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Introduction

The 20th century has witnessed the spread of narcotics to the entire world. In the past narcotics in the natural economy were confined to territories where drug-bearing plants were grown. By the end of century drug addiction has become a worldwide socially dangerous trend.

Narco-dealers making fabulous profits infect more and more people and even entire social groups with drug addiction. Narcotics have long since gone beyond the borders of traditional drug-producing areas and have infiltrated all the countries of the world, exerting its malicious effect on their peoples. It has affected social, economic, political and biological aspects of life.

Statistics is constantly reporting the spread of drug addiction and the growth in the number of drug addicts on file at medical institutions, as well as the rise in officially recorded drug-related crimes.

Drug abuse has become a real plague of the 20th century in many countries of the world and may become the plague of this country in particular.

The pleasurable sensations of comfort and satisfaction that a person experiences using narcotics is much greater than that of alcohol thus making the repetition necessary. Consequently, dependence on drugs and the desire to enlarge the dose or experiment with the new and more powerful drugs increases. Gradually the desire for dope becomes so overwhelming that it degrades the addict's individuality. The transition from experimentation to dependence is no longer a secret for it has been studied thoroughly. Profit seeking dealers expand the drug market at any cost by supplying drugs to more and more addicts taking advantage of their weaknesses.

Drug sales are the closing stage in drug trafficking. Drug trade earns huge profits that cover the costs of cultivating drug-bearing plants, producing (or illegally acquiring from medical institutions) transportation, sale expenses, and the bribery of officials, including those of the law enforcement agencies. Since illegal drug trafficking is extremely advantageous in terms of illegal profit accumulation and so harmful and immoral it must be regarded by the entire world community as a socially dangerous phenomenon. Some countries qualify its certain manifestations as a heinous crime.

Throughout this century international organizations have been paying much attention to actions against drug abuse. For example, in 1909 the Shanghai Opium Commission approved documents to restrict drug trafficking between countries. The international opium conference held in the Hague between 1911 and 1912 worked out, for the first time in history, the drug convention of 1912. The conference on opium held in Geneva between 1924 and 1925 approved, on February 11, 1925, an Agreement under which opium was made a government monopoly. The second Geneva conference on opium passed a convention on February 19, 1925, under which narcotics were to be produced only for the purpose of meeting the countries' legal demand for them. Besides this convention stipulated the extension of the list of drugs. On July 13, 1931, an international convention limiting the production of drugs and regulating their distribution was approved in Geneva. It came into force in 1933. A convention of actions against the illegal trade in hard drugs was signed in Geneva on June 26, 1936. It made international prosecution for drug-related crimes possible and introduced punishments for such crimes compared with the previous conventions.

In 1946, the UN Economic and Social Council passed a resolution that provided for the international drug control and for the establishment of a drug commission for this purpose. On November, 19 1946, the UN General Assembly passed resolution 54/1 which endorsed a Protocol on Drugs. It was signed at Lake Success on December 11, 1946. At the initiative of the Drug Commission, a protocol extending the international control over drugs set forth by the 1931 convention, was signed at the third UN General Assembly session in Paris on November 19, 1948. A Protocol on Control over opium poppy, consisting of the Preamble and the Final Act, was signed in New York at the UN opium conference on June 23, 1953. The UN conference in New York in 1961 approved a Uniform Drug Convention and in 1971 in Vienna a special diplomatic conference passed a convention that stipulated the establishment of a control over psychotropic preparations. The UN conference in Vienna in 1988 adopted a convention of actions against the illegal trafficking of drugs and psychotropic substances. In keeping with the decisions of the G Seven heads of state and governments and of the European Commission Chairman, the 15th top-level economic summit in Paris set up a special group in July 1989 to deal with the laundering of drug money. Upon this group's recommendations, the International Drug Control Council called on all the governments to approve, among other things, legislative acts against attempts to launder money obtained from drug sales and to ensure their effective use. The list of international antidrug conferences and their drug-prevention documents alone, as well as the establishment of special international bodies and organizations to carry out their decisions, is a graphic illustration of how serious the world community's effort to oppose drug abuse has been.

A lot of people today are drawn into the process of illegal drug trafficking: from those engaged in cultivating drugs or producing medical preparations containing drugs, to drug salesmen and dealers engaged in money-laundering. At times these people form groups, which are termed, organized criminal groups or associations by the criminal code. On the one hand, these groups take control of drug-related crimes and draw people who commit such crimes on their own. And on the other hand, they establish firm organizational ties among themselves forming drug cartels in order to monopolize drug trafficking in the vast regions of the world. This shows that there is a continuous blending process between narcotics and organized crime. These factors characterize the highest degree of danger that narcotics represent. They prove the pressing need to increase worldwide action against narcotics. This action calls for the use of all possible means: political, legal, economic, and medical among others.

The antidrug campaign is a big drain on the material resources of the country. It involves large spending on various programs such as preventive Medicare, law-enforcement, legal and economic measures, and other. If this spending is to be rational and effective, a range of measures should be outlined with the utmost precision and professionally implemented.

All this calls for a comprehensive analysis of the existing situation and of the possible opposition by drug dealers. As the owners of enormous wealth, which sometimes exceeds the budgets of some countries, drug dealers are able to influence government policies, especially in small countries. Mainly bribing top government officials in the legislative or the executive branches ensures this influence. As a result, criminals get a chance to interfere in law making from the outset. The bribery of the law enforcement officers and of the officers of the court, among others, makes it possible to cover up drug deals, prevent exposed members of the criminal associations involved in these deals from prosecution or substantially curtail their prison terms.

Unlike the United States and other wealthy countries, smaller nations are in no position to allocate sufficient sums from their budgets to carry out effective antidrug projects. Research-based guidance may to a certain extent make up for the lack of necessary funding. And here government-supported antidrug programs may play an essential role.

The study of drug abuse has always been prominent in the study of law. Many booklets, articles, serious textbooks, and monographs are devoted to narcotics. It is as hard to cover all aspects of the problem, even in the most profound study, as it is to establish absolute truth, especially, since reality keeps creating new problems all the time.

The key solution lies in the need to pool international efforts in eradicating drug addiction and narco-business. In the present-day world with its integration processes it is impossible to do away with drug addiction in any one country. Yet there is no way for the world community to regard itself free from the problem even at a time when drugs will be a peril only in one particular country. An intensive and continuous buildup of the world community's joint effort against narcotics is a top priority objective of the world at large.

*Chapter 1. Concept, Manifestations and Tendencies of Drug Abuse*

1. The Concept and Manifestation of Drug Abuse

Sociologists, lawyers and medical experts single out three basic aspects of drug abuse: social, legal and medical.

These aspects are interconnected and interdependent and reveal the diverse nature of drug abuse. Moreover one can also point out the criminological, economic and ecological aspects.

To highlight the entire multiplicity of this phenomenon, it is necessary to go beyond the widespread notion of "drug addiction" because strictly speaking it applies only to the medical or biological aspects of drug use being viewed exclusively as a disease without covering social, legal and some other aspects. This is why the notion "drug abuse" rather than "drug addiction" is used in juridical literature as a much wider term covering social, legal and other aspects. So, drug abuse is understood as a "social phenomenon" which combines such illegal actions as willful consumption of narcotics, dealing in narcotics illegally, as well as solicitation to use drugs, creating the conditions for becoming a part of illegal drug trafficking.

This definition is acceptable on the whole and may be used as a basis for describing the phenomenon, yet it fails to cover the biological aspect and insufficiently expresses the economic, legal and criminological aspects.

There is a need for a term that would cover all the aspects of this negative phenomenon, and of the ways of combating it.

**Social Aspects of Drug Abuse:**

Most concisely, the social aspect of drug abuse can be described as a combination of social behaviors linked to narcotics and their social consequences in the form of damage that has been done and can be done to society.

The actual negative social manifestations of drug abuse are expressed in various drug-related actions: cultivation of drug bearing plants, preparation, acquisition, storage, sale and consumption of narcotics, as well as persuasion to use narcotics.

**Negative Social Consequences of Drug Abuse:**

The negative social consequences of drug abuse are similar to the social consequences of crime. They amount to "real harm caused by crime to social relationships and expressed in the cause-and-effect combination of criminal behavior and in the direct and indirect, immediate and mediate negative changes (damage, losses, and other ill effects), ultimately affecting the social (economic, moral, legal, etc.) Values and also implying the combination of society's economic and other social hazards attributed to the effort to combat and to socially prevent crime.

Proceeding from this definition it is possible to recognize the negative social consequences of drug abuse. The first is the negative social changes, such as harm to people's health, the destruction of family foundations, and a decline in work efficiency. The second is the cost which society has to pay to overcome these changes. Other changes also include refusal to work, various antisocial actions, and crime. A closer look at these negative changes shows that drug addicts are poor workers because of their ill health, which, in general, makes work impossible for them during spells of abstinence. Their entire range of interests and thoughts lies in the desire to find ways of obtaining drugs. The list of negative changes also includes material damage perpetrated by the drug addicts who are often the source of transportation accidents and accidents in industry. For example, 60 billion dollars worth of damage is done annually in the United States alone. There is also the moral damage resulting from the various unlawful actions motivated by the desire to find means for buying drugs, such as the willingness to commit crime for the sake of meeting that desire. Forgery, embezzlement, abuse of authority and office duties is just a few. Drug addicts create unbearable conditions for their families by denying them normal lifestyles and means of existence. They harm their offspring by upsetting the hereditary stock. Drug addicts undergo physical and moral degradation and die early. They destroy their own basic moral and ethical values.

The Committee of Experts of the World Health Organization determines the social danger and negative consequences of drug abuse according to the basic factors and divides them into two main groups: the breach of relations among drug consumers and the spread of unfavorable consequences among many people.

**Specific Social Problems of Drug Abuse:**

WHO experts describe the specific social problems caused by drug abuse as follows: the huge material losses and their consequences in the form of all kinds of damage done to those who immediately surround drug consumers (parents, college roommates and so on) and to the society as a whole; the deterioration of relations with official organizations and institutions, staff at college and at work etc.; drug consumers' inclination to commit crimes motivated by the need to have drugs or the means to buy them, and also the mercenary and violent crimes committed under the influence of drugs; the additional demand for welfare benefits and medical care for persons using drugs other than for medicinal purposes and in connection with this the unnoticed spending both by drug addicts and by society as a whole; the danger arising from drug addicts as potential conduct of drug addiction in their immediate surroundings.

Detailed research however allows for a broader list of specific social aspects. They include: ideological and cultural, law enforcement, medical care and preventative medicine, labor and education, family and leisure time, and material resources. The specific ill effects of narcotics and their unfavorable social consequences can be seen in any of the categories listed above. For example, in the ideological and cultural area they express themselves in the development of a specific drug ideology; in the law enforcement area there is an increase of crime. In Medicare and preventive medicine, there is deterioration in people's health and an increase in the number of handicapped children. In industry and education - a decline in labor efficiency and poor results at schools and other educational centers is evident. One can also point to accidents and to deterioration of relations among staff. In the family relations, a loss of understanding occurs. All this requires setting up special schools, preventive centers, drug departments at medical institutions, rehabilitation centers and new antidrug programs.

To sum up the above-cited social aspects of drug abuse one may state, that it is harmful in physical, moral and proprietary ways. This harm is caused by the proliferation of the narcotic sub-culture as it draws more victims into it; secondly, by drug-related crimes; thirdly, by crimes committed for the purpose of getting means for buying more drugs; fourthly, by crimes committed under the influence of drugs; and, finally, by the spending needed to carry out various programs aimed at eliminating drug abuse.

**Legal Aspect of Drug Abuse:**

The legal aspect of drug abuse is also a part of the social aspect. Crimes and other law-breaking acts covered by the totality of legal norms involve the illegal cultivation of drug-bearing plants, the preparation, storage, transportation, trafficking, sales, and theft of drugs, the use of drugs without doctor's prescription, and the violation of laws regulating the handling of narcotics. This also covers the situation when suitable conditions are created for taking drugs and those in which more people are persuaded to use drugs or when people have to commit crimes in order to obtain means to buy drugs. Crimes committed under the influence of drugs, as well as crimes that are committed for the purpose of getting money to purchase drugs are included as well.

These crimes should be viewed as part of the notion of drug abuse since they are caused by the desires of drug users to boost drug-inspired activities or their level of intoxication. The legal aspect of drug abuse also includes those relationships regulated by law and arising from the non-medical use of drugs.

**Criminological Aspect of Drug Abuse:**

The criminological aspect of drug abuse includes a part of this phenomenon that poses an extreme danger to the public, i.e. is linked to the above-cited crimes, their state, level, structure, dynamics, cause-and-effect, criminal's personality, and prevention measures, among others.

**Economic Aspect of Drug Abuse:**

The economic aspect of drug abuse is associated with its affect on economy, such as large sums of money in possession of drug dealers, a decline in labor productivity of drug addicts; an increase in spending on law-enforcement engaged in combating drug-related crimes; and a drain on national budgets due to preventive and rehabilitation measures to combat drug addiction. Experts claim, for example, that in the former USSR, the cost of illegal drug trafficking within the "narco-business-shadow economy" amounted to billions of troubles.

**Biological Aspect of Drug Abuse:**

The biological aspect of drug abuse is associated with the notion that it is "a disease manifested by a constant and insurmountable craving for drugs (morphine, for example) causing euphoria in small doses and stupor in large ones. The regular use of drugs arouses a desire to increase the dose. The abstinence syndrome usually accompanies withdrawal.

Narcotics damage the internal organs of drug takers, destroy their nervous systems, their state of mind, and bring about their social degradation.

Since drug addiction is a disease, there is a need to find a cure for it. Hence, the need to have qualified medical personnel, special drug rehabilitation centers and branches offices, effective medicines and curative methods.

**Ecological Aspect** **of Drug Abuse:**

The ecological aspect of narcotics is associated, on the one hand, with the natural existence of drug-bearing plants, and on the other, with their man-made cultivation. These plants are a source of obtaining and preparing narcotic substances. From the ecological point of view there is a need, first, to do away with the spread of wild drug-bearing plants, and second, to ban their man-made cultivation. The economic, biological and ecological aspects are subjects for research by experts.

**Drug-related Crimes:**

It is possible to define drug abuse as a negative social phenomenon touching upon the social, legal, criminological, economic, biological and ecological areas accordingly. One part of the phenomenon is drug addiction, as a disease, and other, embraces all the law-breaking actions related to drugs: those carried out to secure means for purchasing drugs or those committed under the influence of drugs. Such law-breaking actions cover the use, preparation, purchase, storage, transportation, parcel mail, sale and theft of narcotic substances; attempts to force other people to use drugs and the creation of conditions conducive to such use; attempts to sow and grow drug-bearing plants; attempts to violate the established rules regulating the production, purchase, storage, control, sale, transportation or parcel mail of narcotic substances; and, drug smuggling. The law-breaking actions also cover various mercenary crimes (violent crime) that are not drug-related but are committed in order to buy drugs subsequently (theft, robbery, plunder, fraud, blackmail and others) and also violent crimes committed under the influence of drugs (e.g., hooliganism against individuals). This notion reflects the essence and the confines of the drug use and serves as a guideline for determining its scale and developing strategies against it. Yet the true scale of this phenomenon is obscured by a high degree of latent drug-induced diseases and law-breaking drug-related actions.

**Narcotics and Crime:**

The above-listed law-breaking actions are crimes proving an interrelation between drug abuse and crime. Drugs and crime are not only closely interrelated, but actually blend fully, and in fact, becomes what is known, as narco-crime. But to merely establish this fact is not enough. The danger drug-related crimes pose to the public surpasses the danger coming from other crimes. Drug-related crime is largely interrelated with various other kinds of crime and even merges with one of its most dangerous varieties such as organized crime. This becomes clear studying the dynamics of drug-related crimes. Central here are the drug users who represent a consumer of narcotics, and the ultimate target of drug trafficking - the sale of drugs. When people become dependent on drugs they concentrate all their efforts on getting drugs at any cost. They engage in criminal activities ranging from the cultivation of drug-bearing plants and the preparation of "stuff", to its sale.

**Tendencies of Development:**

The number of drug users grows in direct proportion to the rise in crimes committed under the influence of narcotics and, in the long run, to the profits earned by the drug dealers. Hence, drug dealers seek to 1) expand the drug sales; 2) increase the output of drugs or receive more of them from medical and pharmaceutical centers; and, 3) further promote criminal activities connected to drugs. The latter seems to ensure the realization of the former. A high degree of organization paves the way for expanding drug sales, increasing the output and boosting drug trafficking.

**Expanding Drug Sales:**

The expansion of drug sales is achieved by persuading more people to take drugs. Drug dealers set up drug pads and stores where narcotics are available. They try to advertise them in indirect ways. They make sure that more powerful drugs are continuously being developed.

In order to increase drug output drug-bearing plants are grown on remote plantations in regions with difficult access. Illegal shops and laboratories for developing new types of narcotics are set up there. Funds for increasing drug output are raised by blackmailing or bribing public officials. Drug-dealers practice violence, make threats against officials and encourage theft of large amounts of drugs.

Boosting the Level of Organization of the Illegal Drug Trafficking Business Methods to improve the level of organization include mergers of criminal groups and associations, severe disciplinary measures within criminal organizations, greater degree of cohesion among group members, conspiratorial rules, and tougher actions against those who violate the rules in such groups. Other methods are: increasing attempts to draw government officials into criminal groups, taking control of persons engaged in drug-related crimes on their own, centralizing finances and monopolizing drug prices.

According to various studies there are quite a few syndicates and cartels in the world that have divided drug trafficking regions among themselves. Activities of these groups are guided by a clear-cut system of criminal actions, such as promoting the sowing and cultivation of drug-bearing plants, the production of narcotics, their wholesale purchase, and the transportation and sales of drugs to consumers. Drug syndicates and cartels, for whom drug trafficking is the main source of income, act under the guise of legitimate companies, trying to come across as legal as possible. They have airplanes, modern weapons and the newest technology in their possession. Leaders of the criminal drug associations do their utmost to oppose the actions of law enforcement agencies. With this purpose in mind, they not only try to check police actions but make attempts, successful at times, to infiltrate police ranks. Professional criminals deploy defense measures that may prove to be so effective in challenging the worthiness of surveillance of suspects and the bugging of their phones. United into cartels and syndicates and organizationally divided into groups and associations, drug- criminals are usually aware that they remain under constant surveillance. To ensure their personal safety they resort, as a rule, to various counter-surveillance measures, thus putting well-trained police officers in a difficult position. Experience shows that criminal groups usually keep the approaches to places where narcotics are turned over under their own close watch.

**Ways to Legalize Drug Profits:**

Drug dealers seek not only to build up profits from drug trafficking but to legalize them as well. To that end they engage in criminal activities where by legal and illegal operations are inextricably intertwined. The money earned from the trade in narcotics is invested into legitimate businesses or in real estate. It may also be laundered in financial transactions, such as, the purchase of shares and securities or other newly invented and constantly perfected operations. The income thus obtained allows drug dealers not only to pour more money into drug trafficking or finance more drug-related crimes but also provides for a legal coverage of drug trade, or for the participation in legal activities. Speakers at the international seminar on combating organized crime in the Russian city of Suzdal in 1992 held in accord with the resolution of the 45th session of the UN General Assembly, pointed out that "in the majority of countries, organized crime developed along two directions: participating in prohibited activities (property crimes, money laundering, illegal drug trafficking, violation of hard currency transaction rules, intimidation, prostitution, gambling, trade in weapons and antiques) and joining legal business (directly or using such parasitical means as extortion. This participation in legal economic activities is always bent for the use of illegal competition methods and may have a greater economic impact compared to the involvement in totally illegal kinds of activity). In short, criminal methods are used in both cases leading to the situation in which criminal elements form the majority of organized criminal formations.

