




Social Prevention of Drug Trafficking Crimes

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Abstract: Based on the translation of authentic materials, an overview of research programs of Western European government organizations and nongovernmental centers for the social prevention of drug-related crime and offenses is presented. The goal and objectives of the research are to identify the essence, content of social prevention of drug-related crimes and offenses, conducted in Western Europe, as well as to identify the ways, forms of its implementation and the reasons for the emergence of this form of prevention. The methodology was made up of the object and contextual approaches of research in combination with positivist, descriptive and axiological values. As a result of the research, the essence, content, nature of social prevention of drug-related crimes and offenses have been identified, as well as the forms and methods of its implementation. The novelty of the research lies in identifying the context of the cause of this social prevention emergence.


1 INTRODUCTION


Chapter 25 of the Criminal Code of the Russian Federation (hereinafter referred to as the Criminal Code of the Russian Federation), like the legislation of any state, classifies illegal acts related to drug trafficking as crimes. The modern world practice of combating drug addiction is guided by the prohibitive and restrictive principles of opposing the spread and consumption of drugs. At the same time, in a number of European states in recent years, in addition to the direct fight against drug addiction, socially oriented prevention of such crimes and offenses is being performed in a targeted manner. With regard to Russian reality, according to Russian criminologists, "... preventive work is performed by the method of attacks, swoops" and at the same time methods are used that relate to the cognitive sphere of the psyche, acting under the principle of "understand", "remember", "know", etc. Meanwhile, as Russian scientists write, drug addiction has long been

recognized as a bio-psycho-social disease affecting the value aspects of human life. All this, according to experts, constitutes the main problem of the drug situation in our country (Khagurov T.A., Pozdnyakova V.N., Rakachev L.N., Rybakova T.V., Chekineva A.P., Reznik S.Yu., Lyubin N.V., Meleshko E.A., Voinova N.E., Khagurova N.E., 2014).

According to M. Pozdnyakova and V. Bruno, the process of drug addiction, changing normative perceptions, as well as social attitudes of the population in relation to drugs are interdependent phenomena. In modern Russia, as in the rest of the world, there is "... liberalization of attitudes towards drugs - the admissibility of the use of certain substances, but only under certain conditions (for example, the use of substances that are "safe" from the consumer's point of view; control over the frequency, dosage and quality of substances; compliance with certain rules of admission, etc.)" (Pozdnyakova M.E., Bruno V.V., 2018). For some

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time it is common to speak of the role of the so-called "controlled" consumption of psychoactive substances. Meanwhile, according to the cited authors, "controlled" consumption is at the very core of the drug situation (Ibid.).

For 2020 in the Russian Federation, 189.9 thousand crimes were registered related to the narcotic drugs, psychotropic substances or their analogues, potent substances, new potentially dangerous psychoactive substances trafficking. In the aggregate structure of crimes, the share of illegal production, sale, transfer, acquisition, storage, transportation, manufacture, processing, as well as violations of the rules for the narcotic drugs or psychotropic substances amounted to 182.6 thousand. Of these, sales - 112,267, production - 500, smuggling (Article 229.1 of the Criminal Code of the Russian Federation) - 362. As a result of the operational-search activity, 100,975 crimes were solved and 83.1 thousand persons who had committed crimes were identified. Despite the positive trend towards a decrease in the number of crimes in comparison with 2016 - 201.2 thousand, the problem of combating drug crimes continues to remain relevant.

Decree of the President of the Russian Federation No. 733 dated November 23, 2020 "On Approval of the Strategy of the State Anti-Drug Policy of the Russian Federation for the Period up to 2030" presupposes goals, objectives, and measures for its implementation. Within the context of our discourse, we drew attention to the following tasks of anti-drug policy: improving the scientific support of anti-drug activities and the formation on a common methodological basis of a single system of a comprehensive anti-drug policy.

Hypothesis: social prevention of drug-related crimes and offenses has arisen due to the fact that recently the countries of Western Europe are experiencing an ever-increasing immigration burden.

