

ISSUES OF INTERNATIONAL COOPERATION IN THE FIGHT AGAINST DRUG-RELATED CRIMES

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Article Info	ABSTRACT
Article history: Received May 05, 2024 Revised May 10, 2024 Accepted May 25, 2024 Keywords: drug addiction, use, fight against drug addiction, international cooperation, Convention, psychotropic substances, international norms	The article presents views on the prospects for improving international cooperation in the fight against drug addiction, problems of drug use and psychotropic substances and their negative consequences. Also, an analysis of international legal acts on combating drug addiction is given. This is an open-access article under the CC-BY 4.0 license. 

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ANNOTATION

It is no secret that the fight against crimes committed in our country in recent years in connection with drugs and psychotropic substances has become one of the main directions of state criminal justice policy. Already, the social danger of crimes committed in connection with drugs and psychotropic substances is considered high, and the degree of harm to the person, society and the state of such crimes is very high.

The relationship of a person with drugs has gone a long way, from their use as an inevitable attribute of the conduct of ancient religious rites in different countries and in different historical periods to widespread use for medical purposes, and only then this "relationship" has acquired the form of consuming drugs for the purpose of pleasure. Currently, the total level of heroin consumption alone in European countries itself, according to expert estimates, is about 85-90 tons[1].

Today, not a single state has faced the problem of its inhabitants consuming drugs and psychotropic substances. The extent of the spread of drugs and psychotropic substances can be equated with medical and social epidemics. According to the UN Office on Drugs and Crime (UNODC), people who have consumed banned substances at least once all over the world have a population of 243 million, 5% of the 15-64-year-old population. About half of these are individuals currently using drugs, i.e. those who have at least one use of prohibited drugs in the month leading up to the date of the evaluation. Since the late 1990s, the total number of banned drug users has increased several times[2]. The annual income from the illegal sale of drugs and psychotropic substances on Earth, according to expert estimates, reaches US \$ 600 billion[3]. As for the negative health consequences of addiction, the average prevalence of HIV among individuals using drugs and psychotropic substances is estimated at 17.9%, which means that those infected with HIV on a global scale are at least 2.8 million people. The number of people who died as a result of or in connection with the use of prohibited drugs and psychotropic substances is 104,000-263,000 people annually[4].

The international community has gained considerable experience in combating the production and distribution of drugs and psychotropic substances. The legal basis of this activity is the sources of international legislation, in most cases international conventions. In these documents, the basic principles for the Prevention of the use of drugs and psychotropic substances, as well as the strategic foundations of the fight against drugs, are strengthened.

The international fight against drugs began with actions against their distribution. In 1919-1920, A League of Nations was established on the basis of the Versailles-Washington system of the Versailles Agreement. The league of Nations aims were the first world organization to include regulation of drug trade. To this end, a Permanent Central Board of opium was established to oversee the statistical management system introduced under the second international agreement on opium. With the adoption of this agreement, the council achieved a ban on the production, preparation, trade in opium and its analogue products. The board also implemented a system of import certificates and expert permits for legal international trade in drugs[5].

Due to the need for a continuous analysis of the situation with drugs in the world, the International Committee for control of drugs was established in 1961. This committee is an independent quasisud body, the main task of which is to monitor the implementation of international agreements on control over drugs and psychotropic substances.

UN member states adopted a unified Convention on drugs in New York City in 1961, based on their analysis of the unintended consequences of the distribution of drugs and psychotropic substances. Ten years later, in 1971, the Vienna Convention on psychotropic substances and the fight against illegal treatment of drugs and psychotropic

substances was adopted in 1988[6]. Our country has joined these conventions in accordance with the decisions of the Oliy Majlis of February 24, 1995 "On joining the unified Convention on drugs" No. 30[7], on the same day "On joining the convention on psychotropic substances" No. 31[8] of the same day "On joining the UN Convention on the fight against the illegal use of drugs and psychotropic substances" No. 32 I[9]. It follows that on August 19, 1999, the law of the Republic of Uzbekistan "On drugs and psychotropic substances" [10] was adopted. At the same time, its adoption demonstrates that the Republic of Uzbekistan, as one of the signatories of the three UN international conventions, is on the way to creating a unified legal framework for its obligations to control drugs, psychotropic substances and their precursors. In accordance with Article 2 of this law, the provisions of the international treaty will be applied if the international treaty of the Republic of Uzbekistan establishes rules different from those provided for by the legislation of the Republic of Uzbekistan on drugs, psychotropic substances and precursors.