**Organized Narco-crime:**

Typically, drug cartels and syndicates are highly organized. Present in the organizations are: strict and precise distribution of functions; very rigid hierarchies; internal discipline maintained by interest, authority and force; stringent conspiracy; ramified networks of groups bound by firm organizational ties; branches existing and functioning in various countries; contacts with other criminal groups (counterfeiters, smugglers, murderers etc.); the use of professional criminals; the internationalization of group members; and, the use of violence to meet the desired ends. To protect their huge profits and spheres of interest, the subjects of narco-criminals stop at nothing and employ violent means, such as the contract murders of their rivals and of law enforcement agents. The money brought by the trade in drugs is often used to finance dangerous crimes and acts of terrorism. It becomes a source, which finances subversive activities of all kinds. Profits obtained from the drug trade make it possible to finance large-scale armed operations against government forces (like in Columbia or Mexico). Profit gained from the drug trade is often compared with the profits earned by whole industries. The drug trade is regarded as the world's second largest economy. All this enables drug dealers not only to pay generously for the participation in crimes but also to set up a common financial fund, a common bank, so to speak. Narco-money is also used to exert influence on policy-making, particularly, by nominating the associates of drug dealers to key posts in the economy and politics or by bribing persons who already hold such posts and turning them into supporters of the drugs trade. These financial investments are reinforced by threats of violence against them or their close relatives (wives, children or parents). This proves convincingly that narco-crime is a well organized and well planned business incorporating the mutually inter-related criminal activities of individuals, groups, associations, syndicates and cartels with a division of mutually interrelated functions. This is the reason to regard this kind of crime as a variety of organized crime. Some researchers believe that drug profits are the economic foundation of organized crime. This can be seen in comparison of elements forming narco- and organized crimes. To get a clear understanding of the elements of the latter it is necessary to look in retrospect at the history of organized crime. While crime and drug addiction have been known to the world for at least several centuries, the existence of organized crime has been officially recognized quite recently, only in this century. Yet both national and foreign researchers date the origin of this phenomenon, in one way or another, to a much earlier period.

Various stable criminal organizations used to appear and operate on territories of almost all modern states. Gangs of brigands and smugglers were at work not only on land but also at sea (sea pirates). They had in their possession caches of weapons, stocks of gold and food and, sometimes, entire fleets of pirate boats furnished with everything necessary for an attack and ready to go into combat with regular troops or ships. They thereby challenged borders and laws. Already at that time members of such gangs observed their own internal rules and traditions strictly, contrary to the ones obligatory in society. Among them there was the principle of mutual help, the recognition of the leaders' authority, the distribution of duties and spoils, as well as a system of reward and punishment. Gangsters knew exactly the kind of work they were responsible for and also knew their zones of influence (slave trade, cattle stealing, smuggling arms, narcotics, gold, diamonds, etc). They talked their own language and stuck to other conspiratorial rules. Taking hostages and bribing officials were their usual practices, very much like the actions of the present day organized crime groups.

With the passing of time, of course, these organizations kept transforming and modernizing, adjusting to changes of state borders, governments and economies. They were turning more and more into organized criminal associations that posed a serious threat to public safety, to the supremacy of the law and to other state institutions. As researchers point out, a particular danger of organized crime is that it becomes more and more arrogant, aggressive, ingenious and diverse. In the 1980s, organized crime became increasingly apparent throughout the world.

**Forms of Organized Crime:**

Along with traditional forms of organized crime, new forms, more diverse and greater in scale, have appeared, such as the theft and re-sale of luxury cars, electronic equipment, historical and cultural art objects, antiques, icons and church plate. Other forms include the illegal trade in human being, weapons and ammunition, strategic raw materials, non-ferrous and rare metals, drugs counterfeiting, theft and forgery of credit cards, gambling, and infiltration of legal business and world finance. An analysis of documents issued by the UN Information Center proves that the influence of various forms of organized crime spreads far beyond national borders and "transnationalize crime", so to speak. This creates a situation which "differs, both qualitatively and quantitatively, from the situation in the past and hampers the accomplishment of effective measures aiming to prevent and eliminate crime. Experts believe that the evolution of organized crime should be seen as "a process providing for a rational reorganization on the international basis of criminal enterprises using the same patterns just as it is the case for legal enterprises." This process reflects tendencies for forming a more intricate organizational structure typical of the modern society in all countries. This explains why the UN Secretary General pointed out in his speech at the 47th General Assembly session on September 28, 1992, that it was imperative to promote international cooperation and develop practical steps against organized crime in view of its negative impact on various areas of society's social, political and economic life. Though extremely topical, problems of organized crime have not yet been resolved properly by juridical theory and practice. Suffice it to say that there are still some countries where no laws on organized crime have yet been passed. There is no uniform approach to the concept of organized crime at the legislative level. The attributes and signs of this phenomenon have not yet been finalized. No attempts have yet been made to develop a comprehensive program of action against it. There are few statistics or official data on organized crime as a whole.

For example, in the former USSR the first official mention of organized crime made at the government level was on December 2, 1989, when the decision to step up the effort against organized crime was passed by the 2nd Congress of People's Deputies. However, no laws regarding organized crime have been adopted. This could not help but leave its imprint on the practical activities of law enforcement agencies in the former Union republics. There was no solid theoretical discussion of the concept of organized crime, as the scarce publications of the last few years could hardly give a complete picture of this problem.

Some published works, however, contain a number of definitions of organized crime. Some authors point to the following basic features. Criminal groups based on hierarchical order consolidate within the borders of one particular region or a country; their leaders take no part in crimes but only perform organizational, managerial and ideological functions. Government officials, including law enforcement officers, become corrupt and join criminal activities providing safety to the members of criminal associations. This association has a tendency to monopolize and expand the spheres of illegal activities, and to protect leaders from bearing any responsibility. Another group of authors believe that organized crime is a system of contacts forming naturally in the criminal surroundings which lead to the concentration and monopolization of certain kinds of criminal activities. Diversified ties between groups engaged in criminal activities are characteristic of this system.

**About the Concept of Organized Crime:**

Organized crime represents the consolidated criminal associations with their own norms of behavior, hierarchical ladders and finances, it is the most dangerous kind of crime that opposes and counteracts the lawful actions of the state. This definition also embraces the totality of mercenary and economic crimes committed with the help of corrupt government officials, and law enforcement agents among them, who yielded to bribery and other forms of corruption.

**Organized Crime in Foreign Legislation:**

In this context it is interesting to look at foreign experience in dealing with organized crime, particularly, in the field of legislation. The Italian criminal code states, for example, (article 416-2) that "the association of a mafia kind is ranked as a criminal one when its members practice the removal and intimidation of other persons in order to ensure a cover-up and observe the law of silence and thus make it possible to commit crimes, and win, directly or indirectly, posts allowing the management or control of business activities, the distribution of concessions and permits of all kinds, the signing of contracts, and communal services, as well as making illegal profits or securing illegal privileges for themselves and other persons." The American approach seems to be slightly different. While the Italian Criminal Code lists features of organized crime, American Federal Legislation (USC-par. 3781), though naming certain features of organized crime, attributes concrete actions to it, namely, "unlawful activities by members of a well-organized and disciplined association supplying illegal commodities and offering illegal services, which include but are not limited to, gambling, prostitution, usury, the spread of narcotics, racket and other unlawful actions by such organizations." Organized crime has broad opportunities for carrying out unlawful deeds but the choice of these opportunities is mainly determined by the level of expected profit, the minimum degree of possible risk of being caught and exposed and the absence of concrete victims. It is this particular factor that comes to the foreground in crimes related to narcotics whose users are not interested in reporting to the police. The specific choice of a "specialization" for this or another criminal group is a factor guaranteeing it, to a large degree, a high level of conspiracy and a free hand in committing crimes. Along with the previously mentioned "specialization" of criminal associations there also exists what is termed as an "internal specialization", i.e. the division of labor among criminal association members.

**Organized Crime and Drug Related Crime: Features in Common:**

These features include:

- clearly defined organizational and managerial structures with a hierarchy which ensures the protection of leaders from punishment since their actions usually remain outside the confines of the criminal code;

- uniform norms of behavior and responsibility;

- planned unlawful activities and common goals aimed at making large profits;

- a system aiming to neutralize all forms of legal control and development of counter measures;

- common finances invested in various areas of criminal activities, which are used for bribing the necessary people, providing material support to members of criminal associations and financing crimes;

- monopolization and expansion of areas of criminal activity, cooperation between criminal associations in various branches of a national economy, the introduction of commodities and services to the black market, exploitation of women through pornography, and prostitution;

- the use of legal methods to launder drug money.

In sum narcotics are a negative social phenomenon posing an extreme danger to society. This danger is expressed in such ill-effects as the destruction of people's health as a result of drug addiction, drug-related crimes, the totality of which forms an independent crime branch (narco-crime), and the ability to turn the most dangerous and well-organized part of narco-crime into a variety of organized crime.

Par. 2. Tendencies of Development

Some tendencies of development can be traced by using the statistical method, whereas others, which are not clearly evident, can be discovered by sociological studies, expert evaluations, interviews, studies of documents or by content analysis of mass media publications.

**The Structure of Narco-crime:**

In the structure of narco-crime, the predominant criminal actions are the illegal preparation, acquisition, storage, transportation and dissemination of narcotics by mail. The percentage of such crimes is high and is increasing all the time. It varies between 87 and 96%. Actions not with the intent to sell constitute an overwhelming share (from 96 to 99%).

On the one hand, this fact gives reason to assume that the actions listed above were taken to obtain narcotics for personal use. On the other, a conclusion can be drawn that the main efforts against the spread of illegal drug trafficking "have actually shifted towards intensifying repressive measures against drug users.

However, illegal activity with drugs and their deliberate sale is much more intensive. But for various reasons, both objective and subjective, these fall under a different legal assessment. A major factor is that it is difficult to prove that there was an intent to sell. This is compounded by subjective views of "intent to sell" in special situations and the absence of a clear-cut stand by the lawmakers. 93% of the polled narcotic officers believe that proving "intent to sell" is difficult especially since this question is of decisive importance in final judicial rulings.

Besides, 63% of the respondents charged with illegal drug operations without the aim of selling drugs, admitted that they not only had such intent but also had been engaged in these operations on a regular basis all the way up until they were arrested.

It is interesting to note that in police seizures, drugs obtained from natural plants have prevailed so far. (Nearly 9/10ths). Today the amount of seized raw materials for making drugs is estimated in tens of tons and has grown more than 5 times in the last few years. This is well above even the over-estimated needs and norms of known addicts.

Specialized studies on the subject underline how difficult it is to investigate and uncover the above-mentioned crimes because of "the ingenuity of methods used to carry them out, attempts to conceal them and also because criminal behavior is multifaceted.

One should also take into account the absence of well-conceived methods, and the shortage of professionally trained personnel to uncover and investigate such crimes, especially, in the present-day conditions when there are political collisions caused by the Soviet Union's disintegration, when there are "transparent" and ill-defined borders between the former sovereign Soviet republics, when the internal affairs agencies are not well equipped technically, and when the customs and border control services are vulnerable.

**The Structure of Crime and Latency:**

Among the registered crimes there are none related to violations within the system of medical care of the rules of drug-making, drug acquisition, storage, keeping stock of, dispensing, transporting or sending by mail, at pharmaceutical factories or medical and bio industrial enterprises, etc. The absence of information about drug-related crimes, however, does not mean at all that there are no crimes present.

A study of the problem has shown that there is no reason to believe narcotics are safely kept out of reach of addicts. This has been confirmed by more than one-third of the polled officers of internal affairs agencies. Every second drug taker who was forced to undergo treatment, did not deny that he had received drugs from medical personnel. Similar cases of drug acquisition were noted by over 10% of persons charged with drug-related crimes, whereas 17% of people from the same group of drug abusers confessed that they used to steal drugs from hospitals, small medical centers and pharmacies. The share of other crimes in the structure of drug-related crimes total is insignificant, though they play a rather negative role in the spread of narcotics. For example, during one year, the crime of solicitation to use drugs was recorded only once or twice and 3 or 8 times the crimes involving the organization or running dens for addicts or providing premises for that purpose.

All the same just over 98% of the polled people charged with drug abuse and intent to sell drugs said they had persuaded 3 to 7 persons to start using drugs. In more than 70% of such cases, a special effort was made to invite potential "victims" to homes belonging to different persons. These people received remuneration for granting premises especially arranged for this purpose and where conditions were conducive for the use of narcotics. Practically one out of every 4 persons charged with drug abuse but without attempting to push drugs, admitted in talking to officials, that he had persuaded at least 3 or 4 persons to use drugs treating them to narcotics that he had bought or made for his own use.

What is more, 37% of the examined complaints and statements by citizens addressed to various agencies, especially, those made directly to the local police officers have remained unread, though they specifically mentioned people who had turned their homes into drug pads.

**Negative Tendencies:**

All these facts highlight: 1) an increase of the degree in danger posed to the public by drug-related crimes; 2) the appearance of new narcotics, giving way to diversity of drugs; 3) increase in the number of people involved in the use of narcotics through persuasion; 4) the rising level of organization of such crimes; 5) the expanding boundaries of illegal drug trafficking on the world- wide scale; 6) an increase in the number of illegal labs used to make drugs; 7) the perfection of methods used for selling drugs and an increase in the establishment of illegal and semi-legal shops intended for selling drugs; 8) the rising number of cases of illegal acquisition, including theft of narcotics from medical institutions; 9) the increase in numbers of corrupt officials involved in illegal drug trafficking; 10) the greater degree of masked laundering of money; 12) and a higher degree of latency of drug-related crimes.

The danger to the public from drug-related crimes is manifested by an increase of crimes committed for the sake of selling drugs, and, second, by the total quantity of narcotics in circulation.

The appearance new drug substances and the corresponding rise in variety of drugs is reflected in the constant growth of the List of Narcotics (narcotic substances and drug medicines both synthetic and natural) produced by the UN International Drug Control Committee.

The spreading of the cultivation of drug-bearing plants in places, which are, difficult to physically access is confirmed by the discovery of plantations sown with such plants in various regions of the world. These discoveries have been made with the help of space and aerial photography.

The fact that the ever-larger number of people use narcotics is manifested in the rising figure of medical patients using drugs and recreational drug users. The growing number of drug patients is registered by statistics and the rise in numbers of recreational drug users is evident from opinion polls among experts (medics at outpatient clinics for addicts and law enforcement officers who specialize in combating drug-related crimes).

The greater degree of organization in drug-related crimes is manifested by the growth of criminal groups and associations, in the setting up of syndicates and cartels, in the toughening of discipline within syndicates and cartels and in the rising cohesion of their members and the coordination of their actions. Tougher methods of pressure are exerted on members violating the rules of conduct within groups. Criminal groups, associations, syndicates, and cartels are also placed under control along with the people who commit drug related crimes on their own.

The expanding boundaries of illegal drug trafficking on the international scale are evident in the fact that drugs are smuggled into practically all the countries of the world. This smuggling includes attempts to carry drug consignments through the customs and across national borders of a number of countries by various means and by different kinds of transportation. This has been established by controlling deliveries of narcotics and by polling experts (law-enforcement and customs officers).

Law-enforcement agencies in various countries discovered the rise in the number of drug-making labs and new methods of selling and circulating drugs. Shops that were camouflaged as book or perfume stores have been seized.

**Corruption – as a Way to Protect Drug Dealers:**

Growing number of corrupt officials, aspiring for higher posts tend to improve methods to protect persons taking part in illegal drug trafficking. Polled experts and narcotic squad police officers, admitted that over the last few years, there was a rise in the number of requests to them by high ranking officials suggesting that criminal responsibility be lifted from persons involved in drug deals and against whom suits had been filed.

Ever more sophisticated methods to legalize the money from drug trafficking is manifested by laundering such money which makes it difficult, impossible at times, to trace its primary source. At present one can speak of the three major methods. First, cash is put into financial institutions or into retail trade and is immediately converted into foreign currencies or transferred abroad. Second, there is a stratification of the money, i.e. increasing the number of transactions that are often carried out in several countries to obscure the source of the illegally earned money. And, third, illegal earnings are integrated into investments in economic operations with the aim of making the money look legal.

The polled experts, and the narcotic police squad officers explained the increased latency of drug-related crimes by the following examples. There is mutual interest in keeping crimes a secret both among drug-pushers and addicts; none of them have any desire to cooperate with the law-enforcement agencies. There are special mutually beneficial and inter-dependent relations between users and suppliers of narcotics. This kind of relationship requires thorough secrecy due to the fear of criminal punishment for both users and suppliers. Small wonder that the addicts taken to hospitals, often in critical conditions, dangerous to their life and health, do not reveal, as a rule, the source of getting drugs. And this silence is due not to some sort of moral principles, honor, duty or solidarity but rather, in most cases, to the fear of losing the already established drug source or to the fear of being victimized for revealing the source. Also much is yet to be done to develop proper legal, personnel, tactical, material and technical programs that are effective in combating drug trade. There is the obvious need to find a way to expose latent drug-related crimes. For without realizing the actual state of affairs with drug-related crimes, adequate measures of combating them will remain insufficient.

Chapter II. System and Classification of Measures to Overcome Drug Abuse

Par. 1. System of Measures to Overcome Drug Abuse

Drug abuse is a socially dangerous and complicated phenomenon. Narco-crime, particularly, should be countered by a rigid system of measures.

These combine numerous and diversified steps having social, legal, criminological, economic, ecological, organizational and international aspects. The word system is understood as "a whole consisting of parts, a combination; ...a great number of elements bearing a relation to each other, connected with each other, forming a sort of integrity or unity.

The system of measures for overcoming drug abuse is comprised of many steps bearing relation to each other.

**System of Measures to Overcome Drug Abuse:**

The diversity of such measures, their relationships and contacts can be illustrated by law practices, law-making and law enforcement, as well as by the crime prevention theories both on domestic and international scales. For example, a comprehensive inter-disciplinary action program to prevent the spread of drug addiction submitted for discussion at the international antidrug conference in Vienna in July 1987 contained more than 400 articles and recommendations to governments and organizations as to how this negative phenomenon should be overcome.

The UN international program for combating drugs for the years 1994 and 1995, 1995 and 1996 comprises 298 projects featuring various aspects, directions and measures for checking the spread of drugs. 216 out of them were carried through in 1994 and 1995 and the implementation of the remaining 82 projects is underway. The total dollar amount of resources mobilized for the fulfillment of these projects is estimated at US$ 484,397,800. The sum was allocated by the UN International Antidrug Program's Fund.

The Concept of the Russian Federation government's policy on drug control, endorsed by decision No 5494 of the Supreme Soviet of the Russian Federation on July 22nd 1993, incorporates quite a few antidrug measures from those developed by the world community and registered by international conventions and in other documents. This Concept emphasizes the measures that have been tested and are successfully utilized.

Since the system of measures against drug abuse is too complicated the discussion of its contents is related, firstly, to the general characterization of its components and, secondly, to the classification of these measures in their relation to each other.

**Basic Aspects of Measures to Overcome Drug Abuse:**

The measures against drug abuse have some social, legal, criminological, medical, biological, political, economic, ecological, organizational and international aspects. Although these aspects have different spheres of application, they still remain interrelated. For example, measures for curing drug addicts have medical, social and legal aspects to them; measures for combating drug-related crimes have legal, criminological, social and other aspects; measures for combating money laundering have legal, social, economic, international and other aspects and so on. So, each particular aspect can be discussed only in abstract terms. This approach to the definition and description of aspects makes it possible to give a full characterization of the system of measures against drug abuse.

**Social Dimension:**

The social dimension is the cornerstone of all other aspects. All the antidrug measures are permeated with it. There is a correlation between the social aspect and each of the other aspects. It is either a general element in relation to something specific such as medical measures, or the whole of something, which represents a part such as criminological measures. It can also be a content when the other represents a form, as in legal measures. In short, the social aspect can be regarded as a common for all antidrug measures. Additionally there are legal measures for making those involved in drug-related crimes answerable for their actions and for intensifying the customs' control over the shipment of drugs across borders.

**Legal Dimension:**

The legal aspect of the measures under consideration can be seen as a totality of legal norms including international conventions against drugs and determining the degree of a judicial responsibility for them, mainly, criminal and administrative; secondly, regulating various legal relationships arising from drug use, thirdly, ensuring a compulsory treatment for drug addicts who try to avoid it and, fourthly, referring to these or other substances as narcotics.

