terrorism has made things even worse. This trend, which is marked by the mutually beneficial relationship between terrorism activities and drug dealing, has added a new layer to the conflict and is a major threat to peace, security, or progress in the area. There is a lot of information in this paper about drug-related crime in Jammu and Kashmir, and it focuses on Pakistan as the main problem. From historical, political, socio-economic, and legal points of view, the paper looks at what led to the rise of narco-terrorism, what its effects are, and what they mean for the larger conflict dynamics. Additionally, the essay looks at methods and suggestions for fighting drug-related crime and encouraging peace, stability, and progress in Jammu and Kashmir.

**Keywords:** Jammu and Kashmir, narco-terrorism, conflict, insurgency, Pakistan, terrorism, narcotics trafficking, security, peace, development.

## **CHAPTER-1**

### **INTRODUCTION**

Jammu and Kashmir (J&K) is a troubled area that faces several threats to its security and stability, including the chilling prospect of narco-terrorism. The region's socioeconomic fabric has been weakened and violence has been exacerbated by narco-terrorism, the dark web that connects terrorist acts with drug trafficking. Taking advantage of the weak governance systems and open borders, Pakistan has emerged as a major actor in this threat, which has grown in recent years. Therefore, tackling narco-terrorism in Jammu and Kashmir calls for an all-encompassing strategy, including strong, flexible, and responsive legislative structures to deal with the ever-changing nature of the danger. The need to enhance legal frameworks is essential to the fight against narco-terrorism. To effectively tackle this multifaceted situation, laws, acts, & articles must form the foundation of any plan. Legal frameworks take on more importance in the context in Jammu and Kashmir, wherein the problem is worsened by cross-border aspects. Using Pakistan as an example, this article seeks to examine how legal procedures might be crucial in the fight against narco-terrorism in Jammu and Kashmir, Pakistan.

International agreements, constitutional rules, and national legislation make up the legal weapons that Jammu and Kashmir might use to fight narco-terrorism. The Narcotic Drugs and Psychotropic Substances Act, 1985<sup>1</sup> (NDPS Act) is a cornerstone law that establishes the legal parameters for the management and oversight of psychotropic and narcotic substances. Terrorist groups that get funds from the drug trade will have their financial lifelines severed by the NDPS Act, which gives police the authority to investigate, prosecute, & punish drug traffickers. In addition, the UAPA gives the government more authority to combat terrorist operations, particularly those that include drug trafficking. groups involved in illegal operations, such narco-terrorism, may be labeled as terrorist groups under the UAPA, allowing

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<sup>1</sup> Government of India. (1985). Psychotropic Substances Act, 1985.

for severe punishments for its members and backers. Furthermore, the establishment of special tribunals and courts is outlined, which speeds up the trial process, guarantees speedy justice, and discourages wrongdoers.

India has been an active participant in international efforts to fight terrorism and drug trafficking by signing a number of agreements and protocols in this area. Important tools for encouraging international cooperation in the battle against narco-terrorism include the United Nations Convention against the Illicit Traffic in Narcotic Drugs with Psychotropic Substances<sup>2</sup>(1988) and the International Convention on the Suppression of the Financing for Terrorism (1999). In response to the global nature of narco-terrorism, particularly that which originates in Pakistan, India has reiterated its support for these conventions, which call for joint efforts and mutual aid.

In addition, the Indian Constitution's Article 370<sup>3</sup> and the legislative structure that governs Jammu and Kashmir take on importance while discussing the fight against narco-terrorism. Even if Article 370 was repealed in 2019, its consequences still impact the regional legal scene. Thanks to the repeal of Article 370, federal laws, such as those dealing with anti-terrorism and drug control, have been extended to Jammu and Kashmir, bringing it into line with the larger legal framework for the Indian Union. The enforcement procedures have been reinforced and state and federal authorities have been able to coordinate more effectively in their fight against narco-terrorism as a result of this integration.

