

DRUG-RELATED CRIMES: PROBLEMS OF COUNTERACTION IN RUSSIA AND ABROAD

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Abstract

Drug-related crimes as a type of crime have several specific features. These features include the fact that crimes in the field of drug trafficking are a separate type of crime, and the process of narcotization, as a necessary consequence of these crimes, becomes a factor provoking the commission of other crimes, which determines the increased danger of this crime. Another feature can be considered its internationalization, which points to the problems of combating drug crime in the international arena. Thus, it is necessary to study not only the most effective measures to combat drug crime implemented in the Russian Federation, but also turn to international experience. As the analysis of measures to counteract the domestic and international nature of drug-related crimes shows, there are ample problems that need to be addressed based on the development of both the world community and the national specificity of the state. It should be noted that at the present stage, this topic is being raised by scientists of various territorial levels, taking into account such drug trafficking strategies as prohibitive, legal, or intermediate.

This article analyzes the criminogenic factors of drug-related crimes inherent in different countries in order to identify the most effective countermeasures. The problems of international cooperation in the suppression of manifestations of a drug crime are identified.

The goal is achieved by solving the following tasks:

- To analyze the multi-faceted manifestations of drug-related crimes;
- To investigate the criminal factors of a crime relevant to the entire world community;
- To characterize domestic and foreign experience in combating drug-related crimes;
- Identify the problems of such countermeasures and suggest recommendations for overcoming them.

The methodological basis of the research is constituted by such general scientific methods as the dialectical, systematic method of research, analysis, synthesis, induction, deduction, analogy, and others, as well as such specific scientific methods as historical-legal, comparative-legal, formal-legal, structural-functional, statistical. In work, the authors relied on the results of research by Russian and foreign lawyers, sociologists, psychologists in the field under consideration.

The results of the study can be used in designing the international strategy for combating drug-related crimes in order to minimize its negative consequences, as well as in research activities, including in teaching activities in the preparation of lectures and practical classes in the field of criminology.

Keywords: drug-related crimes, narcotization, prohibitive strategy, legal strategy, intermediate strategy.

1. INTRODUCTION

Drug-dealing crimes are a complex multidimensional phenomenon that affects various areas of the development of society. The damage from this type of crime affects not only the financial and budgetary sphere but also in many respects it affects the social one, which, reflecting onto the entire world community, exposes it to degradation and self-destruction. National statistics and international data indicate an unstable positive effect of preventive measures in the field of combating the illicit trafficking of narcotic drugs and psychotropic substances.

Table 1 Dynamics of the number of registered crimes related to the illicit trafficking of narcotic drugs, psychotropic substances or their analogues, potent substances in 2014 - 2018 in Russia

	2014	2015	2016	2017	2018
Crimes related to the illicit trafficking of narcotic drugs, psychotropic substances or their analogues, and potent substances	254730	236939	201165	208681	200306
Of these - grave and especially grave crimes	190542	175778	144104	150243	148445