**Criminological Dimension:**

The criminological aspect comprises measures aiming to overcome narco-crime, as a totality of drug-related crimes. These measures aim to study, analyze and sum up the structure and dynamics of these crimes and their latency. In addition, they aim to establish the causal complex of the given crime and determine the content, nature and direction of actions aimed at removing or neutralizing the causes conducive to the commitment of drug-related crimes. Thirdly, they aim to disclose and fix typical features, traits and qualities of an individual guilty of committing this or that crime. Lastly, they aim to develop methods for preventing drug-related crimes.

**Medical Dimension:**

The medical (biological) aspect involves the improvement of narcological aid and methods for curing drug addicts, the need to increase the level of professional medical training for those engaged in treating addicts and persons taking drugs without a doctor's prescription and the development of new medicines and medical equipment for treating addicts.

**Political Dimension:**

The political aspect involves combating narco-business, which tries to undermine the foundations of state power, weaken the entire machinery of state and diminish the nation's trust in the government.

Some juridical works make it a point that organized crime opposes legal actions of top government bodies not only by committing crimes but also by bending administration officials to the will of criminal associations so that they could protect criminal activities.

The resistance of narco-business to government lawful actions can result in attempts to undermine the foundations of state and in the re-orientation and distortion of any country's policy. So, central to the political aspect of measures against narco-business is blocking the influence of drug dealers on the national policy by barring nomination of corrupt officials to key posts in the government.

**Economic Dimension:**

There are two facets- retrospective and perspective of the economic aspect of measures against drug abuse. The retrospective facet, on the one hand, involves direct expenses of the state to combat narcotics, and, on the other, the lost benefits to citizens as a result of the spread of drug addiction.

Direct expenses include sizeable resources taken out from the state budget to set up and maintain various medical and educational centers for handicapped children, including those who inherited health problems from their parents suffering from drug addiction. In addition this includes expenses to support internal affairs agencies, customs officers engaged in combating the proliferation of drugs, production of special equipment for identifying drugs, as well as production of medicines for drug users. Finally, the direct expenses are used to promote international cooperation in joint antidrug actions with the United Nations Organization, Interpol and other international agencies and carry out research in the field of medicine, psychiatry, psychology and law, and to conduct an antidrug education.

The cost to society is revealed in an increase in the number of physically handicapped and mentally retarded people, victims of narcotics. In the long run this leads to a curtailment of society's physical and intellectual potential as a whole, such as lower standards in education and labor productivity. This, in turn, causes a reduction in the amount of material and other benefits produced by society and of resources for various government-run programs. There is also an increase in the number of cases of accidents in industry and, as a consequence the increasing failure to meet the output targets.

It is therefore essential to develop economic levers to oppose narco-business, including the money laundering. This has been poorly done so far, as no economic measures for combating narcotics have been developed and applied in practice. These tasks require an independent study by economists and lawyers.

**Ecological Dimension:**

The ecological dimension of measures against drug abuse is linked to the legal regulation that puts restrictions on the preservation and dissemination of drug-bearing plants. This amounts to a ban on their cultivation and destruction of the fields without any damage to the environment. The cultivation of such plants is expected to be limited to specially allotted areas where drug-bearing plants can be sown for medical purposes only.

**International Dimention:**

The international dimention of measures against drug abuse is manifested in various legislative, and law enforcement measures at the international level.

In sum, this system of measures covers a totality of numerous, diverse, complementary and carefully outlined programs that have social, legal, criminological, medical, economic, ecological, organizational and international dimensions.

Par. 2. Classification of Measures to Overcome Drug Abuse

The essence of the system of measures to overcome drug abuse can be understood by their classification in view of the diversity of these measures. By establishing their different categories and distributing them into various groups, this classification would make it possible to give each measure its own niche, to define its boundaries and its relationship to other measures. This classification makes it possible to determine the degree of each measure's significance and its priority in terms of its practical implementation.

It is important to group them by contents, form, level, subject of application, and type. As for legal measures, they should be grouped in accordance with different branches of law.

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**The Content of Measures to Overcome Drug Abuse:**

The measures to overcome drug abuse carried out by the UN Commission on Drugs of the UN Economic and Social Council, by the UN International Committee on Drug Control and by other international agencies can be grouped into the following categories: analytical, organizational, training and educational, research, technical, medical, economic, financial, international law, preventive, monitoring, legislative, and criminal.

Analytical component is needed in order to be able to make use of a complex system of collecting and assessing data about drug abuse, to evaluate the extent of the illegal use of drugs in different countries worldwide, and to make data available on the seizure of large quantities of narcotics to interested parties.

Organizational component of measures is aimed at setting up international agencies to control drugs and to combat drug trade; assisting countries in developing national policies on such control; supporting projects, promoting national law enforcement agencies; defining direction of programs and ensuring the organizational backing of such programs; estimating the amount of illegal cultivation of drug-bearing plants in areas difficult and dangerous to access. Governmental measures should include adoption and fulfillment of national programs to overcome drug abuse by forming special law-enforcement, medical and other institutions, as well as special services and squads to combat drug trade; taking stock of lands used to cultivate drug-bearing plants; arranging control over the production, storage, consumption, an shipments of drugs, especially across national borders, as well as over the actions for pharmaceutical and medical centers.

The training and educational component includes educating specialists in law-enforcement agencies, mass media, narcological centers, and social services.

The research component aims to define and analyze data on drug abuse, to work out recommendations for overcoming it, to set up and run special research labs, and to find new ways of ending drug addiction.

The technical component includes identifying drugs, designing equipment for special labs, developing remote control devices to spot fields of drug-bearing crops.

The medical component of measures is: to promote a system of rehabilitative treatment for drug users; to choose appropriate curative programs; and work on methods to reduce the spread of infectious diseases among drug users.

The economic component consists chiefly in funding various programs and projects, combating drug abuse, supporting programs reducing demand for drugs and their supply, encouraging and supporting populations which had switched to cultivating farm crops on territories where drug-bearing plants had been grown previously.

The financial component involves measures against money laundering. Financial operations by drug moguls aimed at making their earnings legal are the most vulnerable part for the criminals. In view of this, the Committee for Banking Rules and Banking Supervision issued a statement on December 12th, 1988 that calls for preventing criminal uses of the banking system for laundering cash obtained from drug trafficking. It requires that the international banking community use extreme discretion while identifying clients. The statement also calls for more cooperation with judicial systems and police institutions in halting the legalization of cash from drug trafficking. Many countries have accepted that the principles contained in this statement are applicable to the operation of their own financial systems. In keeping with a decision of the G Seven countries and of the European Commission Chairman at the 15th economic summit in Paris in July 1989, a special operational group on financial issues was started. It produced 40 recommendations made public in February 1990. It also analyzed world financial flows, banking and financial systems and methods for laundering cash. The group found some weak spots and undertook a number of other steps. All the countries, who are members of this group and (in keeping with its recommendations) some other countries declared that they viewed participation in laundering cash as a criminal act and started special services to investigate leads on shady deals reported by subunits of the financial system. At the recommendation of the special operational group on finances, the UN International Committee on Drug Control called on all governments to pass and effectively use appropriate legislative acts to stop money laundering, to confiscate the property of drug dealers, and to consider a possibility of lifting the burden of proving the legitimacy of supposed incomes or of other property subject to confiscation under par. 7 of Article 5 of the 1988 Convention even if this may require legal or constitutional amendments.

Among the international law components of measures are those calling for reciprocal legal support of countries working to combat drug trafficking. It is essential to make extradition easier, to strengthen international cooperation against illegal drug trafficking, as well as to promote the international system of control over medicinal drugs and psychotropes.

The preventive measures are comprised of destroying illegal plantations of drug-bearing crops; preventing a transfer of drugs and of their components from the legal sphere to the illegal one; curbing illegal drug trafficking; reducing the demand for drugs; preventing the use of narcotics, particularly, in places of employment, eliminating the addicts' pads, illegal labs where narcotics are made and stores which sell them; promoting social rehabilitation of drug addicts and encouraging education campaigns against drugs.

The control component of measures envisages supervision over the following areas: the growing of drug-bearing plants, to rule out a "leakage" of the legitimately grown plants: illegal sowing and raising; production of narcotics, their acquisition, storage, stocking and dispensing; commercial trade turnover in special equipment used for producing drugs, as well as in raw materials; semi-finished products, chemicals and narcotic analogies; international parcel post deliveries as a vehicle for sending narcotics; ships sailing on the high seas and planes flying in international space; transit through customs' ports; approaches to land, sea and air borders; and deliveries of drugs for treatments at hospitals.

The most important law-making measure is that of bringing national legislation in line with international conventions on narco-business.

The common criminal measures are those applied in every country, as criminal responsibility for illegal drug trafficking, sowing and raising drug-bearing plants as well as for other socially dangerous actions related to drugs. These measures cover both punishments for the above-listed crimes and also confiscation of tools and of income earned from the illegal drug trafficking.

Other measures include improving judiciary and legal systems such as law-enforcement bodies, courts of law, penitentiary and post penitentiary programs, customs and education.

**Forms of Measures to Overcome Drug Abuse:**

The classification of measures to overcome drug abuse can be subdivided into two groups: those having legal form and those that do not, i.e. those which are regulated and unregulated by the law accordingly.

**Measures to Overcome Drug Abuse Regulated by the Law:**

The legal measures against drug abuse include compulsory educational; compulsory medical; preventive- repressive; repressive; those ensuring active participation of citizens in combating crimes, in preventing and curbing them; as well as procedural and organizational managerial. The compulsory medical, preventive repressive and repressive measures are those aimed at suppressing drug abuse and the compulsory educational-at preventing it.

Organizational managerial measures on the basis of administrative legal norms, determine in general terms, the status of curative educational and curative labor centers providing treatments to drug addicts, and the competence of law-enforcement agencies and of the court regarding the compulsory placing of drug addicts for treatment. In addition, there are also measures, containing the following provisions: to build up, on the national scale, a network of bodies and institutions whose functions will amount to combating drug-related crimes; to record the number of addicts and provide treatments to them; to promote departmental cooperation in the work of combating narcotics; many organizational managerial measures are specified by international law, registered in conventions, agreements, treaties and other documents.

**Measures to Overcome Drug Abuse Unregulated by the Law:**

The second group of measures to overcome drug abuse are those which are not regulated by the law. They are informational, analytical, organizational, educational, scientific, technological, medical and preventive, as well as other measures that bear no relation to compulsion.

It is the group of legal measures, which can be subdivided into law branches. Such norms, as suggested above, can be found in the civil, family, labor, administrative, and criminal codes.

**The Level of Measures to Combat Drug Abuse:**

Measures to combat drug abuse can be divided into the following four levels: international, social, special and individual.

Measures at the international level are applied by various countries throughout the world. They are particularly binding in the countries, which have joined international treaties by ratifying them. This category of measures may include any of the previously listed such as informational, analytical, research, technical, medical, economical, financial, preventive, control, and law-making.

Social measures are those used on a national scale and meant to influence society as a whole. They include preventive, law-making, criminal and other legal measures, as well as the ones embracing the entire society such as informational, analytical, organizational, managerial, medical, economical, and others.

Special measures aim to overcome drug abuse and influence, on the one hand, certain kinds of harmful activities linked to drugs, and on the other, restrain persons inclined to carry out such activities or drug addicts. Measures aimed against certain kinds of activities include, for example, actions to destroy illegally sown crops or wild drug-bearing plants, may include measures in regard to specific individuals, attempts to cure drug addicts; to reveal and record the names of people inclined to commit drug-related crimes, or persons already convicted for such crimes; to prevent such people from committing more crimes; and to help persons from high risk groups avoid situations which may induce drug use.

Measures in regard to individuals cover steps taken in relation to those persons who use drugs or those who have committed or tend to commit crimes or other law-breaking acts involving drugs. They include steps providing drug addicts with an opportunity to undergo treatment or making them, if necessary, to undergo treatment, instituting criminal proceedings or using administrative measures against persons who have committed crimes, as well as preventing or warding off potentially socially dangerous actions involving drugs, etc. Medical, preventive, administrative, legal, criminal, criminal procedural and criminal executive measures can also be seen as measures in regard to individuals.

**The Subjects of Measures to Overcome Drug Abuse:**

The measures to overcome drug abuse can be grouped by institutions implementing them. There are international agencies and organizations, medical institutions, law-making bodies, law-enforcement agencies, executive government branches, specially created agencies, groups and other organizations.

The Commission on Narcotics of the UN Economic and Social Council and the UN International Committee on Drug Control are permanently functioning international agencies. Various conferences and symposia on actions against drug abuse discussed and worked out conventions, programs, decisions, projects, and recommendations. These can be referred to as temporarily operating organizations. Conferences of member-states, i.e. of their official representatives, have the right to approve conventions and other normative documents subsequently ranked as international law acts. After their ratification, legal norms contained in them become part of national legislation. International bodies exercise all the above-listed measures to combat drug abuse, except for criminal measures and a few others.

Medical institutions have the authority to carry out curative and curative preventive measures.

By their nature, the measures to overcome drug addiction can be divided into suppressive and preventive.

This classification makes it possible to determine the importance of each particular group. It can also serve as the basis for building a system of measures to be used for the preparation and subsequent development of the national program of action to combat drug addiction.

**Measures to Overcome Drug Abuse:**

By evaluating the measures to overcome drug abuse from the study of the experience, it is possible to single out the following groups of measures: 1) control preventive; 2) research, training and educational; 3) medical; 4) legal; 5) economic and financial, and 6) organizational.

The control and preventive; research, training and educational; economic and financial measures are grouped together because they are closely intertwined. Legal measures in this national program should include law enforcement and law-making measures and organizational measures-informational, analytical, and technical measures.

Without referring to the contents once again it would be important, from the standpoint of their expression and place in this program, to draw attention to some points concerning certain groups of the proposed measures.

A method should be defined in this anti-drug program of applying control measures. It would need to be a legislative regulation of drug movements from the sowing of drug-bearing plants and their cultivation, to the consumption of drugs. Presently, conflicting rules regulating the production, acquisition, storage, stock taking, dispensing, transportation and the sending of narcotics by parcel post are in force. These rules were enacted by executive branch agencies rather than by lawmakers. For example, the rules concerning the production, storage, stock-taking, and dispensing of drugs were established by the orders issued by the Ministry of Health, and the Ministry of the Medical and Micro- biological Industry of the former USSR. Transportation rules can be found in orders issued by the Ministry of the Medical Industry and coordinated with the Ministry of Internal Affairs of the former USSR. Rules for sending and shipping drugs by rail or any other kind of transport were determined by normative acts of various agencies. On the other hand, even if this is the prerogative of law- makers, the rules are scattered within various and quite numerous normative acts making it difficult to control violations of these rules by law-enforcement agencies. So, if a full and effective control over the circulation of narcotics is to be ensured, uniform rules for handling drugs should be worked out on the basis of the existing rules and should be made into law. These rules should envisage the procedures for the sowing, raising, producing, storing, stock-taking, dispensing and selling of drugs and for the acquiring, sending by parcel post, and carrying of drugs and their analogies, as well as raw materials, semi-finished products, chemicals and special equipment used in making drugs across national borders.

To implement research, training and educational measures in a national program it is essential to set up a single research and study center consisting of facilities capable to perform specific tasks of dealing with drug addiction. These tasks should be defined in the national program without overstepping their limits, so as not to squander means and resources on meeting other goals. For example, the tasks of the research facility should be to identify drugs, establish new types of drugs and study the most pressing problems of efforts aimed at stopping drug addiction. There is a need to establish how money obtained from the narcotics trade is laundered and determine methods for halting this process; a need to develop methods for examining controlled deliveries, documenting them and obtaining evidence which could determine guilt of the involved parties. The research center could work out methods for carrying out searches and other actions to uncover illegal drug operations and actions of those guilty, including sponsors, leaders and members of organized crime groups. The research center could summarize international experience in combating drug addiction, including school and out-of-school psycho preventive education for minors, preventive measures among population groups considered to be at a risk, and educational and preventive activity by means of mass media.

Special attention should be paid to law-making measures devoted to combating drug addiction. It is expedient to include in the national program provisions regulating legal drug turnover, regulations for the treatment, and rehabilitation of drug addicts. It is necessary to develop and pass the law on the responsibility for laundering drug money ensure and to treatment of drug patients grown drug-bearing plants for personal use at therapy centers or narcological hospitals, who have made, bought or kept drugs or have sown without selling them, rather than making them face criminal responsibility.

Economic and financial measures in the national program should provide for funding to actually put this program into effect. It should also ensure the functioning of the law-enforcement agencies engaged in the anti-drug programs, of narcological institutions and drug control services, as well as support for persons who use fields where drug-bearing crops had been cultivated earlier but later destroyed. Also the program should develop provisions about the application of financial measures against the laundering of drug money.

When it comes to organizational measures, it would be expedient to single out purely organizational and also informational, analytical, and material- technical ones.

It seems that priorities of the program should be to strengthen subunits of the law enforcement agencies, and of narcological centers, specializing in programs against drug abuse; to set up drug control agencies, encourage anti-drug programs by the greatest number of agencies, organizations, and mass media. The priority is promoting cooperation between all agencies and organizations engaged in combating drug abuse; in establishing a research center for studying problems of combating drug addiction, in training and up-grading the qualifications of specialists, expected to work in their field; and in setting up a data bank on drug addiction.

All of the above listed informational, analytical and technical measures should be included in the national program to combat drug addiction in the Russian Federation. A special fund needs to be started to support such projects as building medical institutions, a study center, and the law enforcement agencies furnished with the most modern equipment.

This system of measures to combat drug abuse examined here with the ranking of these measures, will make it possible to set specific deadlines for putting stipulated provisions into practice and will define the responsibility for their implementation, if this system becomes a part of the national program. The time frame for the implementation of this extensive program should be no less than 3 years with annual reports from all those involved. This will help ensure a more effective realization of all its provisions.

This system and the classification of measures against drug abuse indicate how difficult and complicated the job of combating drugs is. It calls for much effort, constant improvement and a considerable resources.

Chapter III. Drug Abuse in the International Law

Par. 1. International Fora and Legal Acts on Drugs

Legal measures figure prominently in the system of actions aiming to combat drugs. It is precisely the legal acts that determine the object, the subject of narco-crime and influence the shaping of measures of preventive-educational and curative interference, as well as the range of drug-related actions, considered dangerous to the public.

Measures against drug abuse rest, first and foremost, on a number of international law acts ratified by the Supreme Soviet of the former USSR. These acts have different names: treaty, pact, convention, agreement, protocol, declaration and so on. From the juridical point of view, the difference in names is of no principal importance. No clear-cut criterion for the use of these names has been worked out in international practice. In each particular case, this question is resolved by the parties (countries) to negotiations, who agree on the definition of relations between them in this or another special field.

Actions against drug abuse are regulated by international law because they involve international relations, as they touch upon the interests of not one but, sometimes, of many countries. As for narco-crimes, they encroach upon the international cooperation, violate human rights, and state interests.

All crimes bearing international nature and coming under the norms of international criminal law, can be divided into two groups by the degree of their danger to the public, and the forms of manifestation: crimes of international character.

International crimes are those posing the biggest threat to the development of peaceful relations and cooperation between nations regardless of their social, political and government systems. They include heinous crimes against peace and security of the mankind, such as aggression, genocide, biocide, ecocide or apartheid.

**Crimes of International Character:**

Crimes of international character are defined as those covered by the international law but not belonging to the category of crimes against peace and security of mankind, rather those infringing upon normal relations between countries and damaging their peaceful cooperation in various fields, as well as infringing upon relations between organizations and citizens. These crimes are much less dangerous and are hard to compare to crimes against the peace and security of mankind. They are punishable "in accordance with the norms covered by the international agreements (conventions), ratified in the proper order, or by the national criminal codes which conform to these agreements."

Various areas of inter-state relations are the objects of crimes of international character. This factor makes it possible to divide these crimes into four rather relative sub-divisions:

1) Crimes that infringe upon the peaceful cooperation and normal conduct of international relations (terrorism, hijacking and other crimes);

2) Crimes that damage in a variety of norms international economic, social and cultural development, such as smuggling, illegal emigration, counterfeiting and dissemination of narcotics through illegal trade;

3) Crimes that against property, moral values, and rights of individuals, such as trafficking, piracy, pornography and other crimes covered by international conventions and agreements;

4) Other crimes of international character, such as crimes committed on board of aircraft, damage to underwater cables, collision of ships and the failure to provide help at sea etc.