Combating narco-terrorism into Jammu and Kashmir is very difficult, even with strong legal frameworks in place. This is mainly because of Pakistan's destructive role as a terrorist state. In order to achieve its territorial aspirations, Pakistan has strategic goals of sowing instability and maintaining bloodshed, which highlight its involvement in supporting narco-terrorism in the area. It is well known that drugs trafficking is a significant source of income for terrorist organizations like Lashkar-e-Taiba (LeT) & Jaish-e-Mohammad (JeM) and that there is a close relationship between Pakistan's intelligence services and these groups.

The difficulties faced by law enforcement in Jammu and Kashmir are further intensified by Pakistan's use of cross-border networks as secure havens. Terrorist organizations are able to keep running their activities and causing havoc in the area because of the weak Line of Control

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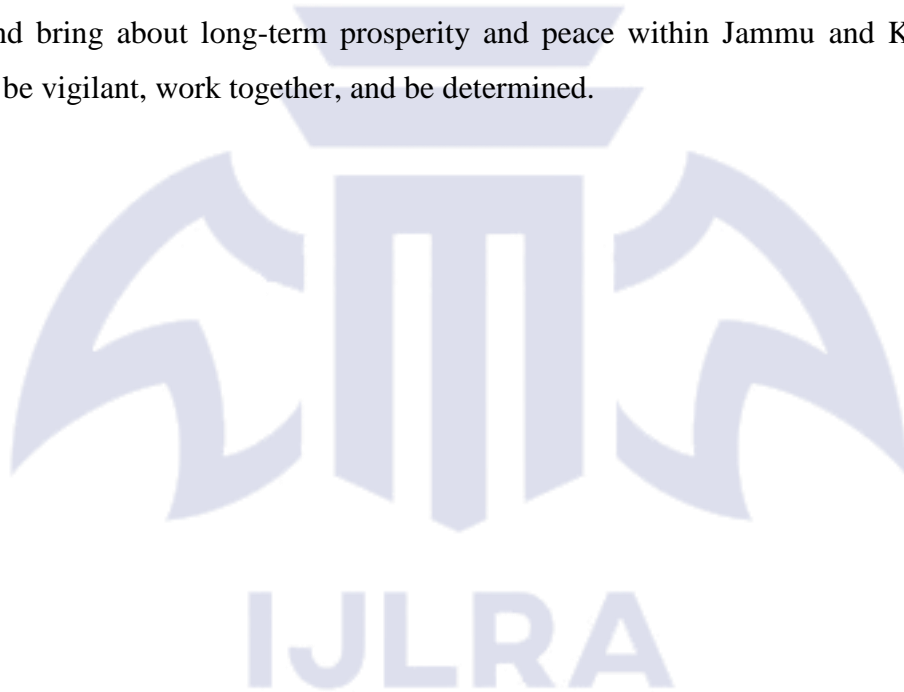
<sup>2</sup> United Nations Office on Drugs and Crime. (1988). United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [PDF]. Retrieved from [https://www.unodc.org/pdf/convention\\_1988\\_en.pdf](https://www.unodc.org/pdf/convention_1988_en.pdf)

<sup>3</sup> Government of India. (1950). The Constitution of India, Article 370.



(LoC), which allows drugs and weapons to be smuggled. The already difficult task of combating narco-terrorism is made much more so by Pakistan's official propaganda and misinformation activities, which aim to divert attention away from the country's responsibility and its actions.

Finally, a combined effort to fortify legal frameworks, boost international collaboration, and tackle the principal threat offered by Pakistan is required to combat narco-terrorism across Jammu and Kashmir. The narco-terrorism supply chains, terrorist networks, and the security and integrity by the area may be disrupted and destroyed by India via the use of existing laws, acts, or articles, and strong enforcement mechanisms. The persistent danger from Pakistan, however, highlights the need for a comprehensive approach that deals with narco-terrorism from every angle, including its sources and manifestations in ideology and state support. The only way to end the drug war and bring about long-term prosperity and peace within Jammu and Kashmir is for everyone to be vigilant, work together, and be determined.