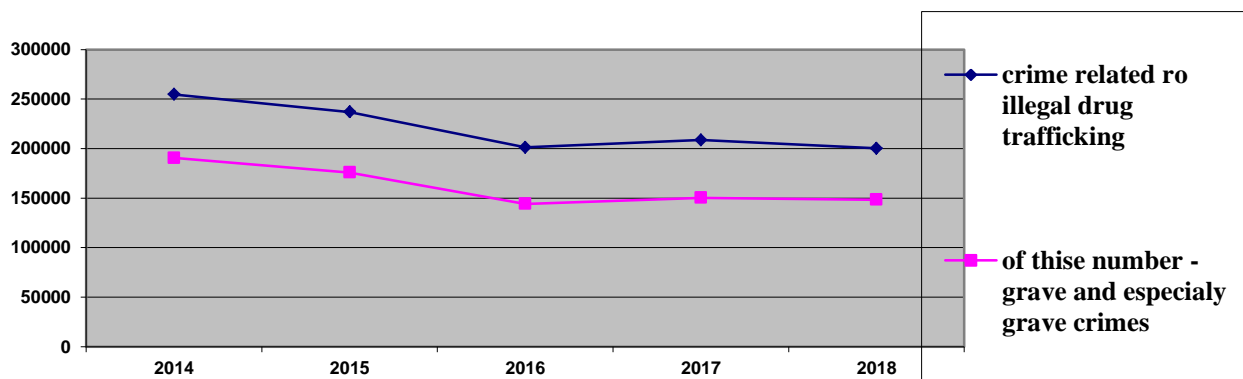


Figure 1 Graph of recorded crimes related to the illicit trafficking of narcotic drugs, psychotropic substances or their analogues, and potent substances in 2014 - 2018 in Russia

Table 2 Description of convicted persons for crimes related to the illicit trafficking of narcotic drugs, psychotropic substances or their analogues, and potent substances in 2014 - 2018 in Russia

	2014	2015	2016	2017	2018
Total convicted for drug offences	114466	114722	104011	102239	91073
Number of persons referred for treatment	3847	4824	2645	2796	2538
The number of persons who have committed crimes under drug influence in adulthood	6341	7213	6697	6727	5143
Number of persons who have committed crimes under drug influence at a minor age	152	199	159	114	81

The number of crimes related to drug trafficking over the past five years in Russia has not distinct dynamics

of decline, which indicates an ineffective policy of combating drug-related crimes. The same tendency is observed in the grave and especially grave crimes of a narcotic nature. Given the significant percentage of latency of these crimes (according to some scientists, latent drug crime is 8-10 times higher than the registered number), the official statistics do not reflect the actual situation. The survey of those who committed drug-dealing crimes also allows us to conclude a slight decrease in the number of such persons over the past five years; with this ratio of people requiring treatment and the total number of convicts, it reaches the level of 1: 35, which raises doubts about the reality of this ratio. Particular attention is required to persons who have committed a crime under drug influence, whose dynamics show periodic growth. Drug-related crime is also a provoking factor in the commission of other crimes.

According to the 2018 World Drug Report, as part of the activities of the UN Office on Drugs and Crime, global opium production increased by 65% from 2016 to 2017, which was the most significant amount since the start of monitoring. 87% of pharmaceutical opioids were seized from African countries: its Western, Central and Northern regions. Centres for trafficking in cocaine use included not only African countries, but also Asian countries. Colombia continues to maintain leadership in cocaine production. Currently, the United States is the second-largest marijuana producer in the world.

As seen, the movement in the drug market does not slow down, which generally affects drug-related crime worldwide. In this regard, studies of the criminogenic factors of drug-related crimes, which have different specificities, are of great importance.

2. METHODOLOGY

In Russia, as well as abroad, interdisciplinary research is being carried out in the field of combating drug-related crimes, which allows not only to identify criminogenic factors but also to reflect their influence on the formation of the identity of the criminal, as well as contributing to the development of countermeasures. However, the rapid development of the entire society and its individual components reveals the shortcomings of these studies. Making our contribution to several studies devoted to combating drug-related crimes, the authors aimed at studying the criminal factors of drug-related crimes, based on domestic and foreign experience in order to identify problems of combating drug-related crimes.

The methodological basis of the research is constituted by such general scientific methods as the dialectical, systematic method of research, analysis, synthesis, induction, deduction, analogy, and alike, as well as such private scientific methods as historical-legal, comparative-legal, formal-legal, structural-functional, statistical. In work on the topic, the authors relied on the results of research by Russian and foreign jurists, sociologists, psychologists in the field of knowledge under consideration.

3. RESULTS

3.1 Criminogenic Factors of Drug Crime, Characteristic of Russia and Foreign Countries

Since drug crime is not a problem of one state but has a more global character, the authors note criminogenic factors relevant to the entire world community.