This classification rules out an identical approach to crimes that are crimes against humanity, and crimes that are of international character. This classification allows to examine them in conformity with the set of laws they infringe upon and in conformity with the extent of harm they do to international relations. Moreover, this classification largely helps prevent any broader interpretation of the notion of international crimes.

The categories - listed above of these are not something permanent, as these crimes are of the changeable and dynamic nature. The extent of danger they pose can move them from one category to another. At present any crimes encroaching upon the vital interests of all nations and countries can be considered as international crime or crime of international character.

Virtually all countries recognize the need to combat international crimes and crimes of international character, including the illegal dissemination of and trade with narcotics. The binding nature of this effort stems from the universally recognized principles of international law, including the international duty of all countries to maintain peace and promote security of all nations, as well as to hold persons guilty of committing crimes against the peace and security of mankind and other crimes of international character accountable for their actions.

All international legal acts against drug abuse can be divided into general and specific. General acts regulate various types of international relations, particularly, those formed in connection with actions against international crimes and crimes of international character, including the dissemination of and trade with drugs. Specific acts of international law bear direct relation to actions against drug abuse and its most dangerous aspect- narco-crime.

**General Acts of International Law:**

General acts of international law lay the legal foundation for cooperation among nations, in actions against international crimes and crimes of international character, the dissemination of narcotics among others. One of these acts is the UN Charter. Its Preamble urges all UN members to join in a common effort to maintain international peace and security. The UN Charter stresses the need to use international machinery for promoting the nations' economic and social progress and sets the goal "to practice international cooperation in resolving international problems of economic, social, cultural and humanitarian nature and in encouraging and promoting respect for human rights and basic freedoms for all regardless of race, sex, language and religion"

The UN Charter (part 2 art. 2) also calls on nations to strictly and unswervingly observe international commitments that they have taken upon themselves voluntarily and among them, as the Preamble points out, to the commitments stemming from treaties, agreements and other sources of international law.

One of the major historically evolved principles of international law states that international agreements must be observed. Stemming from this principle is a member nation's duty to cooperate in combating crime, international crimes and crimes of international character, including the dissemination of and trade with narcotics.

These crimes have certain particularities. This has a bearing on the question of accountability if such crimes are committed. According to I.I. Karpets, there is a need to single out crimes covered by conventions or other signed and ratified international agreements, especially, if national legislation have been brought in accord with them. The existence of both is a good reason for making those guilty of committing these crimes to be held accountable. A failure to do so must be qualified as a violation of both international law and national legislation.

In case there are no coordinated norms of accountability, the involved countries should proceed from the general principles that had developed among nations and resolve questions of cooperation against crime on that basis. Specifically, they may determine the forms of this cooperation, its confines, the need to institute criminal proceedings in view of the committed crimes of international character, etc.

**Special Acts of International Law:**

Special norms of international law dealing with measures to combat drug abuse have been taking shape gradually. The history of their development is uneven- from establishing international control over the lawful distribution and use of drugs to introducing control over illegal drug trafficking.

It is not accidental that crimes bearing on drug abuse are qualified as crimes of international character. This can be attributed to a number of circumstances.

As an age-old phenomenon, drug addiction has spread over large territories. As it kept crossing national borders, whole areas appeared that specialized in growing and processing drug-bearing plants, manufacturing and distributing narcotics. Recently, areas where drug money can be laundered at a profit have emerged. In short, drug addiction has become widespread practically on all the continents. Drug abuse has acquired a transnational nature. At the turn of last century it had already been clear that drug addiction endangered not only the lives of individuals and social groups but also the economic advancement of many countries, as it is bound to inflict considerable damage on agriculture and trade and undermine whole industries. (chemical, pharmaceutical or pharmacological).

Measures that various governments tried to employ within their countries in the hope to "curb" drug addiction, so to speak, and ban, say, in Turkey or China, the non-medicinal use of drugs, failed to bring any positive results.

On top of that, programs against drug addiction required additional financial resources for treatment and social rehabilitation of addicts, medical personnel, curative medicines, and preventive measures by law enforcement agencies. Many countries lacked such financial resources. So, actions against drug abuse began crossing national boundaries. The awareness of a possible proliferation of drugs raised concern of the world public opinion and governments of many countries began pressing for the intensification of the rule of law on the international scene.

Consequently, an objective need arose to work out and put into practice joint inter-governmental agreements, adopt effective legal norms that would regulate international cooperation, enable countries to employ coordinated measures against drugs as a whole and its specific manifestations and to establish, as a result, both a domestic and international control over the use of narcotics and their consumption.

The first experiment of international control over narcotics and of measures against drug addiction at the international level dates back to the Shanghai Opium Commission held between February 5th and 26th 1909 in the city of Shanghai.

**Shanghai Opium Commission of 1909:**

This commission consisted of the representatives from 13 countries: Russia, the USA, Austria-Hungary, Germany, Britain, France, China, Italy, Japan, Netherlands, Persia, Portugal and Siam.

The commission attempted to work out measures that would block the illegal flow of drugs from the regions of Asia to European countries and the United States. It also discussed questions related to opium smoking and to international trade in opium derivatives.

In the long run, however, no constructive measures were produced. Documents issued by the commission contained no specific bans even on opium smoking. Members of the commission thought it was sufficient to only speak about its regulation and gradual restriction.

Nevertheless, the work of the Shanghai opium commission of 1909 played a significant role. Officially it marked the beginning of actions against drug addiction at the international level and to the launching of a system of international control over the spread of drugs. It also mapped out directions for the future international legislation in resolving problems reviewed in Shanghai.

A further advancement in combating drugs was made in the Hague at the International Opium Conference held from December 1st 1911 to January 23d 1912. Representatives of 12 countries took part in it (the same as in Shanghai excluding Austria-Hungary). The conference prepared and adopted the first convention on drugs (known as the Hague Convention). As a follow up to the Shanghai Commission, in terms of ideas, the conference proclaimed the timeliness of actions against narcotics as a whole and its specific trends.

**The Hague Convention of 1912:**

The Hague convention of 1912 was the first to define the specific types of drugs, which were put under international control. They were raw opium, smoke opium, medicinal opium, morphine, cocaine and a few others. The contracting parties took pledges of both domestic and international nature upon themselves to adopt national laws establishing control over the production and distribution of raw opium, and at barring its illegal imports and exports without permits granted by specially authorized persons; to take steps towards gradually halting the production, domestic trade and use of smoke opium and introducing a ban on its imports and exports; to use narcotic substances (medicinal opium, morphine and cocaine) only for medicinal and "other reasonable purposes"; to ensure a legal regulation of the production of morphine, cocaine, medicinal opium, heroin and their derivatives and also of trade in these narcotic substances; to adopt appropriate laws (if they are not adopted yet) or change existing laws concerning the responsibility and punishment of persons guilty of acts involving the illegal possession of drugs.

The provision concerning the legal regulation of the production of morphine and its derivatives and trade in them (cocaine, medicinal opium and heroin) was an important step. It was an attempt to use preventive measures such as foreseeing the establishment of international control over narcotic substances, which could appear in the future without their prior concrete mentioning in the Convention's text.

The significant feature about the Convention was that it not only proclaimed the need for cooperation among countries in establishing control over the use of narcotics but also outlined what needed to be accomplished. One of these accomplishments was the duty of countries to exchange, via the Dutch government, texts of legal acts and statistics on drugs.

The 1912 Hague Convention, however, failed to bring practical results, largely because of World War I, which began soon after the passing of the Convention. It was put into force only with the signing of the Versailles and other peace treaties which specified that their ratification was tantamount to the ratification of the 1912 Hague Convention on drugs.

International documents approved following the Hague Convention just filled in the gaps and developed its provisions. The need for such documents was prompted by the continuous expansion of drug addiction, and of the illegal trade and smuggling of various narcotics. These documents are kept within the demands of the present problems that had been approved at the international level. They had defined more precisely and expanded the range of questions pertaining to the regulation of the issue on the basis of international law. They also involved more and more countries concerned about combating narcotics.

The growing threat from narcotics was evident from a series of international acts on drugs. Apart from that, however, the passing of these acts marked an important stage in international relations. They affirmed the principle that international law was bound to help organize and ensure control over drugs. The case in point was the Agreement banning the production, domestic trade and use of refined opium. It was signed on February 11th 1925 at the Geneva Opium conference.

Following the signing of the Versailles Peace Treaty and the founding of the League of Nations this conference was the first to discuss the issue of narcotics.

Its official program envisaged the development of measures to implement the decisions of the 1912 Hague Convention to limit and eliminate the production, domestic trade and use of smoke opium. But according to juridical literature, the Conference in reality expressed the latent interests of the colonial powers- the signatories of the above mentioned Agreement.

**The Geneva Conference of 1925 Agreement of February 11th, 1925:**

The Agreement provided for the establishment of monopoly associations on the territories and domains controlled by these powers to deal with the opium turnover, for handing over the production of smoke opium to the state monopoly, as well as conducting anti-opium propaganda.

The general control over the implementation of the Agreement's provisions concerning the trade in opium was placed upon the League of Nations- an international body set up in accordance with the Versailles peace treaty.

One of the provisions of this Agreement stipulated the need to study the state of control over smoke opium in the Far East. This study was carried out, practically for the first time in world practice, by a Special Commission appointed by the League of Nations Assembly in 1928.

The results of the study were examined in Bangkok and paved the way for the signing of the Bangkok Agreement of November 27th 1931, which banned opium smoking. The Agreement entered into force only in April 1937.

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**The Bangkok Agreement of 1931:**

The Bangkok Agreement added some new provisions to the Geneva Agreement of 11th February 1925. These new provisions made retail trade in opium possible only by government institutions; established criminal offence for persons under 21 years of age who visited opium dens; legally regulated the sale of smoke opium for cash and so on and so forth.

However, prior to the Bangkok Agreement, in view of the deterioration of the drug situation in the world in the postwar period, the second Geneva Opium Conference passed an Opium Convention that was signed in Geneva on 19th February 1925 and entered into force in September 1928.

**The Opium Convention of 1925:**

It underlined that there was no way to end drug abuse and drug smuggling unless the production of those drugs was reduced considerably and a more stringent control over their international trade was introduced than the one stipulated by the 1912 Hague convention.

For this end, the 1925 Convention stipulated some legal and organizational measures against drug abuse both at the international and domestic levels.

This Convention confirmed the principles of the 1912 Hague Convention and, what is more, it firmly established that drugs could be produced only for the legal purposes of states, having defined what these legal purposes were. Of principal importance was the decision to put several more kinds of raw materials which drugs could be produced from (coca leaves, raw cocaine, and cannabis) on the list of the controlled substances (in addition to the ones named by the 1912 Hague Convention). Moreover, the Convention was applicable to any substance, which, in accordance with the conclusion drawn by an authorized body, could cause the same harmful consequences as the substances listed in the Convention.

To exercise domestic control over narcotic substances the parties to the Convention agreed to the following pledges: to pass national laws that would ensure the control over the production, dissemination and exportation of raw opium and to systematically revise and toughen those to the extent that the articles of the Convention would require; to limit the use, production, importation, sale, distribution, export, and application of narcotics exclusively to medical and scientific purposes; to exercise control over the activities of persons who were allowed to produce, import, export, sell, distribute and use drugs and also to exercise control over premises where these persons work with drugs or traded in them; to curtail the number of ports, cities and other populated centers where the importation and exportation of narcotics would be permitted and to pass through and adopt domestic legislation that would envisage punitive measures for the violations of the Convention's provisions.

To exercise international control over narcotic substances the Convention stipulated adoption of the following measures: to introduce a system of evaluation and estimation of a country's domestic need in narcotics for medical, scientific and other purposes in the up-coming year; to hand in statistics connected with drugs (in a special form and at definite periods of time); to establish control over international trade in drugs and to also establish firm rules for the importation and exportation of drugs (to import and export narcotics only if there is a special written permission, as outlined by the Convention; to regulate the order of transit shipments and the storage of drugs at stores of third countries to prevent their possible leakage from the legal circulation during their shipments and storage); to establish control over the compliance with all commitments taken by the countries- parties to the Convention; to place the exercise of that control on a newly organized international body called the Permanent Central Committee (later its official name changed several times, although most of the time, it was known as "The Permanent Central Committee on Narcotic Substances").

The Convention also stressed the need for cooperation between countries in preventing the use of narcotic substances for purposes other than designated. It stipulated that the exchange of information about laws and decisions on the implementation of the proclaimed principles (using the services of Secretary General) would be a concrete form of this cooperation.

To put it in a nutshell, the Convention defined the content and forms of realization of international control over narcotics. It introduced a system of licensing and recording foreign trade operations of drugs and obliged the member countries to submit detailed statistics about such operations.

The convention on the limitation of production and the regulation of the distribution of narcotic substances signed on July 13th 1931 in Geneva proved to be another link in the international control system.

**The Convention of 1931:**

That Convention meant to introduce amendments to the two already existing conventions in force, those of 1912 and of 1925. It contained the following additions: uniform definition of notions, through the control over drugs. Alternative versions of such notions as "production", "refining", "processing", "storage reserves", "state storage reserves", "import-export" and others were removed. For the first time, a list of medicines containing drugs was established and production, processing, use, exportation and importation of them would now be controlled. The system of evaluating and estimating the overall demand for drugs in all countries regardless of their membership in the given Convention was perfected. Accountability for the commitments of member governments was enhanced. A special agency, the Control Commission, was set up to study data from governments about the quantity of narcotics and accounts about their receipt and use. In case the Commission found any deviations or the demand for drugs was too large in its judgment, the Commission had the right to question the examined figures and carry out its own calculations. The extradition of criminals was envisaged (under certain conditions) for committing crimes linked to drugs. The convention stipulated that member-countries had to have norms in their national legislation concerning the criminal punishment of persons who encouraged the illegal spread of the most dangerous forms of drugs.

The Convention also contained some administrative decisions aimed at perfecting the domestic control over drugs. It urged member-countries, in particular, to set up a special body that was to apply the Convention's decisions; regulate, supervise and control the trade in medicines on the Convention's list; act against toxicomania using all possible measures for halting its development, and bar, in particular, the illegal trafficking of toxic substances.

Under the Convention cooperation between member-countries expanded considerably. Along with the traditional exchange of the texts of legal acts, an annual report was to be submitted to the Secretary General of the League of Nations about the Convention's implementation on the territories of the member-states. The report was to be compiled in accordance with the model agreed upon by the Consultative Commission on the Turnover of Opium and other medicines containing harmful substances.

The contracting parties also pledged to inform each other, through the office of the League of Nations Secretary General, about all the important cases of illegal drug trafficking. These reports had to highlight sources or methods of illegal trafficking, the nature and the amount of drugs, the time and place of their discovery, smuggling methods and sanctions and measures in acted by the government.

**The Geneva Convention of 1936:**

The convention against illegal trade in drastic medicines signed on 26th June 1936 in Geneva became the next important document.

That Convention introduced a number of new essential amendments corresponding with its title containing the word 'struggle', which opened a prospect for a juridical cooperation in campaigns against drug abuse. The range of crimes subject to prosecution was outlined and expanded considerably. Contracting parties pledged to prosecute persons engaged in the illegal manufacture, storage, shipment, exportation, sale or purchase of drugs or who organized conspiracies with the aim of premeditated participation in the illegal drug trade. The Convention also provided for the extension of reciprocal legal assistance through the exchange of necessary information to identify and arrest criminals and extradite them to a foreign country.

World War II pushed the problems of international cooperation and control of narcotic substances to the background. But right after the end of the war this problem came to the foreground once again. In view of this, some international acts were adopted that regulated relations in the area of narcotics. The following documents seem to be of interest.

**The Protocols of 1946 and of 1948:**

The Protocol on Drugs signed in Lake Success (New York) on 11th December, 1946 provided for the introduction of changes into the agreements, conventions and protocols on drugs signed in the Hague on 23d January 1912; in Geneva - on 11th February 1925, 19th February 1925 and 13th July 1931; in Bangkok - on 27th November 1931 and in Geneva - on 26th June 1936. The Protocol on Drugs covered issues that arose in view of the dissolution of the League of Nations and the transferring of some of its drug control functions to the Organization of United Nations, the World Health Organization or its Interim Committee, and of the transferring of duties of the League of Nations Secretary General- to the UN Secretary General. The Protocol was the first UN document that introduced necessary re-naming although in reality changed nothing in the system of control and cooperation that existed hitherto.

The Protocol signed in Paris on 19th November 1948 dealt with the establishment of international control on medicines that were not put on the list of the 1931 Convention which limited the production and regulated the distribution of narcotics (changes to this Protocol were introduced by the 1946 Lake Success Protocol).

The signatories of this Protocol pledged to inform the UN about any substance that could possibly be abused and also to spread control onto synthetic drugs that had appeared by the time of the signing, and had not been previously listed in earlier international regulations.

Discussion of drug issues at the international level and the adoption of decisions under international law brought national legislation closer together, helped define priorities of the anti-narcotics movement, form an understanding of the danger posed by narcotics and control the lists of narcotics whose manufacture and use was subject to international control.

Yet, the existence of such simultaneously operating legal acts and international bodies failed to ensure sufficient legal regulation and control of all the issues connected with narcotics. This failure created certain difficulties for exercising control over drug abuse. The existing international acts also lagged behind the realities of life.

Many issues remained unresolved. For example, only some narcotic preparations were controlled whereas the production of raw materials for the making of synthetic drugs remained uncontrolled. The cultivation and use of drug-bearing plants and other problems related to narcotics required a legal regulation. In view of this, two important international acts were worked out and approved within the United Nations framework. They were the Uniform Convention on Drugs of 1961 amended later by the 1972 Protocol on Drugs, and the United Nations Convention of 1988 which provided for action against the illegal trafficking of narcotics and psychotropic substances.

One need not think however that the provisions of the earlier approved acts were so out-dated that they required to be radically changed. The two Conventions left intact therefore many time-tested provisions of the above-cited documents. At present they form the main legal foundation for the system helping exercise international cooperation and control over drugs.

**The Uniform Convention of 1961:**

The 1961 Uniform Convention regulates questions pertaining to the legal use of drugs. Its adoption was a landmark in the development of relations based on international law. The Convention is designed to promote decisive actions against narcotics at the international level through the building of a system of international cooperation and control over narcotics. In fact, this one document is a substitute for all the previously accepted international acts (with the exception of some points of the 1936 Convention). It diminished the number of international bodies in charge of the control over narcotics, and established control over the production of drug-bearing raw materials.

The participants in the Convention expressed the wish to sign a universally accepted international convention to limit the use of narcotics to medical and scientific purposes only and to maintain permanent international cooperation in order to accomplish the principles and aims of the Convention.

The parties to the Convention pledged to adopt not only necessary legislative measures, as the case had been here-to fore, but also administrative measures and to ensure fulfillment of the Convention's decisions. They took upon themselves to limit the production, exportation, importation, distribution, use, storage, and trade in narcotics and limit their use and storage for medical purposes exclusively in order to diminish sufferings and pain.

Instead of the previous four international agencies, which controlled narcotics, the Convention authorized the formation of just two: the Commission on Drugs under the UN Economic and Social Council and the newly formed International Committee on Drug Control of the United Nations Organization.

The Convention endowed these two bodies with broad authority.

**The Commission on Drugs of the UN ECOSOC:**

The Commission examines all issues that bear relation to the aims proclaimed by the Uniform Convention. Every year it approves and amends the List of substances, plants and preparations, the use, dissemination, cultivation and storage of which is under international control. It introduces corresponding changes and additions to the List and informs the national governments. The Commission also informs the Committee of any circumstances that may bear upon execution of its functions. Finally, it issues recommendations concerning the implementation of the Convention's aims and decisions, including the program of research and the exchange of scientific and technical information.

