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**ILLEGAL DRUG MARKET IN RUSSIA:
RECENT CHANGES AND TRENDS**

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ABSTRACT

An illegal drug traffic continues to expand from year to year due to an increase in demand (the emergence of more and more people with drug addiction) and supply (the emergence of new types of psychoactive substances). The author examines the state of drug crime, trends in the state anti-drug policy and propose a set of measures aimed at countering drug trafficking. The research results provide support for legislative initiatives in this area. The author maps out promising areas for further research.

Keywords: black market, crime, crime prevention, criminal law, narcotics

1. What is the Russian illegal drug market? Traditionally, a significant share in the structure of the Russian black market is made up of the segment of prohibited goods (Repetskaya A.L. 2008). Drugs are classified as prohibited for free circulation.

Drug trafficking has traditionally been a lucrative area of illegal activity, especially for organized crime. The latest criminological research has revealed some features of organized crime that complicate the fight against it: it penetrates into all spheres of society (Mercuriev V.V., Sokolov D.A., Ulyanov M.V. & Vasnetsova A.S. 2014); really affects the power structures, aiming its

impact, first of all, at the police and law enforcement, industrial, construction, immigration and customs authorities, authorities issuing permits for driving cars and certificates of technical inspection, financial and tax authorities, prosecutors, registration bureaus (Kholyst B. 2015).

In the modern world, the exponential growth of non-medical drug use remains one of the most acute social problems, the scale of which has led to it being classified as one of the biggest threats to international security (Kobets P.N. & Krasnova K.A. 2017). Suffice it to say that, according to the UN, at present, the total number of people who use drugs is about 271 million, or 5.5% of the total population of the planet between the ages of 15 and 64. Of these, about 188 million people use cannabis, 53 million people are regular opioid users, and 11 million people are injecting drug users (World Drug Report 2019). The severity of drug abuse is compounded by an increase in the rates of HIV, hepatitis C and tuberculosis, which invariably accompany illicit injecting drug use (Kobets P.N. 2019).

In recent decades, the processes of active drug addiction of the population have spread to Russia. World integration not only opened up unprecedented opportunities for humanity, but is also accompanied by the fact that a number of socially dangerous phenomena, including drug addiction and drug trafficking, have become a “problem without borders” (Grinenko I.M. (2010).

In Russia, the state anti-drug policy is to completely ban all types of drugs. Analyzing the national anti-drug policy, one should dwell on its principles, which are mentioned in the Federal Law of 08.01.1998 No. 3-FZ "On Narcotic Drugs and Psychotropic Substances", however, they are not indicated as imperatives of the relevant activity. These principles are as follows: 1) state monopoly on the main activities related to the circulation of narcotic drugs and psychotropic substances; 2) licensing of all types of this activity; 3) coordination of the activities of federal executive bodies, executive bodies of the constituent entities of the Russian Federation, local government bodies; 4) the priority of measures for the prevention of drug addiction and law violation related to the illegal circulation of narcotic drugs, psychotropic substances, stimulation of activities aimed at anti-drug propaganda; 5) state support for scientific research in the development of new methods of drug addiction treatment; 6) involvement of non-governmental organizations and citizens in the fight against the spread of drug addiction and the development of a network of institutions for medical and social rehabilitation of patients with drug addiction; 7) international cooperation in the field of combating illicit trafficking in narcotic drugs, psychotropic substances on a multilateral and bilateral basis.

The issues of drug trafficking control, combating drug crime, prevention of drug addiction, treatment and rehabilitation of patients with drug addiction, regulatory consolidation of the goals

and objectives of the relevant activities and regulation of their implementation in order to ensure national security are regulated by the Constitution of the Russian Federation, federal laws, decrees of the President of the Russian Federation and decrees of the Government of the Russian Federation, interdepartmental and departmental regulatory legal acts.

The Russian legislation generally complies with the international conventions of 1961, 1971, 1988 and 2005 ratified by Russia, and which prescribe prosecution for possession and distribution of all substances classified as drugs (Kobets P.N. & Krasnova K.A. 2019).

National legislation is represented by federal laws and the National Security Strategy of the Russian Federation (hereinafter - the Strategy). In the latter, the illegal "activity of criminal organizations and groups, including transnational ones, associated with the illegal circulation of narcotic drugs and psychotropic substances" is classified as a threat to state and public security (Decree of the President of the Russian Federation of December 31, 2015 No. 683). Improvement of the legal regulation of preventing the spread of drugs and combating this criminal phenomenon is included in the Strategy as one of the priority directions of state policy. Let us consider the dynamics of drug trafficking over the past decade, based on the data of official statistics. In Russia, the number of registered crimes related to drug trafficking was as follows: in 2010 – 222,564, 2011 – 215,214, 2012 – 218,974, 2013 – 231,462, 2014 – 254,230, 2015 – 236,939, 2016 – 201,165, 2017 – 208,681, 2018 – 200,306, 2019 – 190,197 (Legal statistics portal). So, over a decade, despite the legal (amendments made to the Criminal Code of the Russian Federation, Federal Law of 08.01.1998 No. 3-FZ) and organizational (transfer of the Ministry of Internal Affairs of Russia functions of controlling the circulation of narcotic drugs, psychotropic substances and their precursors, as well as in the field of countering their illegal trafficking) changes, the decrease in the quantitative indicators of registered drug crimes was only 15%.