**CHAPTER-2****LITERATURE REVIEW****DRUG ADDICTION A MAIN SOCIAL ISSUE IN UT OF JAMMU AND****KASHMIR: A MINI REVIEW. International Journal of Contemporary Issues in Social Sciences, Malla, M. A. (2023)**

The societal effects of drug abuse on the Union Territory of Jammu and Kashmir are examined in this review study. Drug addiction was a serious problem that affects people all over the world. This is a major issue in Jammu and Kashmir, as it is in many other places affected by political unrest and violent conflicts. Substance abuse, especially in the Kashmir valley, has supplanted political unrest as the most pressing social issue<sup>4</sup>. Having consequences on individuals, psychology, healthcare, economics, and government, it has had adverse effects on the whole Kashmiri community. Substance abuse and its societal effects are major problems in the Kashmir valley, although they get little attention. Considering this, the objective of this piece is to investigate the societal effects of substance abuse in the Kashmir area. Primarily, the research relied on secondary sources to achieve its goals. Researchers found that drug abuse has messed with people's social lives, healthcare systems, societal structures, household dynamics, and social order. The incidence of violence, criminality, suicidal ideation, social isolation, anxiety, stress, and overdose fatalities have all risen as a result. Because of it, anti-national actions have flourished, and law and order are under jeopardy. Drug addiction is a multi-faceted, worldwide problem.

For both rich and poor countries, it poses a dilemma and an obstacle. The National Institute on Drug Abuse states that "drug addiction is a chronic, relapsing disorder characterized by compulsive drug seeking and use despite adverse consequences" Worldwide, there has been a rise in the prevalence of drug addiction, particularly among young people (Carpentier, et al., 2019). Adolescents and younger youth make up the bulk of drug users and are particularly

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<sup>4</sup> Malla, M. A. (2023). Drug addiction a main social issue in UT of Jammu and Kashmir: A mini review. International Journal of Contemporary Issues in Social Sciences

vulnerable to their consequences (UNODC, 2020). An estimated 284 million persons used drugs worldwide, with 38.6 million having a drug use problem, according to the World Drug Survey report (Vindobona, 2022). This is a highly concerning situation in the global drug scene. The most often misused drugs in the world include cannabis, opioids, narcotics, sedatives, hallucinogens, & stimulants (SAMHSA, 2013). Afghanistan, Jammu and Kashmir, and other politically unstable and terrorist-affected countries have seen an escalation of the issue across many continents (UNODC, South Asia, 2009). The research suggests that areas with poor law and order, such as those affected by terrorism or conflicts, may have higher rates of drug manufacturing and use (Hanna, 2017; and Reitano, 2020). Addiction to drugs has also grown commonplace in Kashmir as a consequence of the political unrest and protracted military war, which has had far-reaching effects on the local population. Addiction to drugs is devastating for everyone involved. According to research, substance addiction is a psychological and social issue that has far-reaching consequences for all segments of society (Ayoub, 2011). Individuals, as well as societal, economic, educational, environmental, legal, and health-related concerns, are negatively impacted (Darang, 2021). But studies have shown that drug addiction's psychological and social effects are much more harmful and pervasive than those of other problems (Fox et al., 2013). Substance abuse has far-reaching psychological and social consequences, as highlighted in numerous studies (e.g., WHO, 2012, and Alhadi Hasan, 2019; or Rehman et al., 2022) that include, but are not limited to, social isolation, anxiety, depression, family disruption, domestic violence, crime rates, overdose deaths, road accidents, suicides, and anti-national activities. Overdose fatalities, HIV infections, and other physical and mental health consequences are common outcomes of drug use, which in turn has a negative effect on the healthcare system as a whole (Weinbaum, et al, 2005; Ritchie & Roser, 2018).

Thievery, burglary, robbery, violence, murder, attacks, threats, and narcotics smuggling are just a few of the numerous criminal and anti-social behaviors that stem from drug addiction (INCB, 2003; Bennet and Holloway, 2009). There is a concerning correlation between drug usage and suicide rates (Ashrafioun, et al., 2017 & Borgschulte, et al., 2018). Suicidal thoughts and other negative ideas are more common among drug users who are addicted, according to the literature (Poorolajal et al., 2015; Chan et al., 2016; and Breet et al., 2018). Because it disrupts social order, threatens national security, and destabilizes peace and stability, it affects every aspect of communal life (Patil and Pandey, 2022). Worani and Shankar (2016), Jones et al. (2019), and Richert et al. (2020) all found that drug addiction leads to a host of psychological difficulties, such as stress, anxiety, sadness, social phobia, fear, stigma, and isolation. Serious societal

implications are being imposed by the rising heights of drug addiction in Kashmir. The personal, societal, economic, health, educational, and political spheres are only a few of the many affected areas. But thus far, research in the area has only looked at a few of factors. This is why the psychological and social effects of drug abuse are often overlooked.