For example, one of the recommendations calls for the need to provide countries where the illegal cultivation of drug-bearing plants is practiced with an access to modern reconnaissance technology which makes it possible to discover and then destroy such fields. This recommendation also calls for the need to promote the economies of these countries so that their farmers could earn a living by working at legal agricultural and other enterprises; to combine steps against the illegal production and spread of narcotics with the efforts to build a more just international order, give help to third world countries in boosting their economies, developing their traditional export industries and agriculture, and train specialists; to regard programs for preventing drug addiction and curing drug addicts as top priorities.28

Member countries may also be asked to submit their own recommendations. These may include annual reports about the Convention's implementation on their respective territories, texts of laws and rules passed with the aim of implementing the Convention's provisions; names and addresses of government agencies authorized to give permits for the exportation or certificates for the importation of narcotics; or any other reports about cases of illegal trafficking.

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**The UN Committee on Drug Control:**

In accordance with the requirements of the 1961 Uniform Convention (with amendments) the Committee consists of 13 members elected for the term of 5 years. 3 members with medical, pharmaceutical and pharmacological experience from the list of persons submitted by the WHO and 10 members-from the list of persons submitted by countries belonging to the UN. Persons recommended as members of the Committee have to meet special requirements such as competence, non-involvement, impartiality, trustworthiness and must have an awareness of the situation in the countries where narcotics are produced, made and consumed.

The Committee performs important functions, which actually form the essence of the system of international control over the legal use of narcotics. They are:

- using the system of estimation of the countries' demand for drugs. The countries concerned are obliged to submit the following annual estimations written in special forms to the Committee: the quantity of drugs used for medical and scientific purpose and for the preparation of other narcotics, medicines and substances not covered by the given Convention; the quantity of stored available narcotics as of December 31st of the reported year; the size and the geographical position of the field used for cultivating opium poppy and the approximate quantity of opium expected to be obtained from it, and the number of enterprises producing synthetic drugs and the quantity of such drugs produced at each enterprise;

- estimating the overall level of drugs produced and imported by any country or territory throughout one year (quantity of drugs imported which is above the reported figures cannot be permitted without a sanction from the Committee);

- introducing a regulated order for endorsing the demand for drugs used for medical purposes. To ensure a balance between the demand and supply of opiates used in medicine, the Committee sends information with estimates of the demand for these preparations to the country producing these drugs. The country is to agree with these estimates and then decrease (or increase) their production.

- using the system of statistical reports. The governments submit statistical reports to the Committee about the production and preparation of specific drugs, their use and consumption, their exportation and importation, their detention, their stocks and fields used to cultivate opium poppy and other data which allows the Committee to determine if countries are abiding by the Convention's decisions and then take appropriate measures to ensure their implementation and the accomplishment of the control functions.

The Committee collects and analyzes information submitted to it by the United Nations agencies, individual governments and international organizations, including Interpol. This information features the production, manufacture, modification, and consumption of drugs, as well as international trade in them, supply and confiscation of drugs. The Committee also points to the shortcomings in the arrangement of control functions and offers recommendations as to how these shortcomings can be dealt with. If need be, the Committee has the right to invite representatives of any country to its meetings.

Upon getting the information that the target set by the Convention is endangered in any country due to its failure to abide by the Convention's decisions, the Committee has the right to ask for an explanation and also to recommend adjustment measures. If a particular government fails to provide a satisfactory explanation or to accept the adjustment measures proposed by the Committee, the problem can be brought to the attention of the involved parties, of the Council or the Commission. The involved party may be recommended to stop the importation or exportation of narcotics to given countries or territories for a specific period of time until the Committee recognizes that the situation in that country has become satisfactory.

The Committee is endowed with the right to impose restrictions, under certain conditions, on the manufacture and import of drugs.

Since a large volume of information is available at the Committee it is able to prepare reports, publish them and forward them to the Council to be sent to the parties concerned. In these reports the Committee can touch upon any issues connected with drugs and inform its readers about newly passed decisions. For example, in its report of 1989 (Vienna) the Committee called on the governments of all countries to strictly observe the Convention's provisions, to submit statistical accounts about the available quantities of narcotics and trade in them, among other related data.

To avoid alternative versions and form a single understanding, the Uniform Convention establishes identical definitions of special terminology related to drugs.

**Drug-related Terminology as Established by the Uniform Convention:**

For example, according to the Convention a "narcotic substance" is any of the substances included in List I and List II regardless of whether it is synthetic or natural. Lists I, II, III, and IV are enumerations of narcotics or drug-bearing preparations and are supplements to the Convention in which possible changes may be made from time to time in accordance with the procedures established by the Convention.

Definitions are also given for cannabis and its plant and resin, cocaine shrub, coca leaves, opium, opium poppy and poppy straw.

Significantly, the international understanding of the word "cultivation" pertaining to drugs covers only the cultivation of opium poppy, cocaine brush or the cannabis plant. It should be mentioned at this point that the 1988 UN Convention defines this term differently. But this will be discussed below.

The term "illegal trafficking" means the cultivation of or any action relating to the sale of narcotics in violation of the Convention's decisions. The term "importation" and "exportation" mean the physical shipment of narcotics crossing the boundaries of one country to another or from one territory to another within one and the same country. The term "territory" means any part of a country defined as a separate unit for the purpose of applications of the system of drug importation certificates and drug exportation permits to it.

The term "manufacture" implies (with the exception of production) all the processes that pertain to obtaining narcotic substances, including refining or turning one narcotic into another.

The term "production" means the separation of opium, coca, cannabis leaves and cannabis resin from the plants, which they are obtained from.

The term "preparation" means a hard or liquid mixture containing a narcotic substance.

The term "storage stocks" is used in relation to the amount of narcotics which are available in a particular country or on its territory and meant to be used for medical or scientific purposes, for exportation or for the needs of various pharmacists, authorized traders and specialists or institutions where medical or scientific research is carried out.

Included in this term is also the notion "special storage stocks" which is used to describe the amount of narcotics available within a country or a territory of that country and put at the disposal of its government to be used for special purposes or in case of an emergency.

The Uniform Convention introduces a number of specific restrictions and bans and a special procedure for the cultivation of drug-bearing plants. The most important restrictions are those concerning the cultivation of opium poppy, cocaine shrub or cannabis plant.

Special provisions are envisaged in the first place in relation to opium. Government-run institutions (one or several) should be set up to deal with the cultivation of opium poppy and with opium production. They should have the right to determine areas and sizes of fields, and issue licenses and permits for land plots where a certain amount of opium poppy can be grown and a certain amount of opium-produced. These government-run institutions should be endowed with the exclusive right to buy opium poppy crops from farmers and to import, export, conclude wholesale trade deals and maintain storage opium stocks (with the exception of medicinal opium and preparations from it.)

The responsibilities of persons are outlined who have permits (licenses) to grow drug-bearing plants, to turn over crops of opium poppy only to the institution which they had received their permits from. Any departures from the established procedures are qualified as violations of the law. The Convention permits narcotics to be made only at government-run enterprises or in accordance with licenses issued to persons with necessary qualifications.

The Convention introduces uniform rules for storing narcotics to ensure that the substances are maintained in proper condition. It envisages the responsibility of member-states for taking precautionary measures to prevent the inappropriate use of narcotics or the possibility for them to become part of illegal trafficking in cases when, for example, they are kept in airliners' first aid compartments.

Narcotics can be stored only legally. Their producers are not allowed to keep them in quantity exceeding the established norms. A compulsory registration system is established under which the quantity of each prepared, acquired or used drug should be recorded. Drugs can be stored for no more than 2 years.

The signatories of the Convention are obliged to take specially stipulated measures to combat illegal drug trafficking. The Convention therefore grants the contracting parties the right to control the work of persons and enterprises engaged, on a legal basis, in the cultivation, manufacture, storage and use of narcotics and of those engaged in the drugs' exportation, importation, distribution and trade.

The participating countries, besides, have the following duties: to take steps at home towards coordinating preventive and repressive measures against illegal drug trafficking; to help each other in carrying out campaigns against illegal drug trafficking; to closely cooperate with competent international bodies in carrying out coordinated actions for the purpose of combating narcotics and also to ensure an effective international cooperation and a quick transfer of legal documents for launching prosecution.

**Punishability of Drug-related crimes:**

The Uniform Convention institutes the punishment for drug-related crimes and obliges member-countries to take specific actions when crimes that are recognized as punishable by the Convention are committed intentionally. Serious crimes should be punished by imprisonment or some other form of deprivation of freedom. Intentional crimes which are punishable include: the cultivation and production, manufacture, extraction, preparation, storage, offer, offer with commercial intentions, distribution, purchase, sale, delivery on any conditions, drug-pushing, dispatch, transit re-dispatch, shipping, and importation and exportation of narcotics. Each of these crimes, if committed in more than one country, must be considered as a separate crime. Intentional complicity in any of these crimes, participation in a community with the aim to commit or attempt to commit a crime, preparatory actions or financial operations related to the above cited crimes must also be recognized as punishable actions. Sentences passed by foreign courts for such crimes must be taken into account when considering recidivism.

The Convention recommends that any extradition treaty should make these crimes subject to extradition.

Yet while instituting punishment for a long list of drug-related crimes the Uniform Convention also includes a special decision on treating drug addicts. It calls on the member-states to create conditions conducive to providing them with rehabilitation and restoring their ability to work. If economic opportunities are available in the country, appropriate conditions should be created providing preventive treatment to drug addicts.

**The UN Convention of 1988:**

The 1988 Convention regulates questions relating to the illegal trafficking of drugs and psycho tropes. The aim of this Convention is to promote cooperation between the contracting parties so as to more effectively solve various problems involving worldwide illegal drug trafficking, curtail its size and prevent its grave consequences. The Convention particularly emphasizes the danger of the proliferation of illegal drug trafficking and the involvement of children in it. It points to the need to ensure control of easily accessible substances and those, which are used to make narcotics illegally.

Special attention is paid to the need to improve international cooperation to block illegal drug trafficking at sea. The Convention envisages steps to prevent a certain number of offenses.

The contracting parties are expected to adopt necessary legislative and organizational steps. The following provisions seem to be the most interesting.

**The Notion of Illegal Drug Trafficking:**

Firstly, there is a provision, bearing the form of a recommendation, for member states that national legislation should recognize certain premeditated actions included by the Convention into the notion of "illegal trafficking" as common crimes. Actions that violate the 1961 Convention (with amendments) include: production, manufacture, preparation, offer for sale, distribution, sale, delivery on any terms, middleman services, shipping, transit shipping, transportation, and importation or exportation of any narcotic. Other actions which should be recognized as crimes are the cultivation of specially indicated narcotic-bearing plants in order to turn out drugs; storing or purchasing any narcotic for illegal trafficking; making, transporting or distributing equipment, materials or substances for the purpose of illegal cultivation, production or manufacture of narcotics; organization, guidance or financing of any offenses listed above; conversion or transfer of property obtained from the above mentioned offenses in order to conceal or cover up an illegal source of property or in order to help a person who is taking part in committing the listed offenses to evade responsibility for his actions; concealment or secrecy of the true nature of the source, whereabouts, arrangement method, transfer of the rights in relation to property or its belonging if it is known that this property is gained as a result of the listed offenses; possession of equipment or materials needed to illegally cultivate, produce or make any narcotic; public encouragement or incitement of other persons by any means to commit any of the above-mentioned offenses; participation or involvement in a criminal collusion in order to commit the mentioned offenses, as well as accomplice, incitement, assistance or advice during their commission; and intentional storage, acquisition or cultivation of any narcotic for personal use in defiance of the provisions of the 1961 Convention (with amendments).

Secondly, there is a provision concerning matters of responsibility and punishment of people convicted of dangerous drug-related crimes. This provision recommends such sanctions as imprisonment or the deprivation of freedom, as well as additional measures in the form of rehabilitation, restoration of the ability to work, or social reintegration with subsequent supervision.

**Controlled Deliveries:**

Thirdly, there is a provision about the use of controlled deliveries at the international level based on mutual accords. Controlled delivery is a method under which exportation, transportation or importation of illegal or suspicious batches of drugs are allowed on the territory of one or several countries with the knowledge and under the supervision of competent agencies in order to identify the participants in these offenses.

Most norms covered by international conventions are part of the laws of the Russian Federation, and more of these norms may be registered in the future provided there are suitable conditions.

**Measures to Prevent Drug Money Laundering:**

There are two documents, which have been mentioned earlier that are very important in controlling drug abuse because they affect the "sore points" of narco-business. Both of these documents need to be applied in the Russian Federation. One, from 12th December 1988, is a statement by the Committee on Banking Rules and Banking Supervision. Its aim is to prevent the criminal use of the banking system for laundering money gained from the trade in drugs. The other is the decision by the heads of state and government of the 7 leading industrial countries and by the European Commission Chairman. Under this decision taken at the 15th Economic Summit in Paris in July 1989, a Special Operations Group on financial issues was set up.

It must also be noted that the past few years have seen the convocation of numerous official and unofficial conferences, symposia and meetings of experts specializing in combating drug abuse, including one held in 1996 in Baku. They all worked out and recommended for implementation various measures to control narcotics.

Par. 2. Tendencies in the World Community's Reaction to Drug Abuse.

The world community counteracts the negative tendencies of drug abuse. This can be clearly seen in the materials of the world fora and in the international legal acts.

**The Overriding Tendency of Combating Drug Abuse:**

The overriding tendency is the expanding scale, and improvement of activities, as well as of the international legal regulations combating drug abuse. The core of this tendency is expressed in the following trajectory from the study of drug abuse, and exerting influence by the world community through establishing international control over legitimate distribution and consumption of drugs, to the adoption and implementation of the increasingly diversified, detailed, rationalized and tough measures combating illegal drug trafficking and criminal drug money laundering. These measures are being worked out by international agencies and organizations and are aimed at fully blocking the spread of narcotics.

This overall tendency can be seen in several of its more concrete manifestations, such as bringing the problem of narcotics to the forefront; expanding the sphere of the international legal regulation by amending existing measures and approving new international legal norms; making actions against drug abuse more purposeful by revealing its most vulnerable spots and controlling them by using new, more perfected international legal norms; ensuring a more universal, unified and standardized understanding of international legal terms regulating narcotics and; adopting international legal norms that pave the way for a real opportunity to combat narcotics; bringing international and national legal acts in line concerning actions against narcotics in the process of nations joining international legal acts and ratifying them; increasing the number of countries taking part in international conferences on actions against narcotics and the number of countries joining international legal acts and setting up and expanding the functions of specialized international agencies that work to combat narcotics.

**Bringing to the Foreground Problems of Combating Drug Abuse:**

Nearly 80 years since the convocation of the Shanghai Opium Commission in 1909, the first official body on the international scene that had drawn attention to the problems of narcotics, its regulation and gradual restriction, public attention to the problem has been steadily growing in proportion to the rise in the degree of public danger and the spread of narcotics. This is manifested by the increasing number of conferences, meetings, and symposia that concentrate on working out and adopting various international legal acts regulating measures to combat narcotics along with producing recommendations aimed at improving these types of measures and their application.

**Expanding the Sphere of International Legal Regulation:**

Expanding the sphere of international legal regulation means that each successive forum and each new international legal act against narcotics has focused on such areas of drug abuse, which have not been previously subject of international regulation.

In particular, the 1912 Hague Convention was the first to define types of narcotics - raw opium, smoke opium, medicinal opium, morphine and some others, which were placed under international control. Later this list was expanded. Under the Convention of 19th February 1925, some additional raw materials such as coca leaves, raw cocaine and Indian hemp (cannabis) were included. Also any other drug capable of causing harmful affects, according to the finding of a competent body, could be added to the list. Under the Protocol of 19th November 1948 the list was further extended by synthetic drugs that had come into being by that time and had not been regulated by any of the previously adopted international legal acts. The 1961 Uniform Convention contained a much longer list of narcotics allowing for further subsequent changes and additions.

The 1912 Hague Convention obliged the participating countries to pass national legislation controlling the production, distribution, importation and exportation of raw opium as well as measures scaling down production, domestic trade and consumption of smoke opium, banning its import and export. The Agreement of 11th February 1925 envisaged setting up a government monopoly for opium production and monopoly associations for opium trade. The Geneva Convention of 19th February 1925 introduced new measures, such as exercising control over the activities of persons who held permits to manufacture, import, export, sell, distribute and apply narcotics, as well as control over the premises where these persons practiced their trade. The Convention also limited the number of ports, cities and other populated centers through which the import and export of drugs was allowed, and urged the adoption of domestic legislation qualifying violation of these provisions of the Convention as criminal offence. The Convention of 13th July 1931 formulated the following additional measures: extradition of criminals for committing drug-related crimes; setting up domestic government agencies to implement the Convention's decisions and regulations, supervision over the trade in drug-bearing medicines, listed in the Convention, and a clamp-down on illegal drug trafficking. The Bangkok agreement of 27th November 1931 contained such amendments as limiting retail opium trade to government agencies only. For persons under 21 years of age visiting opium dens, was a criminal offence. The Convention of 26th June 1936 was the first to introduce the word "struggle" and provided for a much wider range of criminal drug-related offenses. Under the Protocol of 19th November 1948, the signatories had to inform the UN about any substance that had the potential of being abused in the future.

The 1961 Uniform Convention (with amendments) broadened international legal norms, over new aspects of drug abuse. For example, it established a special procedure for cultivating narcotic-bearing plants and manufacturing narcotic substances, it established uniform rules for storing drugs. These procedures bound the signatories to cooperate with each other and with authorized international organizations in arranging and holding campaigns against illegal drug trafficking, and in applying imprisonment and against those guilty of premeditated drug-related crimes.

The 1988 UN Convention contained recommendations to define concrete premeditated actions as crimes in national legislation. An extended list of these crimes was included into the concept "illegal drug trafficking." The Convention also listed such measures as medical treatment of addicts, restoration of their working capabilities or social re-integration under subsequent supervision. The Convention outlined recommendations on using controlled deliveries at the international level on the basis of mutual accords.

**Purposeful Actions Against Drug Abuse:**

Intensifying actions against drug abuse by revealing and attacking vulnerable spots of narco-business through the help of new, more perfect law as the world community increasing realized the danger of narcotics, it displayed a growing ability to apply new international legal norms. As a result the world community has been approving appropriate legal norms to check the spread of narcotics. For example, on the basis of the 1912 Hague Convention the signatories pledged to undertake measures to gradually stop the production, domestic trade, and consumption of smoke opium, as well as to ban its import and export. The 1988 Convention registered the provision on controlled drug deliveries at the international level on the basis of mutual accords. In accordance with the statement by the Committee for Banking Rules and Banking Supervision of 12th December 1988 and the decision of July 1989 by the heads of states and governments of the seven leading industrial nations and by the European Commission Chairman, measures were taken to prevent criminal use of the banking system for laundering money obtained from drug trade.

**The Universalization of Legal Norms:**

The trend to ensure universalization, unification and standardization of the international legal norms on narcotics first manifested it self in the 1912 Hague Convention, the Convention of 19th February 1925 and the Uniform Convention. These contained uniform lists of controlled narcotics. The Convention of 13th July 1931 introduced the notions "production", "refining", "processing", "reserve storage stocks", "government storage stocks", "export-import", "cultivation", "illegal trafficking", "territory", "manufacture", "preparation", "storage stocks", and "special storage stocks". The 1961 Uniform Convention and the 1988 Convention provided unified lists of socially dangerous activities, qualified as criminal offenses.

**Raising the Effectiveness of the International Legal Norms:**

More and more specific and not just declarative norms ensuring effective and lasting actions against narcotics have been introduced into law-enforcement practice at each new stage in the international legal regulation of narcotics. The adoption of these international legal norms is paving the way for a real opportunity to oppose drug abuse.

Whereas the 1909 Shanghai Opium Commission failed to generate any constructive measures against narcotics, the 1912 Hague Convention managed to define the kinds of narcotics to be placed under international control. The Agreement of 11th February 1925 provided for the establishment of monopoly institutions to deal with opium and for the transfer of the smoke opium production to a government monopoly. The Convention of 19th February 1925 extended the list of controlled narcotics and introduced new restrictions. Appropriate provisions of the 1931 Bangkok Agreement, the Convention of 13th July 1931, of 26th June 1936, the Protocol of 19th January 1948, the 1961 Uniform Convention (with amendments), the 1988 UN Convention and documents of the European Community of 1988 and 1989 as discussed above, have also been raising the effectiveness of the drive against narcotics.