Official statistics also indicate a downward trend in the number of identified persons who have committed crimes related to drug trafficking over the past five years: 2010 – 112,109, 2011 – 109,152, 2012 - 115,214, 2013 - 117,912 , 2014 – 123,300, 2015 – 121,557, 2016 – 108,258, 2017 – 106,292, 2018 – 95,683, 2019 – 85,425 (Ibid).

In the second decade of the XXI century in all regions of Russia cases of drug use or distribution are recorded. According to expert estimates, the number of people who use drugs is much higher than the official figures and may exceed several million (Kobets P.N. 2016). The predominance of the drug-addicted part of the population on the territory of certain regions of Russia is due to a number of interrelated factors, which include the geographical position of their region of residence. The prevalence of drug addiction and the intensity of its treatment have a pronounced

regional character. To illustrate this conclusion, let us turn to the statistics for 2019 provided by the Prosecutor General's Office of the Russian Federation and analyze the regions most involved in drug trafficking. The summarized data are presented in the regional context in the 1. table.

Table 1. Summarized data in regional context

Rank	Region of Russia	Number of crimes related to drug trafficking	Region of Russia	Number of persons who have committed crimes related to drug trafficking
1	Moscow	12761	Krasnodar region	4339
2	Moscow region	8330	Moscow region	3917
3	Saint-Petersburg	8240	Saint-Petersburg	3635
4	Chelyabinsk region	7618	Moscow	3608
5	Krasnodar region	6480	Rostov region	2846

As we can see from the table, the highest level was registered in the regions in which plant drugs are grown or transit territories, as well as in port cities. In particular, St. Petersburg, Krasnodar Region, Rostov Region have large sea ports, and several international airports are located on the territory of Moscow and the Moscow Region. According to its geographical location, the Chelyabinsk region has a long distance away from the seas; however, due to the rather long border with Kazakhstan, the route of the largest drug traffic passes through the territory of the region. The situation is complicated by the unabated flow of emigrants from drug-prone regions. Consequently, these regions are close to the supply side.

Considering drug trafficking as a criminal market, we believe that modern anti-drug policy in Russia should be aimed at developing the most effective measures aimed at reducing supply and demand in this market. Therefore, let us outline the most problematic issues on each side of relations in this market.

The demand side. As early as the mid-1990s, against the background of the profound socio-economic transformations taking place in Russian society and the integration of the Russian Federation into the world economy, the rates of drug addiction, accompanied by an increase in crime related to drug trafficking, have become critical.

At the same time, the level of the registered incidence of drug addiction, according to medical

statistics, decreases annually. So, according to data for 2018, the total number of patients with mental disorders related to drug use registered by the narcological authority was 505.6 thousand people or 344.5 per 100 thousand of the population. In 2018, the number of people diagnosed with a mental disorder associated with drug use for the first time in their life was 57.3 thousand people, or 39.0 per 100 thousand of the population¹.

The proportion of drug users by gender was determined. Thus, among the patients diagnosed with drug addiction and substance abuse for the first time in their life, the proportion of women was 15% and men – 85%.

Of particular concern is the prevalence of non-medical drug use among young people, which not only worsens the demographic situation in Russia, but also criminalizes society as a whole. Organizationally, the following changes have taken place in the national anti-drug policy. Thus, in January 2020, the Ministry of Internal Affairs of Russia created divisions for combating the distribution and propaganda of drugs on the Internet. In addition, a mechanism has been established by The Federal Service For Supervision Of Communications, Information Technology, And Mass Media (Roskomnadzor) to restrict access to certain Internet resources on the basis of the decision of the Ministry of Internal Affairs of Russia on the recognition of prohibited information regarding the methods, methods of development, manufacture and use of narcotic drugs, psychotropic substances and their precursors, new potentially dangerous psychoactive substances, places of their acquisition, methods and places of cultivation of narcotic plants. The website of the Ministry of Internal Affairs of Russia contains a hyperlink for the website of the Unified Register of Prohibited Information, where concerned citizens can report resources containing prohibited information about drugs by filling out an online application form. Following the meeting of the State Anti-Drug Committee on 18 December 2019, the draft Strategy of the State Anti-Drug Policy of the Russian Federation for the period up to 2030 was approved, which is currently available on the Internet for the purpose of public discussion.