### **CHAPTER-3**

#### **HISTORICAL CONTEXT OF NARCO-TERRORISM IN JAMMU AND KASHMIR**

The number of heroin-related drug seizures in Jammu and Kashmir (J&K) increased from 3,000 in 2017 to over 10,000 in 2022, a 2000% increase.<sup>1</sup> The most recent incident occurred in August 2022 in the Samba area when the Border Security Force (BSF) seized eight packages of heroin, valued at Rs 8 crores, after a wounded terrorist's flight to Pakistan. The J&K police have already confiscated illicit goods valued at hundreds of crores of rupees this year, mostly in the areas of Shopian and Pulwama. From 2018 to 2021, the net infiltration through the border decreased by more than 75% and the amount of terrorist events decreased by more than 80%, according to the Ministry for Home Affairs (MHA)<sup>5</sup>. The security forces have been successful in eradicating infiltrators of the Line de Control, but the drug scourge remains. A specialized National Investigation Agency (NIA) court inside Baramulla received a charge sheet in April 2022 against nine persons, including three Pakistani handlers and their six agents in Kashmir. The case revolved on the 2021 seizure of a large quantity of firearms, drugs, and ammunition. According to the court records, the individuals apprehended were involved in a criminal organization that imported narcotics, firearms, and ammunition.

Three individuals, one of whom was a female, were apprehended in Kupwara in May 2022 during an operation involving the 7th Rashtriya Rifles also the local police. They were found in possession of seven kilos of drugs, including heroin, and two IEDs. The terrorists' cause was being advanced as these goods were moved to other parts of the Kashmir valley<sup>6</sup>.

The Lashkar-e-Taiba (LeT) cell that was distributing narcotics proceeds to its jihadist affiliates was busted by the J&K police in June 2022. Terrorists' weapons, trucks, and ammunition were seized by the police. Opium has also been transported into J&K using drones.

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<sup>5</sup> Ministry of Home Affairs, Government of India. (n.d.). National Investigation Agency (NIA). Ministry of Home Affairs.

<sup>6</sup> Pakistan's narco-terrorism in J&K has already had disastrous consequences. (n.d.). The Wire. Retrieved from <https://thewire.in/security/pakistans-plan-to-push-narcotics-into-jk-has-already-had-disastrous-consequences>

In addition, Pakistan has been implicated in the interstate drug and terror networks. Following the recovery of Rs 43 lakhs from a cab en route towards Kashmir in November 2021, the J&K State Investigation Agency (SIA) charged five persons in July 2022 with terror funding.<sup>8</sup> Pulwama native Muzammil Ahmad Malik was the operation's lynchpin; he was also responsible for collecting money from Punjab-based criminals such as Amarbir Singh and assuring the safe passage to his fellow terrorists. According to reports, Baljinder Singh, also known as Billa Mandiala, is an infamous guns and drugs dealer who is associated with Singh. Singh is suspected of involvement in more than 23 First Information Reports (FIRs) including extortion and murder.



**CHAPTER-4****LEGAL FRAMEWORKS AND COUNTER-NARCO-TERRORISM STRATEGIES**

There is strong support and cooperation among the three main international drug control treaties: the 1971 Convention on Psychotropic Substances, the Single Convention in Narcotic Drugs (as amended in 1972), and the 1988 United Nations Convention toward Illicit Traffic in Narcotic Drugs along with Psychotropic Substances.

To prohibit their diversion into illegal channels while also ensuring the availability of psychotropic chemicals and narcotics for research and medicinal uses, the first two treaties codified globally applicable control procedures. Drug misuse and illegal drug trafficking are also addressed in these documents. International cooperation regarding criminal matters, including extradition or mutual legal assistance, is strengthened by the 1988 United Nations Convention against Illicit Trade within Narcotic Drugs and Psychotropic Substances, which expands the control regime to precursors, combats illicit drug trafficking along with money- laundering, and establishes measures to combat these issues.