2 MATERIALS AND METHODS

The materials of our research were government research projects and reports, which present the experience of social prevention of drug addiction in Western Europe. Project "The social prevention of drug-related crime (2018) (SCOPREV) (DR/00/75): Results & recommendations" (abbreviated - SCOPREV), developed with the financial support of the Belgian Federal Science Policy Office (BELSPO). Scientists were interested in new research projects developed in Belgium and neighboring

countries - in Germany, France, Luxembourg and Switzerland (Pauwels, L.; Vander Laenen, F.; Maes, E.; Mine, B.; De Kock, 2018).

We have translated English and French texts, which present the experience of combating and social prevention of drug-related crimes. An object approach and contextual analysis of the textual content of project materials, reports and recommendations were made.

3 RESULTS AND DISCUSSION

"Abstaining from drugs cannot be the goal" strategy: pros and cons. The drug-related strategy fits into a wide context and is consistent with all government programs in all departments - says Louis Favril and his colleagues (Favril L., Vander Laenen, F. & Decorte, T., 2015). The strategy should have a holistic approach, including drug addiction as a problem that needs to be addressed, where possible, on a broader social, socio-economic and socio-political platform. Withdrawal from drugs cannot be a goal for every user, - the same authors write. They note that supervised heroin provision and drug substitution are more effective in reducing drug-related crime than referring patients to treatment waiting lists. Therefore, it is necessary to develop a strategy to reduce drug harm, namely, to create substitution therapy. The essence of substitution therapy: 1) providing drug users with premises; 2) provision of controlled (medical) heroin; 3) providing users with needle exchange. As we can see, in Western Europe, the tendency to abandon the categorical ban on drug consumption continues to grow. However, not all scientists and specialists hold this position. Opponents of the drug harm reduction strategy believe that its advocates do not consider the possible criminal consequences of such a position.

Analysis of materials from research projects and scientific literature shows that the international European community of criminologists is experiencing serious difficulties in determining the signs of drug trafficking crimes. This circumstance creates an obstacle to the effectiveness of anti-drug activities of state bodies. The European Monitoring Center for Drugs and Drug Addiction (EMCDDA) is a non-governmental, legally independent body established in 1993 by the EU countries to collect and analyze factual information on drugs and drug addiction. This center offered several definitions of drug crime, but they were never considered satisfactory by experts. Therefore, due to conceptual uncertainty, there are discrepancies in police reports

and, accordingly, in assessments of social prevention projects. Therefore, hardly anyone understands, both in Belgium and in other countries of the European Union, about the scale and prevalence of drug-related crimes - the following authors write (Cauchy D., Madriaza, P., Monnier, C., Martel-Perron, R., Robert-Colomby, J., Benzacar, N. & Modica, C., 2015). Meanwhile, the number of drug-related convictions, for example, in Belgium, increased by 16.5% between 2005 and 2014, and this type of crime is now one of the five of all reported violations (Plettinckx E., Antoine, J., Gremeaux L. & Van Oyen, H., 2017). The only certainty of international research on this issue lies in the conclusion that drug-related crime consists mainly of psychopharmacological and economic coercion (Cauchy D., Madriaza, P., Monnier, C., Martel-Perron, R., Robert-Colomby, J., Benzacar, N. & Modica, C., 2015).