The specified documents set out a number of basic requirements for the states that have ratified them, as well as they provide a specific basis for the national legislation of the states. Currently, the only Convention on drugs is joined by 186 States, while the Convention on psychotropic substances is signed by 184 States[11].

Unlike the UN Charter, conventions are not considered binding for participants in an organization to accept. This or that country may neither ratify nor ratify a particular treaty[12]. Despite the fact that most countries around the world spend a lot of energy on creating an impressive system of control over drugs, 10 countries have not yet joined all international treaties on control over drugs. The presence of states that do not agree with any of the international treaties on Drug Control undermines the collective action of the international community to combat the abuse of drugs and the illegal treatment of them.

In the provisions of these two conventions aimed at establishing measures to combat illicit treatment of drugs and psychotropic substances, a certain degree of cohesion is observed. The measures mentioned should be applied taking into account the constitutional, legal and administrative national systems. Such measures include:

- the creation of a special body to ensure the coordination of preventive and repressive measures against the illegal treatment of drugs and psychotropic substances;
- providing international assistance to countries participating in conventions to conduct campaigns against illegal treatment of drugs and psychotropic substances;
- a wide range of measures to combat the illegal treatment of drugs and psychotropic substances;

and to cooperate with international organizations to ensure full fulfillment;

- to special competent bodies of these conventions;

to provide information about activities related to the illegal treatment of drugs and psychotropic substances within its limits, including the illegal cultivation, production, preparation and illegal treatment of drugs and psychotropic substances.

It is difficult to consider the cooperation of some of them satisfactory, despite the fact that the obligations are strengthened quite clearly and most countries periodically submit mandatory and voluntary statistical reports. Most governments in Africa, the Caribbean, and Oceania do not provide their statistical reports on a regularity basis. Despite the fact that the committee on drugs has repeatedly appealed to the relevant governments for timely submission of statistical reports, the level of provision of statistical reports by the governments of countries in these regions has not increased[13]. The committee's reports noted several times that governments in a number of countries with low income levels were having difficulty submitting statistical reports. These difficulties indicate that they have serious shortcomings in the national mechanisms of regulation of controlled substances.

It is noteworthy that the 1961 and 1971 conventions defined particular types of exposure to drug addicts who commit crimes. In particular, for individuals who abuse drugs and psychotropic substances and commit crimes against the established procedure for dealing with them, the parties to the conventions may provide for the replacement of judgment or punishment by sending such individuals to carry out surveillance on them after the completion of treatment, upbringing and treatment, to restore their working capacity and return them to society. Like most incentive or excessive human provisions of international documents, these provisions, as amended, were applied in the current Criminal Code of the Republic of Uzbekistan.

Speaking about international documents aimed at combating illegal treatment of drugs and psychotropic substances, it would be appropriate, in our opinion, to dwell specifically on the 1988 Vienna Convention on the fight against illegal treatment of drugs and psychotropic substances. This convention provides for a number of preventive measures in order to increase the effectiveness of the fight against illegal treatment of drugs and psychotropic substances, which can be conditionally divided into the following groups:

– criminal justice preventive measures. They include strengthening responsibility for the illegal treatment of drugs and psychotropic substances in the norms of national legislation, prescribing punishment for crimes and a separate procedure for serving sentences, applying confiscation, providing mutual legal assistance, conducting court proceedings, interaction of law enforcement agencies, issuing criminal proceedings, etc.;

- organizational and economic preventive measures. This group includes measures to end illegal planting or cultivation of crops containing drugs or psychotropic substances, measures to end the illegal demand for drugs and Psychotropic Substances, Control over the commercial transportation and mailing of drugs and psychotropic substances, etc.;
- informational measures. This group includes measures related to the provision of information on the validity of this Convention on the territory of a particular state.