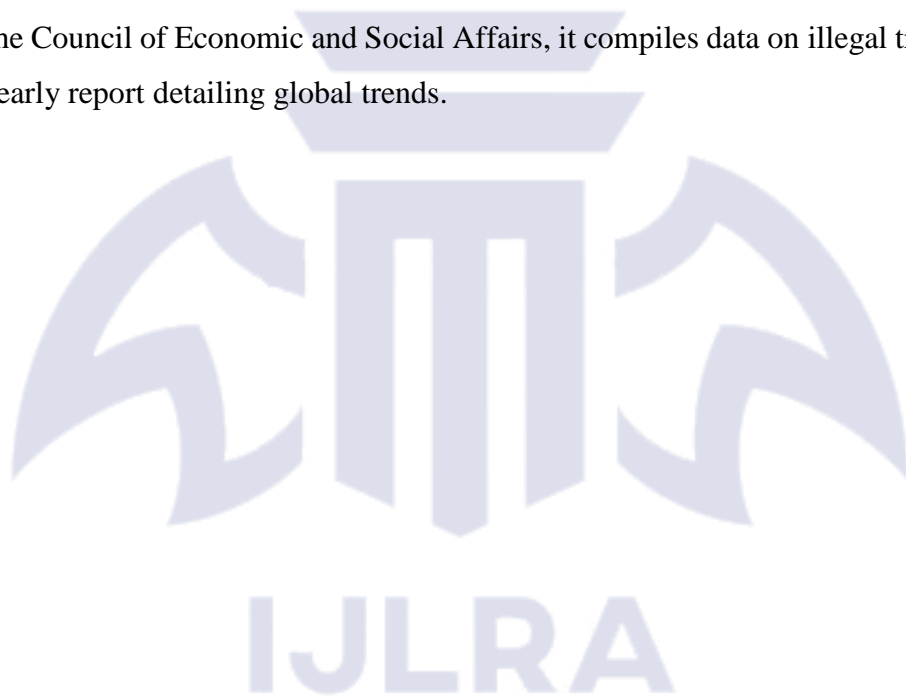
The International Narcotics Control Board and the Commission on Narcotic Drugs<sup>7</sup> are entrusted with crucial responsibilities under the three treaties: The 53-member Commission of Narcotic Drugs, appointed to four-year terms by the Council on Economic and Social Affairs, is in charge of drug policy, including tracking international patterns in drug addiction and trafficking. Resolutions on new coordinated actions or agreed policies that more effectively handle the drug issue are adopted and recommended for approval by this functional committee

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<sup>7</sup> United Nations Office on Drugs and Crime. (n.d.). International Narcotics Control Board (INCB). UNODC. <https://www.unodc.org/lpo-brazil/en/drogas/jife.html>

of the Council on Economic and Social Affairs, which in turn submits them to the General Assembly for review via the Council. It determines if schedule revisions or deletions are necessary, as well as whether new compounds should be added to one of the convention schedules.

Thirteen individuals, chosen by the Economic and Social Council for five-year terms based on their competence, serve in the personal capacity as members of the International Narcotics Control Board, a permanent and autonomous organization. When necessary, the Board advises the States on how to best put the conventions into practice. Additionally, it evaluates global demand for legal narcotics with an eye toward adjusting production to meet that need, and it oversees statistical drug control using data provided by governments. For the Commission about Narcotic Drugs and the Council of Economic and Social Affairs, it compiles data on illegal trafficking and presents a yearly report detailing global trends.



## **CHAPTER-5**

### **STRATEGIES TO COUNTER NARCO-TERRORISM & CONCLUSION**

A complex strategy addressing the interrelated problems of terrorism, drug trade, and official support is necessary to counter Pakistan's involvement in narco-terrorism. A number of terrorist organizations in Pakistan have been linked to narco-terrorism, which has worsened security concerns in the area and worldwide. This article will examine political, economic, and security approaches, along with international collaboration and capacity-building initiatives, to combat Pakistan's involvement in narco-terrorism.