**Bringing into Line the International and National Legal Norms:**

Increasingly international and national legal norms against narcotics are brought into line as nations sign and ratify international acts. This leads to the mutual enrichment of the international and national legal norms aimed at blocking narcotics. On the one hand, the world community elevates national legal norms to international level by instituting international legal norms. On the other hand, nations ratify international legal acts thus adopting them as domestic legislation. International and domestic legal norms coincide almost completely sometimes, in such areas the list of narcotics and drug-related actions considered a criminal offense, as well as the procedure of filing criminal charges against persons committing drug-related crimes, and their extradition.

**The Rise in the Number of Countries Taking Part in International Conferences:**

There has been an increase in the number of nations taking part in international conferences on narcotics and in the number of nations signing international legal acts. This is evident in the fact that 13 nations took part in the Shanghai Opium Commission in 1909, whereas 73 nations attended the New York conference, which adopted the Uniform Convention in 1961. Since then, many nations have ratified the Uniform Convention and the 1988 UN Convention and more are going to sign them.

**Setting up Specialized Agencies:**

The world community has created and keeps expanding the functions of the specialized agencies dealing with narcotics, such as Permanent Central Committee on Drugs of 1925, the Special Commission of 1928, the Control Commission of 1931, the Commission on Drugs of the UN Economic and Social Council of 1961 and the UN International Committee on Drug Control, and the special operations group on financial matters of 1989 dealing with money laundering resulting from drug trafficking. These agencies handle more and more functions in response to the ever more sophisticated dissemination of drugs, and money laundering resulting from drug trafficking.

The reaction of the world community to narcotics examined above shows a deeper understanding of this dangerous phenomenon, along with the increasing sophistication of measures against it. One can predict that this tendency will remain steadfast and keep progressing.

Chapter IV. Measures to Suppress and Prevent Drug Abuse

**Measures to Prevent Drug Abuse Regulated by Law:**

International legal acts are realized on a national scale. National measures in turn are of the three basic types: suppression, prevention, and rehabilitation.

Legal measures of suppression are coercive measures in regard to crimes that have already been committed. They are a combination of criminal-legal, criminal-executive and legal-administrative measures.

The criminal-legal measures must be fully compatible with the criminal law and registered in the Criminal Code of the Russian Federation. They are expected to safeguard the public from the drug-related crimes by inflicting punishment on persons who have committed these crimes and also, in combination with it, in cases stipulated by the law, apply coercive measures of medical nature or, if need be, a system of guardianship. These measures can be divided into two groups: those referring to crime and those referring to punishment. Measures of the second group, though they are envisaged by the norms of the criminal law, seem to be closer to legal-executive measures, and can therefore be grouped, with a certain degree of relativity, into the legal-executive category.

The legal-executive measures include punishment, coercive measures of medical nature, as well as the process of executing punishment and coercive measures of medical nature along with putting under guardianship, if required.

Legal-administrative measures are covered by the norms of the administrative law, establishing responsibility for the infringements of the law and regulating compulsory treatment of drug addicts.

Measures to prevent narcotics are very diverse. Their aim is to exert influence on various elements such as on persons using drugs, sowing and raising drug-bearing crops, manufacturing, acquiring, storing and selling narcotic substances and committing other drug-related crimes; on persons committing crimes with the aim of getting the means to purchase drugs or those undertaking criminal actions in the state of narcotic intoxication; and on circumstances that are seen as causes and conditions of drug addiction, etc. The preventive influence on all these persons may take three forms: persuasion, compulsion and stimulation.

The last two forms can only be applied if they are regulated by law.

**Measures to Prevent Drug Abuse Unregulated by Law:**

In terms of goals these measures can be divided into general social and special ones. General social measures have to do with society's social and economic development, the rise in cultural, educational and moral standards of all citizens. The economic development measures aim to increase the production of material benefits, as well as of intellectual output making the nation richer and the living standards higher. Social measures are apparent in rational distribution of funds in increase the government provides for social needs. Cultural and educational measures aim to promote the development of art, literature, science and education; they draw an ever-greater number of people into this process and ensure that they gain knowledge, know-how, and skills. Measures aiming to raise moral standards are expressed in inculcating an awareness of the need to abide by the social, particularly, legal, religious and other norms and rules of conduct in society. All these measures are designed to prevent crimes and violations, including drug-related crimes, and drug abuse particularly.

Special are those measures that prevent drug abuse as such, and crimes related to it, including those recommended by the international organizations and fora.

These are, for example, measures to promote a healthy way of life without consumption of narcotics and censuring the harm caused by narcotics and drug-related crimes. These measures are implemented by means of: 1) education - lectures, presentations at schools and other training centers, statements on the radio, television or press; 2) training law enforcement officers and medical personnel in the techniques of combating narcotics and drug-related crimes by creating special educational programs and setting up special training centers; 3) treatment and rehabilitation of addicts; 4) collection, analysis, summary, and transmission of information about narcotics, particularly, about new areas of drug-bearing plants, and methods of their production, illegal channels for their exportation, as well as the methods for moving them, using different kinds of transport; 5) preventing the sowing and the growing of drug-bearing plants by replacing them with other crops and stimulating the farmers and providing them an all-round assistance; 6) blocking the channels through which narcotics are moved along; curbing the smuggling of drugs through the joint efforts of customs and law-enforcement officers of neighboring countries specializing in actions against narcotics; 7) supervising the fulfillment of anti-drug laws regulating the sowing and growing of drug-bearing plants, drug circulation, etc; 8) reducing the demand for drugs by preventing their transfer from the legal to the illegal domain, including the use of a "daily dosage method" which makes it possible to determine the correlation between the quantity of drugs necessary for medical and research needs and the volume of sale; 9) introduction of remote control devices to estimate the scale of illegal cultivation of drug-bearing plants in remote places and creating obstacles for laundering money and other property acquired as a result of drug trafficking.

In terms of the time, frame measures against narcotics and drug-related offenses can be divided into early warning, direct impact and postpenitentiary prophylactic.

The early warning measures are expected to exert influence on persons, who are not well-versed in drugs and their danger, and who are informed on the subject but do not take drugs. The preventive influence on poorly informed persons is made by disseminating knowledge. In this respect the experience of the United States is worthy of attention and could be borrowed by the Russian Federation. For as long as a quarter of a century, preschool children, especially, the ones who attend day care centers have been educated that any medicines, including drug-bearing ones are harmful for their health, if they are taken without a doctor's prescription and the knowledge of the exact dose. To achieve a more vivid effect an album for coloring pictures featuring narcotics and health is used.

In Australia, there are centers for preventing drug abuse where school students between 5 and 12 years old have 7 lessons a year forming a certain attitude to narcotics, as well as an awareness of the danger of drug addiction.

The influence on persons who are aware of the harm of narcotics and do not take drugs can be achieved by "tearing them away," so to speak, from their surroundings where drugs may be used or are used already. This can be accomplished by conversation with individuals, their families, and colleagues living in similar environment.

Direct impact prophylactic measures are expected to influence persons taking drugs, including drug addicts. This impact brings or may bring positive results when medical treatment is combined with the social rehabilitation.

Postpenitentiary measures should influence persons who have served prison terms for drug-related offenses by continuous treatment of drug addiction, securing the results of previous treatment, and neutralizing a possible unfavorable influence of their immediate surroundings, finding jobs and also forestalling the repetition of drug-related offenses.

**International, National and Regional Measures:**

In terms of their level, the measures to prevent drug abuse can be divided into international, national and regional.

International measures are the ones, which are carried out on an international scale. They include a number of earlier listed special measures to prevent drug abuse. Apart from that, they also include measures carried out by the international agencies and organizations, such as 1) creation of programs to prevent the advancement of narcotics; 2) assistance to countries in implementation of the conventions provisions; 3) providing assistance in bringing national legislation in line with the conventions; 4) training officers specializing in actions against narcotics for law-enforcement and other agencies of different countries; 5) supporting the scientific development of laboratories in the members countries; 6) providing financial, technical and other kinds of assistance to raise the effectiveness of national efforts against drug abuse and ensure access to the international system of information about narcotics. It should be noted at this point that the Russian Federation adheres to the international measures because it has joined the world legal effort aiming to combat narcotics.

National measures to prevent drug abuse are the ones, which are carried out on the entire territory of the Russian Federation. Regional measures cover the territory of a region, city or district. Any of the mentioned general or special measures against narcotics can be used on a national or regional scale.

It should be stressed at this point, that the last few years have seen a sharp decline in the effort of law-enforcement bodies, government agencies and other organizations to prevent offenses, including drug abuse and drug-related crimes. This state of affairs cannot help but arouse deep concern. In this context the approval of the national program for combating drug addiction in the Russian Federation is a necessary step towards improving the work of preventing narcotics and drug-related crimes, along with other offenses.

Chapter V. Organized Measures to Counteract Narcotics

Par. 1. General Provisions for Counteracting Narcotics

The multiplicity of drug abuse necessitates a joint combative effort involving a large number of participants who have a broad spectrum of powers and who will act simultaneously in different directions, performing a variety of functions. The joining of anti-narcotism forces can be achieved through a flexible system of measures against this deplorable social phenomenon.

**Organizing a System of Measures Against Narcotics:**

The multifaceted nature of drug abuse necessitates forming a single united front with many participants acting simultaneously in different directions, performing various functions with a wide spectrum of measures. This can be achieved by the mobile and flexible system of measures and means. In terms of overcoming drug abuse, organization is a system of measures to combat drug abuse and means of their implementation with regard to the division of the spheres of activity, responsibilities and hierarchical order.

Based on the social and economic reality, actions against narcotics should comply with the national and international norms of law and with the scientifically based principles of management. They should take account of the new developments in medicine, pharmaceutics, psychology, psychiatry, pedagogy, sociology, instrument building, and have substantial legislative, material, informational, and research backing. They must have clear parameters of time and space and, most importantly, professionally trained personnel.

At the same time, the anti-narcotics strategy must reflect the irksome particularities and complicated nature of this phenomenon as it combines two interrelated sides - that of illness and that of crime. This defines our approach to drug abuse as a medical, as well as a social problem and it determines what steps and means must be chosen.

**Drug Abuse as an Object of Government Action:**

Narcotics-related issues, including organizational ones, cannot be isolated either from the social, economic, political, historical, legislative, medical, and biological problems or from other social pathologies that call for counteraction. The definition of drug abuse as a phenomenon of multiple factors is not therefore accidental.

Therefore, efficient counteraction requires much organization and precisely targeted moves.

Such a stance justifies the view of drug abuse as an object for state action.

This approach makes a broad analysis of the wide-ranging problems and ways to solve them possible. Besides, drug abuse helps to define who the subject (subjects) of influence are, its (their) condition and functioning, the influence its (their) structure projects, as well as choice of goals and function. These properties also define clear goals and a reasonable choice of means to attain them as well as to ensure an overall realization.

Observing the fundamental properties of drug abuse, researchers call upon us to be ready for new and unusual capability of this phenomenon to adapt to any conditions and manifest itself in new forms in most undesirable circumstances. On this occasion A. Gabiani writes: "Hardly had they banished the opium poppy, when the niche was quickly filled by common poppy. When the entire hemp-growing regions were cut off from black markets, the pharmaceutics flooded the market. The channels for natural drugs were blocked, then the far more dangerous chemicals began spreading.»

The specificity of drug abuse, and its forms and degree of proliferation, stress the need for a regular re-evaluation of its rapidly changing state in order to promote the methods of counteraction, discard the outlived methods, bring all techniques of exerting influence in line with the legislation and day-to-day reality. Experience proves that an objective assessment of any process demands for corrections to be made which take due notice of reality.

A system of measures to combat narcotics presupposes that its elements are mutually compatible and that the system itself can be a part of a higher order -(law enforcement and crime-prevention systems, and social administrative systems, as a whole). This means that not one subject or measure in the counter-narcotics system may contradict the values accepted by the society. The authority of the subjects must be sufficiently reflected in their rights and duties.

It is essential that all elements of the anti-narcotics system have enough potential possibilities to ensure its effective operation. The utmost goal of the organization is, in this case, to transform the potential possibilities into the real functions and make them serve as a system of counteraction measures. For example, the professional duty of medical institutions and doctors who provide treatment for drug addicts is manifested as a certain function performed by the elements of the system of counteraction to drug abuse.

A solution of the problems of drug abuse requires, on the one hand, considerable efforts by national, international and other organizations and their numerous divisions that act in different directions and focus on different target groups of people, and on the other hand, it requires coordination and accord in their activities.

The interaction of different elements of the system may be indirect, through the understanding of common objectives. This, however, requires a link in management. Such a link "is based on a certain program of action and is, in itself, a method of implementing this program. There is always a general structure of the process behind a developing operational system.»

**General Provisions of Organizing Action Against Drug Abuse:**

The above mentioned makes it possible to outline the following principles of an efficiently organized effort against drug abuse in the Russian Federation.

As the manifestations of drug abuse continue to grow and diversify, a real counteraction is possible only in the framework of a well-tested and scientifically based government policy which defines the forms, tasks and contents of the government's contribution to this effort. The understanding of drug abuse phenomenon should be reflected in the Concept of the government policy towards narcotics. Its principal goal is to secure legislative and organizational realization of anti-narcotics efforts, bring harmony and coordination into the activities of different ministries and departments, draw up a list of priorities and concentrate the available resources for their synchronized deployment. No other document but such a Concept can lay the solid foundation for the National Program of Counteraction against Narcotics. The Program necessarily requires an approval at the highest level by the President, the government and the parliament to make all of its provisions mandatory for everyone.

The development of the National Program stands out as one of the most important tasks among the anti-narcotics measures. It is essential to invite experts in different fields of research, as well as the practitioners from the concerned departments to participate in it. The list of participants, the scope of their duties and the financing are to be endorsed by the government. The authors of the Program have personal responsibility for producing a profound analysis of the situation with drugs, and for the efficiency of the recommended methods for combating drug abuse. They are also responsible for providing research or organizational background during the implementation of the steps they have recommended. The time frame and other specifics of the program must be included in the resolutions of the government and the parliament.

2. The main goal of the government policy in regard to narcotic substances should be: a) to prevent their use for other than medical purposes; b) curb the demand for them; c) and curtail their illegal manufacturing and turnover. This goal is attainable in practical terms only through a set of coordinated steps in politics, economy, legislation and public health. They should be directed at perfecting the laws regulating narcotics. Methods should be developed of an early identification of the persons who use drugs for non-medical reasons, of their treatment and rehabilitation. Policies should be developed counteracting the unlawful production and sale of drugs at the national and international setting.

3. The mandatory measures of organizational, legislative and material support of the government policy in the field of drugs fall into two categories.

The first category implies the establishment of an inter-departmental anti-narcotics system of measures, which will incorporate the following elements.

Information support of the program. The departments involved should set up a data bank to store information about the state of affairs in narcotics, the proliferation of drugs, the accurate techniques of drug identification, and other data - national and international - which will help make decisions and implement measures against narcotics.

Research and technical support. Conducting fundamental research of and quick response analysis on drugs, the development of advanced techniques and technologies of halting narcotics should be implemented.

Administrative support. The President, the parliament or the government should found a special committee entrusted with the overall monitoring of the drug abuse in the republic. This agency also should map out a uniform national strategy and tactics, direct and coordinate all the elements of the struggle against narcotics, and set up subordinate regional committees and commissions. As need be, it should be able to amend the state policy in regard to drugs. This agency surely must include psychiatrists specializing in the treatment of addicts, lawyers, psychologists, sociologists, teachers, pharmacists, journalists and other specialists and experts, as well as representatives from the ministries of public health, social welfare, education, agriculture, foreign economic ties, industry and trade, transport, telecommunications, foreign affairs, the interior, justice, finance, national security (as well as of the foreign intelligence service), air, maritime, and inland water transport, of the State Bank, Intourist, customs service, and the Prosecutor's Office.

Material support. Financing should be provided for the National Program to Counteract Drug Abuse in general and for its specific aspects. The financing structure may include specialized funds.

Medical support. A mechanism of medical interaction on the issues of drugs must involve all the agencies and departments concerned and their separate branches.

Support from the system of education. It is necessary to train an appropriate number of anti-drug specialists with due regard to the experience gained by their foreign counterparts.

Accountability. Regulated accountability and control of all the agencies and departments participating in the campaign against narcotics should be established. The participants will be furnished with special sets of documents and evaluation criteria. They will bear personal responsibility for the final results.

The second category of mandatory measures defines the direction of the effort against narcotics, sets out the target goals and names the participants. At a minimum, the main direction should be of a simultaneous offensive on the production, trade and consumption of drugs.

In the field of legislative regulation, a set of laws on combating narcotics should encompass a) perfection of the effective legal acts on drugs, b) the legally defined rules of identification, check-up and voluntary/compulsory treatment of drug addicts, c) the rules of drug identification, d) legislative support of international cooperation including the obligations that arise from the international treaties and agreements, e) elaboration of legal norms to fight drug-related money-laundering, f) and bringing national legislation in line with the international laws.

In the field of medicine: the identification, medical treatment and social rehabilitation of drug addicts presupposes improving the methods of early diagnosis and treatment of addiction, the development of prophylactic measures, a system of registering and monitoring drug abusers, the gathering and analysis of information and information exchange between relevant departments.

In the sphere of combating drug-related crimes, it is essential to suppress the illegal cultivation of plants containing narcotic substances, improve control over the transportation of narcotics across borders, and curb their clandestine manufacture. It is also necessary to control the manufacturing, storage and trade in the chemicals and equipment, which may be used in the illegal production of drugs. The stamping-out of such crimes necessitates stringent regulatory mechanisms in the production, transportation and use of narcotic substances for medical and research purposes, as required by the international conventions, advancement of investigative methods, improvement in the customs service, administrative and other forms of curtailing crimes linked to drugs and limiting the illegal demand for them. The circle of involved participants in actions against narcotics, especially in the field of prophylactics and halting the spread of drug abuse should be enlarged through unconventional forms and methods of work, such as invigorating the efforts of religious and charitable organizations, private companies, psychological aid centers, army units, and so on.

Understandably, the suggested list of efforts is not exhaustive. Nonetheless, it puts the emphasis on the main directions and can be viewed as a version of a multifaceted approach toward organizing a program of action combating drug abuse.

**The Experience of Countries:**

The experience of countries that have developed national programs against drug abuse can be very instrumental in drawing up a national anti-narcotics program.

In 1982, the United States adopted a program against drug trafficking and organized crime. Its implementation presumed mapping out a special presidential policy and the participation of the governors of all the states.

**The USA:**

The then US President Ronald Reagan sanctioned the allocation of an additional USD 130 million to the Department of Justice budget for the implementation of that program. These funds were distributed to the federal law-enforcement agencies, the judiciary, penitentiaries and the police. The administration envisioned an increase in the number of prosecutors, FBI agents, and the personnel of anti-drug departments, customs services, the coast guards, Internal Revenue Service, Immigration Naturalization Service, and other departments.

More than a half of the allocation was set aside as salary and bonuses for special service agents. The rest was spent on modernizing police equipment, the renovation of the state and federal prisons, and enhancement of the FBI technical capabilities in neutralizing criminals who can afford the most up-to-date listening devices and surveillance equipment.

The program also made provisions for creating special regional task force, and creating programs for participation in actions against drug abuse by the state, as well as for more room in federal jails. Coordination committees responsible to the Secretary of Justice were established in all of the 94 Federal judicial districts. The committees were obliged to make up plans for fighting grave crimes at the county, state and national levels.

It was for the first time that a program envisioned deployment of the armed forces against the spread of drugs. Their task was to detect and detain traffickers, especially at the US-Mexican border and in the Caribbean.

A variety of drug prevention programs were developed at the regional level, such as the program of aid to potential abusers and their victims in the District of Columbia or the program against the abuse of drugs and alcohol by adolescents in Maryland. Many of them, however, remained ineffective not because they lacked professionalism, but more often because the moves lacked coordination. Not rare was the shortage of financing, technical and personnel support.

In 1989, the US adopted the national strategy against drugs, which is executed by more than thirty federal departments, including the CIA. American experts believe that the US share of the worldwide consumption of drugs is more than a fifty per cent. They also consider drug trafficking as a global threat which cannot be controlled by the efforts of a single country. There must be international cooperation to settle this bedeviling problem.