1. A very attractive market for Russia, the United States, Canada and several other countries for the drug business is determined by large territories, a significant number of residents, including the young generation, which determine the rapid growth of the consumer environment. Such favourable conditions are "evaluated" by the international criminal community specializing in drug trafficking.

2. Broad availability of narcotic drugs and psychotropic substances. The production of them goes to the underground at the industrial level. Factories are created for the processing of organic drugs and the development of synthetic products: the latter is less costly, respectively, it pays off faster. Such factories, as a rule, are standard in countries with a high level of corruption in the law enforcement system, which most often does not consciously identify them.

3. The narco industry is continually evolving, and new drugs are being created that cannot get on the list of banned promptly, and, therefore, law enforcement agencies lag in their prevention. Organized crime drug smuggling methods are being improved. More than half of all drugs in most countries of Europe and the United States are of foreign origin, which actualizes measures to combat drug-related crime, especially in the customs authorities.

4. The orientation of a part of the international community to the legal (Australia, Holland, Switzerland, Netherlands, Great Britain) drug trafficking strategy, or an intermediate or so-called concept of less harm (the Czech Republic, Sweden, the USA). These concepts find their reflection in various cultural manifestations,

where scenes in films, on the stage of theatres, and various television programs do not form a strong denial of the image of a person who uses drugs, but, on the contrary, create a stable idea of everyday behaviour, and the image of a successful idol, drug users, fixes this behaviour as the norm.

5. The causes of drug crime include the formation of ethnic groups of immigrants from countries of current drug production, both legally and illegally living in the host country.

3.2 The Most Relevant Countermeasures in Russia and Abroad

As the analysis of measures to counter the domestic and international drug-related crimes shows, there are ample problems that need to be addressed based on the development of both the international community and the national specificity of the state. Countermeasures against drug-related crimes can be specific to one or another particular state, and can also be of a unified nature.

It is necessary to carry out more fruitful cooperation at the international level when operating with the same terms and norms provided for in ratified regulatory legal acts. At the end of the last century, B.F. Kalachev and I.S. Modnoe proposed the creation of national legislation in the field of combating the illicit trafficking of narcotic drugs based on approved model laws, conventions and other legal acts taking into account the current international situation.

Such measures include improving the efficiency of customs authorities that block the channels for the supply of drugs and their components to the country: their activities should be based on interstate communications that make borders safe, and that effectively prevent the entry of drugs, psychotropic substances and their precursors into the country.

Within the country, a clear interregional interaction of law enforcement structures is also necessary, which, when coordinated, will ensure the security of regional borders. It is necessary to conduct regular checks of abandoned premises, garages, warehouses, workshops and other premises for their targeted use, where drug laboratories can be located.

We also underline prompt response of the regulatory framework to the emergence of new narcotic drugs and psychotropic substances, and their inclusion in the list of prohibited drugs, with the aim of their timely detection and seizure.

The decrease in demand for narcotic drugs and psychotropic substances is possible with a thoughtful, comprehensive preventive program, especially among minors, taking into account the specifics of their age. The critical moment in this system of measures should be not only the promotion of a healthy lifestyle but also the mandatory visibility of the negative psychophysical consequences that accompany the use of drugs and psychotropic substances. It is also necessary to focus worldwide attention on the inevitability of responsibility for the whole range of crimes of a narcotic character. However, this measure cannot be regarded as effective in countries that adhere to the legal or intermediate concept of drug trafficking. At the same time, L.V. Gotchina, focusing on the "international practice of using drug programs, notes their differences. The priority for the prevention of drug use and the provision of care to patients in a number of countries displaces forceful methods of struggle".

4. DISCUSSIONS

Thus, the problem of combating drug crime is an international phenomenon. Difficulties arise not only because of the active development of the drug market but also because of various interstate approaches the concept of drug trafficking, as well as because of a collision of regulatory acts of an international nature and domestic laws.

In this connection, the creation of a comprehensive international program to counter and prevent illicit trafficking in narcotic drugs and psychotropic substances, taking into account the identified problems and contradictions, is being actualized.

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