#### ✓ **The Influence of Diplomats:**

To bring attention to Pakistan's involvement in narco-terrorism and to secure international backing for responses, diplomatic pressure is essential. By using diplomatic channels, narco-terrorism-affected countries like India and Afghanistan might bring attention to Pakistan's role in assisting terrorist organizations involved in drug trafficking. Additionally, they may collaborate with regional and global bodies like the EU and the UN to demand resolutions denouncing Pakistan's behavior and diplomatic sanctions on the country.

#### ✓ **Sanctions on the Economy:**

To put pressure on Pakistan to stop funding terrorist organizations, targeted economic sanctions upon narco-terrorism actors and organizations might be used. Entities associated with narco-terrorism may face trade restrictions, asset freezes, and limitations on financial activities. In order to undermine the financial networks of terrorist groups, international financial institutions like the Financial Action Task Force<sup>8</sup> (FATF) may play a crucial role in overseeing and implementing these penalties.

#### ✓ **Border Security Enhancement:**

In order to stop the flow of illegal products and terrorists, it is crucial to beef up border security measures and intercept drug trafficking routes. Border security agencies in Pakistan's neighboring countries, especially India and Afghanistan, may work together more effectively if they increase border monitoring, use cutting-edge technology, and coordinate better. To further strengthen border security capabilities & discourage criminal operations that cross borders, investments in infrastructure and staff training are recommended.

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✓ **Collaboration on Counter-Terrorism:**

In order to dismantle terrorist networks that are engaged in narco-terrorism, it is necessary for the impacted nations to enhance their counter-terrorism cooperation. The efficiency of counter-terrorism measures or the capture of drug traffickers and terrorist operators may be enhanced by the sharing of intelligence, joint operations, the coordinated efforts of law enforcement. One way for member nations to work together is via regional organizations like the Shanghai Cooperation Organization (SCO) or the South Asian Association of Regional Cooperation (SAARC).

✓ **Assistance with Technical Matters and Capacity Development:**

If nations want to strengthen their defenses against narco-terrorism, they must receive aid in the form of technical knowledge and capacity-building initiatives. Some examples of these include bolstering legislative frameworks to punish narco-terrorism-related crimes, educating law enforcement officers, and improving forensic and investigative capacities. Supporting capacity-building initiatives might be international organizations like INTERPOL and the

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8 Financial Action Task Force. (n.d.). FATF - Financial Action Task Force. <https://www.fatf-gafi.org/en/home.html>

United Nations Office of Drugs and Crime<sup>9</sup> (UNODC) that provide resources and technical knowledge.

✓ **Advocating for Non-Traditional Revenue Streams:**

Supporting other means of subsistence for populations susceptible to terrorist recruiting is an important step toward resolving the socioeconomic factors that contribute to narco-terrorism. Alternatives to drug trafficking & terrorism may be created via investments in economic development initiatives, job training, and education. Communities may be better equipped to fight terrorist groups and end the vicious cycle of poverty and violence if they are actively involved in and participate in resilience-building projects.

✓ **Aid for Humanitarian Causes and Development:**

The socioeconomic inequalities and grievances that give rise to narco-terrorism may be mitigated with the help of humanitarian aid and development aid sent to areas impacted by conflicts. Investments in healthcare, education, and infrastructure development may enhance social cohesiveness and livelihood prospects. Supporting democratic principles, legal order, and human rights may help build a stable society that can withstand the rise of radical ideas.

✓ **The Role of Public Diplomacy in Combating Disinformation:**

Delegitimizing narco-terrorism and weakening terrorist organizations' narrative requires engaging in diplomatic activity and combating terrorist propaganda. To bring attention to the repercussions of terrorism & drug trafficking, countries impacted by narco-terrorism might use both conventional and digital media venues. A powerful tool against violent extremism is the promotion of stories of tolerance, resilience, and peace within communities.