Since the bulk of drugs originate outside the US, the Administration put an emphasis on attacking drug dealers on their home territory and on stepping up counteraction to the proliferation and sale of drugs inside the country. The strategy evidently has flaws, as the situation shows no signs of dramatic improvement.

**Canada:**

On May 25th, 1987, the Canadian government officially introduced a national strategy against drug abuse. The strategy had resulted from long consultations with provincial governments, different private organizations and individual specialists. The goal of the strategy was to shape a unified course of actions against the abuse of drugs in Canada.

The general supervision of its implementation was vested in the Ministry of Health and Social Welfare. Other participants were the Royal Mounted Police of Canada, the Directorate of the Penitentiaries, the Ministry of Justice, the Customs Department and the Excise Tax Service, the Ministry of Foreign Affairs and the Ministry of Training and Youth.

The main goal was to work out a balanced line of action that would meet the needs of all Canadians, bring down the impact of alcohol and other stimulants on individuals, families and entire communities. The strategy comprised six directions of action: 1)education and prevention, 2)control over law abidance, 3) medical treatment and rehabilitation, 4) gathering of information and research, 5) international cooperation 6) and national policy. Over two-thirds of the resources were directed into the educational, preventive and treatment programs to curtail demand on the banned substances.

The Royal Mounted Police had the assignment to help develop and implement five initiatives on restraining the supply of and the demand for drugs, namely 1) a program to curb the black marketing of drugs, 2) the coordination of coastal guard patrol, 3) the gathering and processing of data on drugs, 4) technical assistance to foreign countries and 5) an educational program.

Canadian experts note that it is hard to measure the effects of this program yet, but all the above measures contribute to saving lives and making the nation healthier.

**The United Kingdom:**

The British government is acting upon a multifaceted anti-narcotic strategy that it adopted in 1994. There are five strategic priority aspects in it 1) cutting down drug imports, 2) raising the efficiency of law enforcement, 3) exercising effective deterrence measures and strict control inside the country, 4) organizing preventive efforts, and improving the treatment and 5) the rehabilitation of drug addicts.

The government strategy is based on the assumption that all the problems of narcotics are inter-related. Therefore, parallel measures against the supply and demand of drugs are necessary. It is intended to scale down illegal imports of drugs by supporting international efforts against their manufacture and trade, reinforcing the customs and police force, toughening control over the legitimate production, and consumption of drugs for medical purposes, deterring drug dealers by heavy fines and depriving them of their illegal profits.

The struggle to curtail demand must follow two general lines - keeping the new addicts from abuse and rendering aid to those whom have developed addiction.

To ensure proper interaction of all the elements of this strategy, the British government has set up a working inter-departmental group from among the ministers and high-ranking executives. The parliamentary deputy home secretary heads the group. Also participating in its work are officials of the home office, the ministries of health, social welfare, and finance, the customs service, the department of overseas territories, the environmental department, and so on.

The new government-run intelligence service for drugs has replaced the older drugs central intelligence. Police and customs officers staff the government-run intelligence. Its duty is to gather, analyze and distribute information obtained either abroad or at home.

The regional anti-drug departments have special support units. The customs service has been reinforced by top-class specialists and top-notch smuggling clampdown equipment. In compliance with the 1986 law on illegal drug trade, the police and the courts have received broader authority as to the identification, freezing and confiscation of drug dealers' profits. In 1988 the UK and the USA signed a bilateral agreement on the confiscation of the discredited bank assets.

The police and the customs service have formed a special financial division to accumulate on a national scale, survey and pass down for further investigation the data on financial issues, i.e. reports from the banks and other financial institutions on monetary deposits of questionable origin.

The government has outlined the procedure for police operations against the three categories of drug dealers, big, medium and small.

Great Britain upholds the international community's efforts by contributing annually Pound Sterling 150,000 to the UN Fund for Drug Abuse Control. As mentioned before, the UK also runs a program of assistance to overseas projects.

Regarding the drug abuse situation, a review of the government measures underlines that the government-sponsored policy works toward a closer international cooperation, enhances the efforts of the law-enforcement agencies, helps the younger generation realize the impact of drug addiction and boosts the effort against this evil.

**Mexico:**

The drug control programs in Mexico differ from those in other countries as Mexico is a hotbed of manufacture and export of opium, heroin and marijuana and a major cocaine trafficking transit point to the United States. Some Mexican states have traditional plantations of opium poppy, marijuana and Indian hemp. Economic hardships often force the farmers into dealing with drug dealers and prompt the growing of illegal crops, which produce profits higher than the earnings from lawful businesses. The anti-drug programs, therefore, focus on mass destruction of narcotic crops from the air or manually and the involvement of army units in such operations, harsh penal sanctions, intensive investigation of drug cartels and trafficking channels, and dissemination of information among the public.

Growing cooperation with the USA on the basis of bilateral agreements and a treaty of juridical assistance is an important element of the anti-narcotic policy. It facilitates the identification of drug-related money laundering in the financial and commercial institutions both in Mexico and the US. The Advance Guard program presupposes operations to detect and destroy the plantations of drug-bearing crops. Starting from 1986, units of the Mexican Army and of the US Coastal Guard have been conducting operations to detain suppliers of drugs in the Mexican territorial waters, to confiscate their cars and arms, and to control flights in the border area as part of the American Mexican operation Alliance.

**Spain:**

The national program against drug abuse in Spain deserves notice as the Spanish laws permit soft narcotic substances. Despite the expectations and arguments of the proponents of drug legalization, drug abuse in Spain does not subside. Neither does the crime rate. The number of violent assaults to obtain money for drugs is on the rise. The law-enforcement agencies' task has been set as eradicating drug abuse, opening specialized medical centers for the addicts who volunteer to undergo treatment, and combating drug addiction and prostitution as the factors increasing the risk of AIDS infection.

The main goals of the Spanish program against drug abuse are to halt the proliferation of the most heinous drugs like heroin and cocaine, organize prophylactic measures among the young people of 16-to-18, promulgate popular knowledge about medicine and treatment of drug addicts by way of educational lectures, and advance public organizations' activities.

**France:**

The French national program against narco-business sponsored by the Ministry of the Interior and Public Safety focuses on curbing the illegal trade in drugs, and, in particular, the street vending of narcotic substances. The document provides for the creation of special-task police units and a national center to coordinate all police operations against drug abuse. Narco-business-suppression training courses have been introduced at police schools. Large police commissariats now have specialized branches to monitor drug abuse. These branches render practical and financial assistance to various organizations engaged in fighting against the abuse of narcotic and toxic chemical substances.

The experience of foreign anti-narcotics programs can be adapted to the requirements of the Russian Federation and help work out a feasible National Program of Comprehensive Counteraction to Narcotics

Par. 2. Organization of Medical Counteraction to Narcotics

The primary aspect of the entire anti-narcotics effort is a series of medical treatment measures. They are carried out by different medical institutions as actions against narcotics is inalienable from the activities of public health services of all levels, including the medical service of the Ministry of Internal Affairs. In 1975 the former Soviet medical authorities detached the addictions treatment service from psychiatry. Thus the treatment of drug and other addicts became a separate branch of medicine known as narcology.

The efforts of the medical institutions make up a significant part of the anti-narcotics strategy. Their goal is to bring about a decrease in the demand for drugs. This is achieved by the treatment and rehabilitation of abusers and, in the final run, is a positive factor of a general improvement in the drug abuse situation.

The measures, which the health centers, are obliged to take, can roughly be divided into two groups. Group One includes the properly medical efforts in the treatment and rehabilitation of addicts. Group Two embraces other organizational steps to keep narcotics at bay.

The international community also pays considerable attention to the treatment of drug addicts. Article 38 of the Uniform Convention on Drugs states that the signatory countries will take every possible step to prevent the misuse of narcotic substances, ensure an early identification of abusers, treat them, restore them to full working capability, re-socialize, and monitor them after the completion of treatment (Paragraph 1). The countries will train appropriate personnel (Paragraph 2), and will inform the population about the hazards of drug abuse (Paragraph 3). The medical treatment of drug addicts is also presupposed by Resolution II of the UN conference on implementing the Uniform Convention on Drugs. Reminding of the provisions of Article 38, the conference stressed that hospital treatment in a drug-free atmosphere is the most efficacious medical approach to the issue. It recommended that economically potent countries where drug abuse is a serious problem provide the opportunities for such treatment.

**The Treatment and Rehabilitation of Drug Addicts:**

The issues of medical treatment/social rehabilitation of addicts and other relevant measures are to a greater or lesser degree incorporated in the public health programs of all nations and have found reflection in certain regional programs. As a rule, these documents emphasize perfection of the strategies and organization of drug abuse services on the assumption that drug abuse is a social disease. The other important aspects are financing and material/technical support, personnel, informing definite sectors of society on the hazardous impact of addiction, research in the field of more effective medicine.

Experts, however, warn against an overly simplified belief that containing drug addiction boils down to the availability of medicines and available hospital beds. The prophylactics of social illnesses like alcoholism, misuse of narcotics and toxic chemicals cannot be built upon the same methods as the treatment of serious infectious diseases. Alongside pharmaceutics, it requires psychological aid and education which more and more often involves the addicts' families and friends. It is naive to believe that medicines and injections alone can bring about the desired results and that the selection of individually suitable pharmaceutical preparations gives a clue to the problem of treatment. Good results are yielded by a combination of psychology and pharmacy. Therefore, the treatment for drug addiction consumes much painstaking effort of a doctor, psychologist, educator and other specialists working with a person who is likely to develop the illness or is ill already.

On the face of it, the issues of treatment and prophylactics necessitate comprehensive programming and proficient organization. Their solution lies in the medico-biological, medico-psychological and medico-social spheres.

From the standpoint of government policy, public health institutions have the exclusive authority to treat drug addicts by officially approved methods, including compulsory treatment of the addicts who pose danger to society.

According to the results expected in this field, health centers must organize and effectuate a series of measures destined to establish firm grounds for progress in the drug abuse situation.

In the first place, this means the early identification, diagnosis and registration of the persons who use drugs for non-medical purposes and hence stand in need of prophylactic and treatment. However, shortcomings in the existing methods of express-diagnostics and in the expert check-ups of drug addicts make establishing the degree and the type of drug dependence somewhat problematic.

**Identification, Diagnosis, and Registration of Drug Users:**

The identified addicts may belong to different age and social groups; their condition may have a different degree of narcotic neglect. This fact may influence the choice, distribution and intensity of medical measures, as well as their combination with other types of aid.

Of particular importance is the early identification of addicts among the young and the adolescents. A timely medical interference, caring participation and influence of parents, relatives, teachers, police officers, and the atmosphere of friendliness can stop the youngsters' slump into illness.

When the consumers of different drugs have been identified, it is exigent to inform the police to enable it to find the sources of drugs and trafficking channels and execute other preventive measures.

Information is especially important if the drugs have been manufactured illegally or their origins are unclear.

The following list of measures can help identify the individuals who misuse narcotic substances:

medical check-ups of industrial labor staffs, school and college students;

medical check-ups of inmates in jails and penitentiaries;

medical examination of the perpetrators of drug abuse for further registration and treatment, including compulsory treatment;

specialized testing of certain professionals (the military, pilots, drivers of all means of transport, police officers) for the bodily presence of narcotic substances;

revealing the most dangerous forms of drug abuse that complicated detoxification, revealing the cases of multiple drug misuse (the combined use of more than one drug) and the cases of an intertwined abuse of drugs and alcohol;

identification of addicts who carry the HIV and other infectious diseases, elimination of the consequences of infectious transmission;

timely registration, treatment and rehabilitation of those who need it.

Another way to improve the health servicing of drug abusers is to organize:

fundamental research; development of efficacious pharmaceutical preparations and novel methods of treatment for different types of narcotic dependence, their speedy translation into public health practices; large-scale contribution to research from Russian and foreign scientists (the Academy of Sciences, medical, pedagogical, psychological and other research institutions, application of practices adopted abroad);

accelerated training of highly qualified personnel (addictive conditions psychiatrists, psychologists, educators, social workers) at medical colleges and upper level courses, specialized training of medical attendants, nurses and technicians. The study program should cover not only the novel methods of treatment, but also the specifics of contacts with the drug addicts and methods of readiness for treatment and prophylactic practice;

organization of new preventive-treatment/ registration clinics, out-patient departments at industrial facilities and offices, emergency aid centers and a wide publication of data on their mode of operation, anonymous and commercial treatment centers for drug addicts;

extensive adoption by drug-abuse monitoring services of the achievements in the medical science, psychology, pedagogy, pharmacy, and special-purpose technology;

modernization of drug-abuse monitoring services, improvement of material supplies and provision of the necessary personnel.

The post-treatment rehabilitation measures should include: a) the creation of purpose-oriented government-run and charity funds, ex-drug abusers support funds and diverse forms of work with them; b) development of rehabilitation methods based on the effective analysis of the existing rehabilitation procedures and of qualification levels of the personnel; c) psychological assistance to the former abusers' families, relatives, and friends who must be taught the techniques of exerting favorable influence on the patients.

Equally important is the organization of other anti-narcotics efforts taken by public health institutions.

The health of the nation is an important element of the social and economic development of a country. From this angle, the popularization of a rational way of life, the cultivation of respect for human health as the basic value of society ranks high among the priorities of medical institutions.

**Publicizing Information Against Drugs:**

A skillful and persistent dissemination of knowledge about the destructive impact of drugs and their detriment for the future generations is a crucial activity of medical institutions in the struggle against narcotics.

It is advisable to find a particular audience and do masterly presentations. Lectures and discussions are not the only means of knowledge dissemination. Meetings with former drug addicts and presentations about broken human lives have also proved productive.

To increase the prophylactic effects of popularization, it would be useful to train the instructors on the methods and tactics of campaigning against narcotics, design a system of mass anti-narcotic education, based on medical science, provide the necessary teaching aids, control and stimulate this activity.

**Organization of Control Over the Use of Narcotic Substances:**

Public health institutions have responsibilities in exercising control over narcotic substances under international conventions, treaties, agreements and other forms of international cooperation in combating drug abuse. As mentioned earlier, their primary responsibility is to control the proper use of drugs, the correct taking of their stock, their storage, distribution and removal. The issue of special prominence is the storage of narcotic substances at medical institutions and warehouses and the thwarting of attempts to misappropriate them. Inspections often expose serious flaws in this field.

To rule out a possible abuse, leakage or misappropriation of drugs, the following list of measures is essential:

guarding narcotic substance storage facilities, fitting them out with new equipment and fire/break-in alarm systems connected to the central control panel or to the 24-hour operational medical personnel or guards mail;

proper protection of the points where drugs are stored in small quantities for distribution as administered by the physicians;

tightened control over big-batch long-term storage facilities like the warehouses of regional drug-store administrations, and strategic reserves warehouses;

regular inspections at narcotic drug warehouses;

strict abidance by the rules of taking stock, storage and use of drugs for medical purposes;

a timely exchange of information with the police on the above issues and cooperation in drawing up the lists of drug storage facilities.

Experience suggests that a successful solution of the problem depends on the depth of our insight into it. This is especially true of such a complex issue as the treatment and rehabilitation of drug addicts regardless of what stage they are at. That is why the fullest and the most objective information is essential for the medical and other institutions to organize a counter-offensive against drug abuse. With that goal in mind, public health centers should adhere to the following organizational guidelines:

gathering and analysis of information on the conditions of drug addicts, tendencies in and results of their treatment and rehabilitation, and types and means of using drugs and the impact they have;

interaction with other institutions and departments in concrete forms of anti-narcotics activities in such large-scale operations as Poppy and Doping, in check-ups and research;

control surveys prepared by the narcology service.

Organizational support for these guidelines could be achieved through:

the establishment of a strict procedure for and the terms of turning in, and registration of documents, supply of dependable information on the actual situation with drugs and their sales and use for both medical and non-medical purposes, on the individuals perpetrating misuse, supply of other data essential for making specific decisions;

cooperation with other departments in holding joint selective research and express-tests to obtain reliable information on the actual levels of drug abuse, the damage it inflicts, the effects of treatment and other types of aid to the addicts;

scheduled and unscheduled departmental and/or inter-departmental inspections of how control over drugs is maintained, and how the rules of their use and storage are observed;

analysis and broad publicity of the achievements of medical staffs who have a record of positive results in combating narcotics, as well as provision of incentives.

The scope of health institutions' duties also embraces revealing and timely informing the relevant departments and the public at large on dangerous tendencies in drug abuse, new varieties of stupefying substances, the techniques of their manufacture and the means of use. The public health system develops the adequate methods of prevention, treatment, and counteraction.

Par. 3. Enforcement of Legal Measures of Narcotics Counteraction

The organization of legal enforcement of anti-narcotics measures falls into three groups:

1) application of legal administrative and criminal legal norms regulating the prevention and suppression of narcotics; 2) government legal measures to set and refine law enforcement and other agencies combating narcotics; 3) international anti-narcotics measures.

Group One includes compulsory treatment of drug addicts and measures against drug-related crimes. Compulsory treatment of drug addicts is a law-enforcement measure aimed at cutting down the non-medical use of narcotic substances. It can be administered by the court to an addict who evades voluntary treatment or who continues misusing drugs after a course of treatment. If an addict commits a crime, the court metes out punishment in combination with compulsory treatment.

**Compulsory treatment of Drug Addicts:**

Compulsory treatment is prescribed to all categories of abusers at medical institutions with a specialized treatment procedure in the course of work therapy. If criminal punishment is imposed, the treatment is executed at the penitentiary during the term of imprisonment.

Placement of drug addicts to mandatory treatment centers is in the domain of responsibilities of police departments. This activity goes hand in hand with the following organizational measures:

identification of individuals perpetrating drugs abuse;

administering a medical examination, and a compulsory visit to a medical institution in case of a refusal to undergo the procedure voluntarily;

compulsory hospitalization for complete check-up upon conclusion of a narcologist (psychiatrist specializing in addictive conditions - translator's note). Notification is given to the prosecutor's office and, if an underage addict is hospitalized, to his or her parents.

timely and renewable registration of drug addicts at the drug-patient monitoring clinics, and prophylactic registration of the individuals whose misuse of drugs has not yet acquired the form of an illness;

supervision over the daily way of life of the registered patients and checking their attempts to skip compulsory treatment, imposition of other measures of educational, medical and legal influence;

issuance of documents for placing the addicts who avoid mandatory treatment to rehabilitation and work-therapy clinics and specialized drug-abuse Medicare centers; filing documents on treatment of evaders with the courts;

escorting of addicts to the places of mandatory treatment, registration of individuals who were formerly sentenced for drug-related crimes or fell under administrative liability for misuse of drugs;

individual prophylactic measures against addicts to whom corrective labor has been meted out without a term of imprisonment, or whose sentences have been suspended or deferred;

treatment of drug addicts at corrective labor institutions simultaneously with serving a term, supervision over inmates' treatment and behavior.

**Organizational Law Enforcement Measures against Drug-related Crimes:**

Other organizational law enforcement measures against narcotics-related crimes are: locating the illegal plantations of narcotic-bearing crops and identifying their growers, eradicating such plantations, securing prohibitions to grow narcotic substance containing crops, making special maps upon the inspections of gardens, private plots of land and wastelands, cooperating with agriculture experts, army units and other departments concerned, carrying out special task operations and disseminating information on drugs.

It is of paramount importance to reorganize the system of guarding government-controlled plantations of hemp and the like crops or create such a system in the places where it is absent. This measure is closely linked to the development of advanced methods of crop guarding, especially, in harvesting seasons. Work by shifts and material incentives may prove effective. Good results can also be obtained through the improvement of technical and chemical means of protection.

To limit the access of the public at large to the areas of government-sponsored drug- bearing crop plantations, it would stand to reason to establish special passport and traffic control in such areas.

**Organization of Measures to Suppress Drug-dealing:**

The measures to suppress drug dealing are the most important issue at present. Manufacture and trade in narcotics has become a branch of the shadow economy. It is gaining momentum, creating production facilities and channels of distribution. In a large number of cases the understaffed law enforcement departments are unable to rebuff the onslaught of drug manufacturers and offer sound alternatives to all aspects of drug abuse.

