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CERTAIN DIRECTIONS OF COUNTERING CRIMES RELATED TO DRUG TRAFFICKING COMMITTED BY CRIMINAL ORGANIZATIONS

Abstract. The article considers some theoretical provisions and practical recommendations for improving the tactics of detection and documentation by operational units of crimes related to drug trafficking committed by criminal organizations. It is noted that successful detection and documentation of crimes related to drug trafficking is facilitated by the integrated use of forces, means and methods of investigative and operational activities. Studying the practice materials and summarizing the results of survey of employees of investigative and operations units shows that documenting persons who are at the highest levels of criminal hierarchy (organizers, leaders, "thieves in law", etc.) and directly coordinate or organize drug trafficking is complicated by the fact that this category of persons does not personally commit crimes.

Keywords: counteraction, tactics, operational-search activity, narcotic drugs, organized crime.

Problem statement. The UN report [1] notes that over the past decade, drug abuse in the world has increased by 30 %, where teens and young adults make up the largest share of drug users. This situation poses a threat to the governments of various countries and political systems and can undermine the national security of any economically developed state.

In Ukraine, there is also a continuous increase in the drug use by the population, which leads to the increase in the number of drug-related crimes, emergence of drug trafficking syndicates and organized system of drug dealing network. At the same time, drug use increases the number of people who use these dangerous substances, which causes significant damage to the nation's gene pool, health of people and their physical condition, in particular due to the spread of dangerous infections. According to various information sources, Ukraine is among

the top ten countries in the world for the largest number of drug users per thousand of the population [2, p. 1].

Analysis of recent studies and publications. Significant contribution to the study of countering crimes related to drug trafficking was made by such well-known domestic scientists as M.M. Andreiev, Ye.V. Lyzohubenko, V.V. Nedilskyi, D.Y. Nykyforchuk, D.O. Nozdrin, S.D. Rieznikov, O.L. Khytra, R.F. Chernysh and others. Special attention should be paid to comprehensive study of this issue by such foreign scholars as Channing Mavrellis, Fu-Ching, Thomas Pietschmann, John Walker and others.

Purpose of the article is to substantiate certain theoretical provisions and practical recommendations for improving the tactics of detection and documentation by operational units of crimes related to drug trafficking committed by criminal organizations.

Presentation of the main material. Progressive drug abuse, rapid increase in prices of drugs and increase in the number of drug-related crimes create favorable conditions for the emergence of criminal organizations involved in drug dealing [3, p. 104].

The analysis of scientific literature [4, p. 4] shows that the economic benefit from the “proceeds of crime” is the main goal of criminal organizations committing crimes related to drug trafficking.

In particular, information published by Eurojust [5] shows that drug trafficking brings criminal organizations more than 30 billion in the European Union countries alone.

According to various estimates [6-7], the financial flows received by criminal organizations from drug trafficking in the United States, Mexico and Colombia amount to 80-90 billion per year.

In general, according to various estimates of international organizations [8-10], the profits of transnational criminal organizations from illegal activities are estimated from 1.6 to 2.2 trillion US dollars, which is about 2.5% of the world gross product.

Ukraine occupies a central place in the drug trafficking due to its geographical location. Ukraine is gradually becoming a crossroads of several international drug trafficking routes. It is worth noting that during the drug trafficking, a certain part of it remains in our country, therefore, Ukraine transforms from a transit country to a country where drugs are distributed and used [3].

The thorough analysis of the scientific literature on investigative and operational activities shows that successful detection and documentation of crimes related to drug trafficking is facilitated by the integrated use of forces, means and methods of investigative and operational activities.

The study of materials on work of investigative and operations units shows that detection dogs are one of the most effective means for detecting narcotic drugs, psychotropic substances or their analogues.

In particular, some studies conducted by foreign scientists show that the effectiveness of using detection dogs in detecting narcotic drugs is 70 % – 91% [11]. This indicator depends on the breed, training (methods of training dogs to detect narcotic drugs) and other characteristics of dogs [12, p. 169; 13].

Thus, the analysis of reference literature [14] shows that detection dogs are successfully used by law enforcement agencies during investigative and operational activities in order to detect narcotic drugs at railway and bus stations, airports, etc.

The use of detection dogs to detect narcotic drugs is particularly successful at border and customs control checkpoints across the state border.

For example, in September 2021, at Shegini-Medika, checkpoint with Poland, customs detection dogs found on the bus a large batch of drug-containing pills Subutex. Chestokhova-Chernivtsi tourist bus was traveling from Poland, the pills were hidden in two bags. Detection dogs sniffed two bags containing 6512 drug-containing pills Subutex. The total amount of such a find is 2 million UAH [15].

The study of judicial practice (court sentences under Article 305 of the Criminal Code of Ukraine) shows that the detained persons who aimed to illegally transport narcotic drugs across the customs border of Ukraine were mostly at the lowest levels of hierarchy of drug trafficking organization – these are drug couriers (carriers), drug dealers and other perpetrators.

At the same time, studying the practice materials and summarizing the results of survey of employees of investigative and operations units shows that documenting persons who are at the highest levels of criminal hierarchy (organizers, leaders, “thieves in law”, etc.) and directly coordinate or organize drug trafficking is complicated by the fact that this category of persons does not personally commit crimes.

In addition, according to the analysis of scientific literature, criminal organizations successfully use criminal tactics, which include bribery, corruption and infiltration of persons the law enforcement agencies and judicial authorities. It should also be noted that drug trafficking organizations successfully infiltrate their “people” the public authorities and law enforcement agencies for the purpose of unhindered drug smuggling, manufacturing, transportation or dealing.

To achieve their goal, criminals use such corruption mechanisms as bribing representatives of public authorities and law enforcement agencies, in particular by providing so-called “sponsorship”, financing the election campaigns of certain politicians, activities of political parties and other non-governmental organizations, as well as direct infiltration the government by nominating their representatives to various positions in state authorities, in particular law enforcement agencies and local self-government authorities [16, p. 83].

The report of the United Nations Office on Drugs and Crime [17] notes that corruption plays an important role and exists at all stages of drug supply, from production and sale to distribution, and affects a wide range of institutions:

eradication groups, law enforcement agencies, criminal justice system, as well as the health sector, for example, when consumers can get drugs through corrupt doctors and pharmacists.

The analysis of foreign reference literature [18-20] shows that corruption of officials is most successfully reflected as bribery of officials at various levels on the example of drug cartels in Mexico.

In addition, criminal activity in illegal drug trafficking is complex, structured and characterized by commission of drug-related crimes with qualifying and especially qualifying features, which manifests itself in the activities of groups of persons by prior agreement, organized groups and criminal organizations in large and especially large amounts with international and transnational ties. Drug dealers have long appreciated the achievements of scientific and technological progress in the latest technologies, where, due to its global nature and rapid pace of development, it is the Internet that has become their quintessence [21, P. 1].

The countering such organizations is complicated by their closed nature, which makes it almost impossible for the unauthorized persons (for example, undercover agents) infiltrate them, as well as their inherent secret nature of activity, legalization through participation in legitimate business. Since infiltration such structures from the outside is impossible, it is very difficult to obtain information from such structures [22, p. 193].

Conclusions. Summarizing the above, we can conclude that the effectiveness of tactics of documenting (evidence gathering and bringing to criminal responsibility) direct organizers (leaders) of drug trafficking organizations by operational units involves a set of investigative and operational measures and covert investigative activities related to the temporary restriction of human rights. Certain organizational and tactical aspects of infiltrating the undercover officer (performing a special task to detect the criminal activities of the organized group or criminal organization) the drug trafficking organizations should be studied separately.

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