As we have already said, almost all countries have joined the international conventions on control over drugs. As a result of the implementation of the conventions at the international level, the outflow of controlled substances has almost ceased. International efforts aimed at solving problems related to the illegal treatment of drugs and psychotropic substances are especially alarmed by organized crime activities and corruption at all levels of power. Rich and powerful organized criminal structures, which regularly use violence against both citizens and officials and incitement, intimidation, and extortion for bribes, manage to weaken law enforcement and judicial systems. To intimidate and avenge whistleblowers, they often use violence. Witnesses who provide evidence to support the existence of narcocorruption, in most cases, risk their own life and the lives of family members. The narcocartels derail the work of government authorities and lure legitimate businesses into the domain of corruption. In some countries, more than half of burglary crimes are committed by drug addicts who do not even get a tap from committing a crime to take possession of drugs. Some of the bloodiest armed conflicts are financially secured at the expense of income from illegal treatment of drugs and psychotropic substances. It is impossible to achieve full success in the work of international control over drugs and psychotropic substances unless the connection of organized crime, corruption and illegal treatment of drugs is severed[14].

Statistical indicators indicate that the circulation of drugs and psychotropic substances in cultivation and production increases from year to year. There is no significant decrease in both the criminal business and the number of individuals involved in the use of drugs and psychotropic substances. This is only official data, for which it is necessary to take into account the extreme latency of the circulation of drugs and psychotropic substances.

International cooperation in the field of combating drugs is also carried out at the regional level. The heads of government of CIS participating states, following the provisions of the above conventions, as well as UN resolutions and recommendations, adopted an agreement on cooperation in the fight against illegal treatment of drugs, psychotropic substances and precursors on November 30, 2000. In this agreement, the main principles, directions and forms of cooperation are established, the competent authorities are indicated for the implementation of direct relations, the procedure for cooperation is strengthened on the basis of requests for assistance.

On October 7, 2002, the Concept of cooperation of CIS participating states in the fight against illegal treatment of Drugs, Psychotropic Substances and precursors was adopted.

For the development of the agreement and concept, on September 16, 2004, a Cooperation program was approved by the heads of CIS participating states in the fight against the illegal Treatment of drugs, psychotropic substances and precursors, designed for 2005-2007.

The process of fulfilling international obligations in the fight against the spread of drug addiction and its illegal treatment by the Republic of Uzbekistan, the development of control over drugs continues. Today, a contractual and legal framework of multilateral cooperation has been created in our Republic in the formats of bilateral and the Commonwealth of Independent States (CIS), the Shanghai Cooperation Organization (SCO) and the Central Asian Regional Coordination Information Center with Asian, European and American countries, which is now widely used. Also, the exchange of lists of citizens of the Kazakhstan, Tajikistan and Kyrgyzstan republics who committed drug abuse in the territory of these states with their authorized organizations was established between the parties. In order to strengthen the material and technical base of the ministries and departments of our country and the personnel potential in the fight against illegal drug trafficking, a number of international projects of the UN, the European Union and the organization for security and cooperation in Europe, the Konrad Adenauer Foundation are being implemented in our republic. Within the framework of international projects, training courses are being organized for employees of the Republican organizations and law enforcement agencies. Practical cooperation within the framework of the SCO is laid. The Republic is participating in activities under the SCO's anti-drug strategy and Implementation Program prepared for 2015-2016. [15] Also, as part of bilateral cooperation, on may 3-15, 2014, the delegation of Uzbekistan visited the United States and during the visit met with the administrator of the Anti-Drug Administration to discuss cooperation in combating the drugs, illicit trafficking. An agreement was signed with the United States for international cooperation in the field of combating drugs[16].