The illegal production of drugs that spill over the state borders and continents is at the top of the world community's agenda. Particular significance is attached to the clandestine drug laboratories.

In the wake of it, it is exigent to set up specialized police departments, which will concentrate the officers of high professional expertise, and to provide them with the necessary material and technical support.

Foreign experts believe tangible results in eradicating clandestine laboratories can be achieved if police operations to uncover the channels by which the raw materials arrive and the end product is dispatched are synchronized with the efforts to block access to chemical substances and equipment the manufacture of drugs requires. This, however, is not easy as some drug synthesis components such as acetic anhydride, ether, benzene, acetone are extensively used in the industrial sector. Their industrial consumption is not controlled in practical terms since, in most countries, legislation does not regulate the production, storage and use of these chemicals.

Experts in Germany propose in this connection that the laws against drugs should extend to cover these chemicals too. But the output and industrial use of the above substances is so massive that the attempts to take them under control within the boundaries of a single country have yielded no results while entailing substantial expenditure on organizing the control service.

Another measure suggested is marking the packing of chemical substances with special marks that would help the police identify the country of origin and the manufacturer. Such a step, however, is unproductive as in most cases the police does not get a hold of packing of the chemicals which had already been used.

Experts consider as more promising the special laboratory tests of the confiscated narcotic substances and chemicals used in the manufacture of drugs. The tests can be more helpful in identifying the country of origin, elucidating specific features of the technological process and other fundamental properties of the chemicals.

For instance, specialists of the German institute of criminology have designed on the basis of the American and Swedish experience methods of identifying the places of origin of heroin through chromatographic testing.

Experts believe the most effective way to control the proliferation of the substances used in drug manufacturing could be the marking of such substances with dyes or radiation. The weak point of the method is a possible impact the marking may have on the qualities of the chemicals and the end products. Besides, it would contradict the legislation of many countries and some international agreements. That is why the researchers of anti-narcotic methods tend to pin hopes on the method of a different nature - self-control. It encompasses a set of police-proposed measures that are effectuated by the services directly involved in actions against illegal manufacturing, trafficking and trade in drugs, as well as by all companies and individuals who have a connection with the manufacturing, sales and use of narcotics and auxiliary chemicals. According to this concept, the producers, suppliers and consumers of chemicals report to the police all suspicious purchases. The police, in its turn, work out detailed recommendation and criteria for such cases. Examples of these criteria are above-the- statistic-average size of a purchased batch of chemicals, a request from a new client, etc. Such kind of reporting gives the police more opportunities to locate illegal laboratories, channels of raw materials supplies and dispatch of the end product.

An imperative condition for putting in effect practical anti-narcotics measures is stringent control over the narcotic raw materials and their storage and limitations on trade in them.

It is important to note those drug-dealing affects the legitimate turnover of narcotic substances. Violations of the rules of their storage, manufacturing, and accounting continue increasing. There are misappropriations and other offenses, including attacks on warehouses of narcotic preparations in health centers, drug stores, etc. Executives do not take adequate measures to safeguard narcotic substances and sometime become accomplices in crimes. A possible explanation for this state of affairs is the breach of the rules outlined above.

It is important to reveal violations of the effective rules of manufacturing, storage, accounting, and sales of narcotic preparations, invoking criminal liability when necessary. This necessitates joint steps by the anti-drug units, licensing system of the internal affairs ministry, fire detachments and units of extra-departmental guards.

The perpetrators of drug-related crimes' utmost secrecy calls for the improvement in the procedures of investigation in strict compliance with the criminal law procedures.

**Crime Investigation Organizational Measures:**

An important element in this process is the interaction between detectives and investigators. The best and well-tested form of this interaction is the setting-up of temporary or, as need be, permanently functioning inquiry/investigation groups. These groups focus the efforts of all branches of the police on drug-related crimes. The main directions of activities (with due regard to the limits of professional competence of each member of the group) are:

a) gathering and systematic analysis of all the incoming and requested information on drug-related crimes and malefactors;

b) identification of criminal groupings and measures toward halting their activities;

c) police actions to prevent and halt misappropriations of drugs and other offenses in medicare institutions and other organizations;

d) police actions taken simultaneously with the investigation as envisaged by the criminal law court procedure;

e) quality emergency investigation, completeness, objectivity and timeliness of inquiry and investigation;

f) tactical planning and expedient conduct of search and technical operations; professional conduct of operations; employment of investigation and other technologies to supply the investigators with testimonies and eye-witness accounts of the offenders' guilt;

g) professional analysis of the ways of using the results of search and technical operations in investigation procedures.

Par. 4. Other Organizational Measures to Combat Narcotics

Narcotics can be overcome only if approaches to anti-narcotics activity are fundamentally revised, its concrete trends are mapped out and the control over the end results achieved by each ministry and department, responsible for curbing this social evil.

Up-to-date scales and forms of narcotics proliferation show that the measures, applied within the framework of established structures, are not particularly successful. There is no proper interaction between the ministries and the departments, called upon to handle these matters; work is carried out far too often formally without essential drive, consistence, and organization; the system of preventive, therapeutic, and rehabilitative help remains inadequate; and anti-narcotic campaign is ineffective.

For this reason, organizational medical and law enforcement steps can and must be backed by measures to resist drug abuse in all spheres and at all levels of state power to avoid their imbalance and flaws in the all-out anti-narcotics crusade.

The practical experience of daily anti-narcotics activity calls for a significant impact from the top government agencies.

It is at this level that measures should be adopted for creating and implementing a single national strategy against narcotics. For this end, a single permanent executive body, empowered to control narcotics and capable of coordinating comprehensive actions daily against drug addiction and drug-related crimes must be created. The formation of such a body, representing all the ministries and departments concerned, will make it possible to organize a prompt and permanent government action against narcotics, coordinate efforts of government agencies, and other organizations, as well as individuals, and maintain contact with international organizations.

**Lawmaking measures:**

It is important to revitalize government-sponsored efforts toward hammering out a single anti-narcotics legislation, matching international standards, including 1) a law on the `control over the legal distribution of narcotics, strong substances, precursors, and 2) on the responsibility for such offences as: drugs extortion; illegal actions with government-owned chemicals and special equipment and their use to make drugs; 3) organizational forms of perpetrating drug-related crimes; 4) various commercial and financial operations on money laundering.

Due to the latter, it is necessary to give law enforcement agencies more authority to get from banks and other institutions and organizations necessary data on accounts and other financial transactions of persons, suspected of unlawful actions with narcotics.

Besides, it appears reasonable to amend the current legislation by expanding authority and creating appropriate conditions for law-enforcement agencies (police) to a) conduct searches of luggage, including carry-on luggage, of passengers at all kinds of transport facilities, b) check controlled shipments and cargoes, c) check state purchases of drugs, d) conduct medical examinations of citizens, e) set a more flexible procedure of placing drug addicts for medical treatment, f) a more flexible system of administrative detaining and arresting of citizens, and g) to practice more extensively the protocol form of pre-trial materials preparation.

**Organizational Measures at Government Level:**

It would be expedient to carry out a number of organizational anti-narcotics measures at government level. They include:

- creating a stable system of information for regional law-enforcement agencies about treaties, agreements, and protocols, concluded and signed by countries, governments, and departments, about procedures and requirements of signing such documents, about Interpol National Central Bank's opportunities to combat specific types of crimes, and about requests' formulation requirements;

- putting the NCB on round-the-clock duty to meet local requests;

- speeding up the creation of effective border customs control and adopting measures against the use of a country as a transit point to ship drugs to other regions;

- toughening control over the production and supplies of drug-bearing substances in chemical pharmacology and other areas, where they are used for lawful purposes.

A positive solution should be found to the issue of opening more medical centers, improving anti-drug addiction therapy, and manufacturing and acquiring more effective medicines, which involves much government spending and a search for sources of funding. Simultaneously, special government-financed short and long term comprehensive medical programs should be worked out and put into effect to block the consumption and sale of drugs; really re-socialize drug addicts; stop AIDS from spreading; spare no effort toward revitalizing non-governmental organizations' activity, aimed at reducing the demand for narcotics.

**Measures to Train Personnel:**

One should bear in mind that in most cases, the first contact with drug addicts, that is with seriously ill people, is made by the officers of law enforcement (police) agencies who have neither practical nor psychological skills of dealing with ill persons. But even a physician is required alongside professional knowledge, to display ethical norms, which quite often are crucial for the recovery of mentally imbalanced patients. For this reason, it is especially urgent and important to draw up teaching aides and methodological recommendations for law- enforcement agencies, not only on the tactics but also on the ethics of dealing with drug addicts, especially young ones. It is necessary to put the experience, gained by the police in anti-drug addiction prophylactic actions, into practice as soon as possible.

Polish scientists identify three groups of young drug addicts: 1) those who can but do not want to stop using drugs; 2) those who would like to give up drugs but cannot do so on their own; 3) and those who do not want and can not drop the ruinous dependence.

The principles of treating representatives of each of these groups differ considerably. The experience of drug addicts' treatment shows that two opposite trends dominate in the systems accepted up to date. The first prefers tolerance, partnership, and medical treatment, excluding coercion and punishment. The second envisages tough regimentation toward drug addicts. However, there is one requirement that is common for both systems - indispensable compliance with the principle of voluntary consent.

There are several varieties of pedagogics as industrial, military, agricultural, and medical. The latter, also called orthopedagogics, deals with upbringing children with defects. In the field of criminological prophylaxis, essential is the role of resocialization, i.e. of the educational effect on persons, poorly adapted to life in society. According to the criminological literature, "the basic goal in penitentiaries, is to create conditions for the social adaptation of persons after their prison term is over.» All these sources of knowledge should be made instrumental in combating drug abuse.

At the government level, interdepartmental programs involving a wide range of experts and the media should be worked out and implemented on educational and prophylactic campaign among the population.

**Foreign Experience in Prophylactics:**

Foreign experience deserves attention in this respect. Poland, for one, attaches great significance to public anti-drug addiction campaigns. Specialists are convinced that drug abuse should be addressed by the public organizations and individuals, among them - well known scientists, artists, writers, and clerics.

The catholic church plays a special role. Maximilian Conbeg's Society has all parishes offered to its program of temperance, urging them to abstain not only from drugs but also from all unnatural desires. The program has been backed across the board. Each diocese has priests specially trained to render professional aid to drug addicts and to help them return to society.

The Catholic University offers a course of lectures, which are to help drug addicts; the newly organized Drug Prevention Society has basic activities coinciding with that of the government and its main tasks are to treat drug addicts, return them to society and prevent drug-related crimes. The Society provides therapy for drug afflicted persons, and recommendations on how to regain the healthy way of life. The Polish Psychiatrists' Society has an anti-drug addiction commission, pursuing mainly scientific objectives.

The Monar youth movement immensely contributes to the anti-drug campaign sparing no effort to return drug addicts to society by interacting with medics. Religious and public organizations are actively involved in anti-narcotics campaigns in other countries, too.

At the same time, it is only within the framework of a government-sponsored program that all issues, pertaining to the destruction of drug-bearing crops, must be addressed. For that it is necessary to create independent agencies, furnished with advanced equipment, aircraft, motor vehicles and other means. Such agencies can be allowed appropriate functions only after clearance by a team of ecological experts. Here in, strict criminal responsibility must be enforced for carrying out such actions that destroy the environment and harm flora and fauna. There must be compensation.

The solution of this issue depends upon the possibility of deploying the armed forces. In the USA the army plays a key role in monitoring drug trafficking routes. The Defense Department carries out the following measures against criminal narco-business:

- searching for drug-bearing crops, secret laboratories, storages and drug distribution points;

- discovering and destroying sources of producing drugs (cocaine, marijuana, etc);

- putting under control all possible routes of smuggling drugs into the country (by sea, by air, across land border);

- assisting state law-enforcement agencies in exposing the channels of drug proliferation by using intelligence sensors and photo equipment in border territories;

- coordinating operations to intercept ships and aircraft, suspected of illegal drugs shipment;

- patrolling the coast by interceptor planes, ships, posting radars, balloon systems to monitor low-flying objects, etc.;

- measures to get enlisted and non-enlisted army personnel cut drugs consumption.

In 1990, the military, using search equipment, capable of locating submerged cables and pipelines, discovered an underground tunnel at the border with Mexico, a tunnel through which huge consignments of drugs were smuggled into the USA. In the last few years, four anti-narcotics techniques have been in focus: computerized systems, advanced means of communication, field laboratory analyzers, remote chemical detectors (photo-acoustic and laser spectroscopes for locating specific drug production sites.) Experts regard as promising instruments for checking baggage and cargo containers. These instruments operate on nonlinear radar principles.

**Organization of Comprehensive Studies:**

By combining the efforts of scientists and experts it would be possible to avoid haste with setting up new creative teams and, instead, apply to the database for information, learn its source and its author, and decide whether it's simpler to use it rather than carry out studies anew. Such an approach would be quite beneficial for those whose work has so far been wasted and for those who urgently need scientific information.

This would also speed up the process of solving a number of drug problems by cutting the time for scientific research and decreasing inevitable material costs.

**Functions of the Head Branch of the Anti-narcotics Agency:**

Changes in the given situation call for an appropriate effective response, a revision of the content and volume of work, correction of functions carried out at the departmental level.

Particularly responsible is the role of the head branch of the agency integrated in the Ministry of Internal Affairs which studies, analyzes, sums up and monitors information on narcotics in the country, informs appropriate institutions and departments about it, sets priorities in actions against narcotics, adopts measures to attain them, and carries out other managerial functions. This agency also arranges and takes part in concrete anti-narcotics campaigns. These include measures to prevent the illegal growth of drug-bearing crops (plan, organize, and carry out POPPY operations, etc.); to curb theft of drugs and highly effective medicinal substances; discover underground laboratories (develop, plan and carry out Doping operations); uncover the most sophisticated crimes (by taking direct part in investigative and search actions upon arrival on site, providing methodological, informational and technical aid); expose persons and criminal gangs with inter-regional and international narco-business links; join other services in carrying out preventive operations at airports, railway stations, customs offices to detain criminals, check the baggage, eliminate drug trafficking channels; upgrade work toward preventing and exposing drug-related crimes.

The volume of applicable law measures at this level bears a selective nature, being many inferiors to the volume of managerial and other functions. It would be more rational and effective however to rid these branches completely of any forms of direct involvement in preventing, exposing, and curbing crimes and thereby extend managerial functions by raising demands for professional leadership and service management by augmenting the staff functions of these branches and limiting their role in exposing and curbing crimes to appropriate qualified essential methods and effective control.

**Perfecting Internal Affairs Ministry Work:**

To make law-enforcement agencies anti-drug trafficking activity more efficient, the Internal Affairs Ministry could:

- draft comprehensive anti-drug addiction programs;

- perfect the departmental normative basis, create methods and analysis teaching aids and video-films;

- participate in the work to bring republican anti-narcotics legislation in line with the international acts;

- create a normative-legal basis to ensure a mechanism for bilateral and multilateral international cooperation;

- work out, create, and introduce in day-to-day activity a mechanism of control over the emerging narcotic situation and coordinate reaction to its changes;

- adopt measures to provide the branches with appropriate equipment and special devices;

- create automated information-search systems with wide-ranging possibilities to combat criminal narco-business;

- set out short and long term guidelines;

- determine resources for the target-oriented organizational, informative, promptly investigative and material-technical support of areas with widespread drug abuse and rampant crime;

- control the formation of local branches and their activities;

- organize interaction between law-enforcement (police) agencies, serving at areas where drugs are grown, trafficked, and consumed;

- coordinate various branches' activity to carry out joint measures toward exposing criminal gangs with inter-regional contacts and carrying out prophylactic measures on air, sea, river, and auto transport;

- form computer data banks on drug trafficking at republican and international levels;

- follow the USA and other countries' experience in setting up special mobile units, armed with the most advanced military hardware and teach methods and ecologically safe technologies of drug crops' destruction;

- promote law-enforcement (police) agencies' cooperation with customs, national security agencies, army and border troops;

- educate territorial agencies on various methods of work;

- plan cooperation with foreign agencies in preventing drugs and raw material for narcotics from being smuggled in from other regions practicing a specific form of controllable supplies envisaged by the 1988 UN Convention and exert control over such cooperation;

- organize and control scientific research and apply it;

- to study, sum up, and apply positive foreign experience;

One should bear in mind that the campaign against narcotics is part of the universal action against organized crime. Efficiency at the local level makes it possible to expose not only drug-related crimes but also felonies, especially those involving violence and theft.

If all these organizational measures are put into practice, the campaign against narcotics in the Russian Federation will be more effective.

Conclusion

The international community sees narcotics as one of the most dangerous social evils. International legal acts, as well as national legislations, including that of the Russian Federation, contain numerous norms regulating actions against narcotics bound to suppress and prevent it. Moves are made to perfect and update these norms so that they could counteract new forms and methods of committing drug-related crimes. Naturally enough, legal regulations trail after criminal thought in these and other criminal offenses.

To narrow the gap between the rapid advancement of criminal know-how and the introduction of the new anti-crime legislation there is a need to monitor the spread of narcotics, assess it, watch its dynamics, forecast its progress and carry out appropriate research. Monitoring and research are to help pinpoint the sensitive spots of drug abuse and work out new legal norms and methods for dealing with them.

Highly important are the application of legal norms and the planning of various measures aiming to oppose narcotics.

Private business has been made legal in the new social and economic conditions. Under the guise of legally established private enterprises underground drug manufacturing laboratories and drug trade hideouts (houses, apartments) have begun functioning as unofficial operational reports confirm. Illegal efforts to produce and sell drugs and the tendency for their proliferation demand emergency antidrug legislation. Illegally-operating drug-producing and drug-selling companies present a much bigger threat to society than all other drug-related ventures do, now that they (a) spread new varieties of and increasingly more hazardous drugs, (b) increase, drug production and sales manifold, (c) promote an organized system of narcobusiness and, consequently, the takeover of drug-trafficking by organized criminal groups, (d) take monopoly control of drug-trafficking and reap super-profits in this field, (e) take drug-trafficking operations beyond the national borders and make use of their foreign connections for the acquisition, manufacture, transportation, sending, smuggling and sale of drugs. Their activities prompt many related crimes.

All this calls for moves to update the Russian Criminal Code with articles on legal responsibility for the production and sale of drugs which must be considered to belong to the categories of serious and most serious criminal offenses punishable by ten to fifteen years of imprisonment and the confiscation of property.

The climatic conditions on the territory of Russian Federation favor the natural growth and cultivation of drug-bearing plants, which may be, or are already, used for the purpose of drug production. This calls for the need to constantly perfect methods of exposing and destroying such plants, both those that are wild and those that are raised, which, in turn, calls for a wide range of financial and organizational efforts.

Its geographic and geopolitical position makes the Russian Federation a convenient trans-shipment point on the road from Asia to other former Soviet republics and on to Europe. The Russian government, its law-enforcement agencies, in particular, must, as a result, check illegal attempts to take drugs across the national border, bolster up its customs services and see to it that they upgrade their performance and work in close cooperation with the territorial and traffic police and other agencies expected to carry out programs of action against narcotics.

The newly gained independence requires that the Russian Federation confront two problems directly related to narcotics and efforts to overcome it.

First of all, borders between Russia and other former Soviet republics show the highest degree of transparency, i.e. border-crossing presents almost no problem. Given the geographic and geopolitical position of Russia, the transparency of the national border aggravates the problem of drug smuggling and calls for the need to essentially fortify the border and better customs control along it.

Secondly, there is the problem of international relations in the field of narcotics and international efforts to deal with it. There are two angles to this second problem. Now that it has gained sovereignty, Russia has to assume upon itself the functions of establishing and maintaining international relations, especially since it represents a sort of a link in the chain that ties drug- producers and drug-consuming regions together.

The second angle of this problem lies in the fact that once being a part of the Soviet Union, Russian Federation neither faced nor could possibly face obstacles concerning the jurisdiction of its anti-crime effort, including crimes committed on territories of different Soviet republics. Now that they are sovereign nations, the former Soviet republics have national borders, which, transparent as they are, make legal action against criminal elements possible only in the context of international relations and in keeping with international agreements. This, naturally, complicates the timely launching of operational and investigative actions aimed at solving criminal cases including those of drug-trafficking.