To stop Pakistan from being a part of narco-terrorism, we need an organized, all-encompassing plan that targets the causes of terrorism along with drug crime. Countries that are affected by narco-terrorism can break up the networks that support it and promote stability, peace, and

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<sup>9</sup> United Nations Office on Drugs and Crime. (n.d.). International Narcotics Control Board (INCB). UNODC. <https://www.unodc.org/lpo-brazil/en/drogas/jife.html>

growth in the area by using economic penalties, political pressure, and increased security measures. Spending money on building people's skills, encouraging other ways to make a living, and fighting terrorist propaganda can also give communities the tools they need to stand up to terrorist groups and become less vulnerable to terrorism.

## CONCLUSION

Jammu and Kashmir (J&K) has been in a conflict for decades, with decades for violence, instability, or political insecurity. The conflict is caused by a complicated mix of things, such as old grudges, political disputes, interference from other countries, and the rise of narco-terrorism. Trafficking drugs and terrorism in the area have made the conflict worse by adding a new layer to it. This has made things more tense and is a major threat to peace, security, and economic development in J&K. As we come to the end of our look at this complicated problem, it is important to think about how complicated things are and look for ways to deal with narco-terrorism and the larger conflict patterns in J&K. One of the most important things we learned from our research is how important it is for outside players, especially Pakistan, to keep up drug trafficking and the war in the Kashmir Valley going. Pakistan has long supported terrorist groups and proxy wars in the area in order to weaken Indian rule over Jammu and Kashmir and further its own strategic goals. This has led to the spread of narco-terrorism and kept violence and unrest going. Because Pakistan is involved in supporting narco-terrorism, the whole world needs to put pressure on Pakistan and try to get it to stop helping terrorist groups that operate in J&K through political and other means.

Furthermore, looking into the causes of the uprising in J&K made us realize how important it is to deal with root problems like political unhappiness, social and economic inequality, and religious extremism. Political discussion and negotiation have not been able to end the Kashmir dispute or meet the needs of the people about J&K. This has led to a downward spiral of violence and insecurity that has made radical ideas and violence easier to spread. Promoting open government, socio-economic development, and healing are important ways to deal with the problems that led to the war and make the area a better place for peace and security.

Narco-terrorism has effects on the people of the Jammu and Kashmir region that go beyond security and have deep social and economic effects on them. The increase in drugs has led to

more addiction, drug abuse, and social decline, making problems worse and destroying community unity. Also, the link between drug trade and terrorism keeps bloodshed and unrest going, which makes it harder to support economic growth, bring in investment, and reduce poverty in the area. To deal with the societal and economic aspects of narco-terrorism, we need a broad strategy that targets underlying inequality, encourages alternative ways of making a living, and makes sure that vulnerable groups have access to education, healthcare, or social services. Our study also showed how important it is to improve legal structures and police methods in order to effectively fight narco-terrorism. Laws like the Narcotic Drugs as well as Psychotropic Substances Act are in place to control and regulate drug trade, but they are still hard to police because of governmental flaws, a lack of resources, and corruption. Also, because narco-terrorism happens across borders, national and international law enforcement organizations need to work together and coordinate their efforts more. This is because they often have to deal with problems related to authority and political issues when they try to fight the problem successfully.

To deal with drug trafficking and the strife in Jammu and Kashmir in the future, we need a comprehensive plan that includes political, economic, social, or security aspects. The Kashmir issue needs to be solved diplomatically, and India and Pakistan need to be encouraged to talk to each other. This will help get to the bottom of the conflict while making the area more peaceful and stable. Promoting open government, socio-economic development, and healing are also very important for dealing with root problems and fighting the radical ideas that cause violence and unrest in J&K.

To stop the flow of drugs and break up terrorist networks in the area, it is also important to improve international cooperation and planning, especially between countries that are touched by narco-terrorism and global crime syndicates. To successfully fight narco-terrorism, we need strong political will, adequate resources, and help from other countries in order to improve law frameworks, police methods, and institutional capabilities. To sum up, fighting drug trafficking and the violence in Jammu and Kashmir needs a broad, well-coordinated approach that handles underlying complaints, encourages equitable development, strengthens legal frameworks, or improves cooperation between countries. Stakeholders can create a good environment for peace, security, and prosperity within J&K by solving the reasons of the conflict and stopping the spread of narco-terrorism. This will eventually help the people of the area achieve their hopes for a prosperous and peaceful future.