Indeed, on June 4, 2024, the UN General Assembly unanimously adopted the resolution "The readiness of Central Asian states to cooperate as a single front in the effective solution and elimination of drug problems" adopted by Uzbekistan. This resolution concept was developed on the basis of the speech of the president of Uzbekistan at the 76th session of the UN General Assembly in September 2021, and is significant in that the document takes into account the conceptual rules that form the basis of the national strategy for the illegal circulation of drugs and the fight against drugs of the Republic of Uzbekistan in 2024-2028. The resolution noted that the achievement of Sustainable Development Goals in Central Asia is closely related to the fight against drug trafficking and drug addiction in the region. It is also envisaged that the countries of the

region, based on the accumulated positive experience of cooperation, will effectively cooperate against drugs within the framework of a global approach to solving the problem of drug addiction in the world, adopt complex measures to combat the illegal circulation of drugs and their precursors, as well as develop strategic initiatives and plans for measures.

The law of the Republic of Uzbekistan On ratification of the agreement on the establishment of the Central Asian regional information Coordination Center (Astana, July 24, 2006) to combat the illegal treatment of drugs, psychotropic substances and their precursors was adopted on September 14, 2011. According to this law, the agreement between Azerbaijan, Kazakhstan, Kyrgyzstan Republics, Russian Federation, Tajikistan, Turkmenistan and the Republic of Uzbekistan on the establishment of the Central Asian regional information Coordination Center to combat the illegal treatment of drugs, psychotropic substances and their precursors has been ratified.

A model law "On drugs, psychotropic substances and their precursors" was drafted by the inter-parliamentary Assembly of CIS participating states. This law is accompanied by recommendations aimed at further harmonizing the national legislation of the Commonwealth participating states in the fight against the illegal treatment of drugs, psychotropic substances and their precursors.

In particular, considering that in the CIS area, organizations and bodies are engaged in combating drug trafficking from the territory of Afghanistan, each of which has its own plans, projects and programs – the United Nations Office on Drugs and Crime, the CIS, the SCO, as well as the NATO–Russia Council, in order to develop coordinated measures to solve this problem, it would be advisable if they were coordinated and combined under the auspices of the United Nations Office on Drugs and Crime.

Strengthening the capacity of the relevant services in the first (PRC, Uzbekistan, Tajikistan, Turkmenistan, Iran, Pakistan) and second (Russia, Kazakhstan, Kyrgyzstan, etc.) "security regions" around Afghanistan and establishing close cooperation relations with the Afghan counterparts of law enforcement agencies of these countries and with the representative offices of international bodies in Afghanistan, in our opinion, will be appropriate.

In order to strengthen the level of coordination of cooperation of CIS participating countries in the fight against drug trafficking, to increase the effectiveness of this cooperation, it would be the same provision if this direction of activity was carried out within the framework of a specialized coordination body of the Commonwealth.

In addition, the situation that has arisen requires closer cooperation in the elimination of socio-economic causes of the spread of addiction in society, the use of the capabilities of international funds and the active promotion of a healthy lifestyle.

Among the promising bright areas of the fight against illegal treatment of drugs, psychotropic substances and their precursors, the following can also be included:

- The United Nations Office on Drugs and Crime and its offices in Moscow and Tashkent, the International Narcotics Control Board, the Drug Commission, the Executive Director of the United Nations International Drug Control Program, other international organizations specializing in combating illicit trafficking in narcotic drugs, psychotropic substances and their precursors, as well as the expansion and deepening of cooperation with EU member states in order to attract the widest possible financial resources and technical capabilities to create the necessary conditions, allowing the CIS countries to effectively curb drug trafficking on their borders with Afghanistan;
- CIS specialized structures: Bureau of coordination of the fight against organized crime, Counterterrorism Center and Central Asian regional coordination information center of their operational groups in Dushanbe and Bishkek, further activation of cooperation with the competent authorities of the CIS countries;
- The United Nations Office on Drugs and Crime and international organizations in the fight against drug abuse and drug addiction, in cooperation with major international conferences, carry out activities to introduce best practices;
- Today, in the online space, the Internet is gaining more and more important importance precisely because of its role in the search for drug trafficking, sources of psychotropic substances - precursors, it is necessary to gain a global character and strengthen the joint efforts of law enforcement agencies in this direction.

CONCLUSION

In conclusion, it can be said that today, taking into account the problems of the current era and security threats, it is necessary to further improve international cooperation in the fight against illicit trafficking in narcotic drugs, psychotropic substances and their precursors

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