Analyzing the legal aspect of anti-drug policy, it is worth mentioning new bills that provide for the introduction of criminal liability for the promotion of drugs on the Internet (Izvestiya 2020). The problem of drug use should not be solved simply by means of criminal repression. It is undoubtedly the responsibility of law enforcement to reduce the supply of drugs and to hold accountable their drug dealers, but the most important factor in prevention is informing and educating current and potential drug users, including with the involvement of civil society

¹ The total data is given by the number of persons registered with the institutions of the Ministry of Health of Russia and the Federal Penitentiary Service of Russia.

actors, whose potential in anti-drug prevention is not fully used. In this regard, the experience of a number of European countries is noteworthy.

In France, the state focuses on three areas: criminal prosecution of drug trafficking; prohibition of the use of all types of drugs; free anonymous treatment of drug addicts. Moreover, it should be noted that the country's criminal policy advises prosecutors to place maximum emphasis on the refusal of repressive measures against drug users in favor of expanding the range of treatment and prevention measures with their further social adaptation, which is considered by many experts as a positive experience (Vlasov I.S., Golovanova N.A., Kubantsev S.P., Menshikh A.A. & Chernukhina L.S. (2008).

In Hungary, most of the organizations working in this area are involved in general education activities. About 70% of them are non-governmental organizations using public funds (mainly on the basis of tenders). The remaining share of anti-drug work is mainly carried out by state and municipal organizations. The Hungarian police also conduct important preventive work, through their so-called crime prevention consultants. They are professional police officers, each of whom does drug crime prevention activities in 3-4 secondary schools on a regular basis (Ürmösné Simon, Gabriella 2018).

It is also necessary to dwell on one more aspect of the domestic anti-drug policy. We are talking about the refusal of the state to carry out substitution treatment of drug addiction with the use of narcotic drugs and psychotropic substances included in lists I (methadone) and II (buprenorphine) of the list of narcotic drugs, as well as legalizing the use of certain drugs for non-medical purposes (Subparagraph "d" of paragraph 32 of the Decree of the President of the Russian Federation of June 9, 2010). At the same time, in a number of European countries this practice has found a positive response from specialists.

The supply side. The current situation in Russia and in the world is characterized by the constant appearance of new types of drugs, and one would need completely different new equipment to identify them. This problem requires radical approaches. Currently, along with the predominance of Afghan heroin, synthetic drugs (amphetamine-type stimulants, synthetic analgesics and synthetic opiates, JWH synthetic cannabinoids) are becoming more widespread in drug trafficking. Every year, dozens of new types of psychoactive substances of synthetic origin are “launched” into illicit trafficking, due to their low cost, marketed primarily among the youth. The abuse of these types of drugs, along with other psychostimulants, are most widespread in places of mass recreation of young people and educational institutions of various levels.

One of the new trends that pose a real threat to the life and health of society is the epidemic spread of new synthetic drugs on the territory of Russia, disguised as consumer goods. Until 2009, these were mainly narcotic smoking mixtures, the so-called "spice". After the ban on their sale in 2009, new synthetic drugs are sold under the disguise of household chemicals, cosmetics, and animal feed.

Activities aimed at limiting the turnover of new types of psychoactive substances are under constant control of the Government of the Russian Federation. By decrees of the Government of the Russian Federation, List I of the List of narcotic drugs, psychotropic substances and their precursors subject to control in the Russian Federation is regularly updated with new prohibited substances (Subparagraph "d" of paragraph 32 of the Decree of the President of the Russian Federation of June 9, 2010). The latest changes were made on 29 July 2020. Despite the measures taken to legally restrict the turnover of new types of synthetic drugs, the drug market is constantly replenished with new types of psychoactive substances (analogs, modifications, derivatives), similar in effect on humans, not included in the above List. In this regard, we forecast a further expansion of the circle of people involved in the production and circulation of uncontrolled psychoactive substances, and an increase in the number of their users.

The involvement of the country's population, especially young people, in drug use is facilitated by the activities of drug dens. The popularity of desomorphine, which is home made by means of extraction from codeine-containing drugs, which are in the open over-the-counter sale, is associated with drug dens. The recipe for the manufacture of desomorphine is widely replicated on the Internet, which contributes to the introduction of an increasing number of drug addicts to the use of this type of drug. The danger of desomorphine to human health lies in its high toxicity. A person addicted to desomorphine is practically incurable and dies within 1.5-2 years due to severe damage to internal organs, cardiovascular system, brain, vein thrombosis (Kobets P.N. 2014).

The implementation of the state anti-drug policy is facilitated by the current system of monitoring the drug situation in Russia, including on the Internet, carried out at two levels: federal and regional (in the constituent entities of the Russian Federation in the context of municipalities).

Drug addiction has become a disaster on a national scale, a global problem, the solution of which will determine Russia's national security, namely, the security of its people, the security of the individual, society and the state from external and internal threats in all areas of life. The criminal drug trafficking market is constantly changing and expanding. Law enforcement agencies and specialists in this area should not weaken their attention to this problem, referring

to the declining statistical indicators of drug crime. On the contrary, the apparent improvement in the drug situation in Russia may indicate an increase in the secrecy of drug suppliers and distributors, and the refusal of consumers to seek medical help.

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