The EMCDDA reports note that there is no common definition of drug-related public harm either. In cases when it comes to real deviant behavior, in practice it is not considered as such, i.e. is not recognized as deviant. If the behavior is defined as deviant, then it is recognized as a consequence of the application of “highly codified and highly institutionalized rules of law”. Moreover, the fact that behavior is recognized as deviant is more often seen as elements of bias (Pauwels, L.; Vander Laenen, F., Maes, E., Mine, B., De Kock, 2018). In general, value judgments prevail about the drug user behavior as undesirable behavior, or as unpleasant, or as annoying, etc. More often the wording is less definite and non-binding - “problem behavior under the influence of a substance”. According to some European EMCDDA studies, such judgments are the result of a lack of a cognitive, conceptual vision of the real threat from drug addiction to society. In this context, the EMCDDA (2005) report on public drug-related harm notes that Belgium is one of the few countries that, along with Ireland, Luxembourg, the Netherlands and the United Kingdom, has identified this type of harm as a key target of government drug policy. Finally, the report concludes that there are no reliable criteria for assessing drug harm indicators in European countries, which significantly complicates the objective measurement of this phenomenon (Ibid.).

In the context of uncertainty in the criteria for assessing drug harm, options are proposed for following the drug harm reduction strategy. For this, the authors of the SCOPREV project believe, it is necessary to change mental ideas and attitudes. It is necessary to abandon the traditional charitable psychology of helping, which is akin to a handout, to

move on to recognizing a person as a subject of law. Provide him with access to basic rights, namely, compulsory minimum income, health insurance, the right to housing, to fight eviction or over-indebtedness, protection from violence, caring for isolated foreign minors (Collett Dukech, Frédéric Penot, 2015). A naturalistic approach to risk-based prevention is proposed by researcher D.P. Farrington (Farrington D.P., 2009). The identified risk factors are neutralized by a directed strengthening of their counteraction (Ibid.), including specific prevention of risk factors for penitentiary crime (Krotova D.N., Debolsky M.G., 2013). It is true that prevention has a rather polysemantic interpretation. There is a very wide range of preventive impact on the offender, both potential and actual - from the prevention of drug addiction among adolescents to the preventive impact on the penitentiary offender (Bykov A.V., Zenin S.S., Kudryashov O.V., 2017; Vasilyeva KK, Ovchinnikov SN, 2018; Vasilyeva KK, Ochirov OR, 2017).

“*Social prevention of drug-related crimes and offenses*” The main goal of the project “Social prevention of drug-related crime and offenses” (hereinafter - Social prevention) was to find promising practices for social prevention of drug-related crime in Brussels, Flanders and Wallonia (Strebelle C., 2002; Prevention of drug-related crime report, June, 2015).

A group of researchers (Cauchy D., Madriaza, P., Monnier, C., Martel-Perron, R., Robert-Colomby, J., Benzacar, N. & Modica, C., 2015) proposed a typology of drug use prevention: primary, secondary and tertiary. Primary prevention contains programs to educate and alert the general public, including young people, about domestic or school violence. Such programs are aimed at those who have never been abused or involved in the criminal justice system. Secondary prevention focuses on those who are at potential risk of becoming involved in criminal activities. It contains programs agreed and tested by social services, the education system or the justice system. Tertiary prevention includes programs for those registered with the criminal justice system to prevent reoffending.

We asked the question: how is the social nature of drug crime prevention understood in Western Europe? Since drugs were originally an attempt to solve some obsessive urgent problem even before they became the problem itself, it is necessary to find approaches to the problems of drug addiction and take into account the various vicissitudes of life leading to this addiction. The strategy should take into account what type of consumption the given addiction belongs to - whether it is entertaining or problematic. It is

important to know that a person may continue to use drugs for reasons other than those that prompted him to start using drugs for the first time.

We found out that in Western Europe the social nature of prevention has a specific feature. From the project materials, we explicated the essence of social prevention of drug-related crimes and offenses as the fight against poverty and social exclusion (Pauwels, L.; Vander Laenen, F.; Maes, E.; Mine, B.; De Kock, 2018; Collett Dukech, Frédéric Penot, 2015). Naturally, the question arises: why poverty and social exclusion are markers of potential drug addiction and criminalization of society? The Burgundian Recommendations (Collett Dukech, Frédéric Penot, 2015), which, in fact, are a national strategy to combat poverty and social exclusion, note the growth of social inequality in society, emphasize the need to respect the racial and religious diversity of the individual. The authors of the document advocate giving the strategy of social prevention the state status and to solve the problems of social prevention at the interstate level.

An important component of prevention is the priority of the collective form of social work. Individual actions are recognized as ineffective, because the "ethnicity" of the population of the neighborhoods remains outside the focus of social prevention, the document emphasizes (Ibid, 2015). The "ethnicity" of the neighborhoods population refers to the immigrants, whose stay in a number of Western European countries leads them to unintentional "ghettoization" - an objectively observed process of segregation of the immigrant groups places of residence according to certain criteria - ethnic, religious, income level, etc.

The growing immigration burden has led to the creation of social prevention of drug-related crimes and offenses. The process of European migration, as known, tends to "live its own life", in other words, the immigrants are often not respect the state regulation of the recipient country. This is evidenced by the immigration situation in Germany, where, as known, there is a strictly legislative definition of the place of allocation of immigrants in accordance with the capabilities and needs of the state. However, the attractiveness of the three western states of Germany (North Rhine-Westphalia, Bavaria, Baden-Württemberg), which are the most favoured and therefore attractive, exceeds 60% of all foreigners in Germany (Karachurina L.B., 2008). Immigrants, as a rule, are deprived of material and other opportunities for normal life. Therefore, social prevention is aimed primarily at solving the problem of a hand-to-mouth existence of those to whom it is addressed. It is known

that these are primarily immigrants. However, no direct designation of immigrants as the main objects of social prevention is found in the materials cited by us. This is probably due to the need to comply with political correctness. Indirect facts that we mentioned above testify in favor of immigrants as the main objects of social prevention. To get an idea of immigration, its socio-legal category and size, we present data for Germany for the period 1991-2008. During this period, 9 legal categories of migrants arrived in Germany - from EU member states - 2,194,796; family reunification - (since 1998) total - 705,234; late immigrants by blood Germans (including family members) total - 2103,019; immigrants along the Jewish line (since 1993) - 202,127; asylum applicants - 2101,854; labor migrants under an employment contract - 755,335; seasonal migrants - 4406,898; IT specialists since 2000 - 28,093 (no data for 2005); educational migrants (since 1993) - 714,584 TOTAL: 13,211,940 people (Skorniyakov I.A., 2011).

The European states authorities take the wave of immigrants for granted and, in the current conditions, are taking preventive measures, which include social prevention.

European researchers concluded: 1) the strategy should take into account that drug addiction is the result of many reasons; 2) it is necessary to return the political component to prevention activities; 3) guided by the fact of the connection between the social exclusion of an individual and his addictive disorders, it is necessary to direct social work to reduce and level the marginalization of a person; 4) it is necessary to take into account what type of consumption this drug addiction belongs to - entertaining or problematic; 5) the fight against drug addiction should not be exclusively prohibitive; 6) abstinence cannot be a goal for all people with drug addiction problems and therefore a strategy to reduce drug harm is needed.

4 CONCLUSIONS

According to the objective principle of researching the essence and content of the strategy of "social prevention of drug-related crimes and offenses", the article authors came to the understanding that the main causal factor that determined the formation of social prevention is the increase in immigration to Western Europe. The need to streamline and regulate immigration processes in Europe gave rise to such an interstate social phenomenon as "social prevention of drug-related crimes and offenses".

The essence of social prevention is, firstly, the fight against poverty and social exclusion; secondly, its target audience is, first of all, immigrants; thirdly, social prevention is a proactive measure of the potential criminalization of European recipient countries. The content of social prevention is the development of a strategy to combat poverty and social exclusion, which consists of specific forms and methods of assistance to the poor and disadvantaged. The emergence of social prevention is associated with the fact that the primary cause of an individual's drug addiction is not a personal, individual factor, as was believed in the recent past, but an external - social, public factor. Recognition of the social, public factor as the primary cause of drug addiction confirms our conclusion about immigration as the main incentive for social prevention of drug-related crimes and offenses.

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