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ILLEGAL DRUG TRAFFICKING AS A REGIONAL PROBLEM IN INTERNATIONAL RELATIONS

ANNOTATION

The international scale of drug trafficking and the involvement of an increasing number of states in the global network of illegal transportation routes do not currently allow countries to clearly distinguish between producers of narcotic drugs and their consumers. It is only possible to trace certain trends in the spread of drug trafficking in relation to different continents and analyze them.

Criminal groups are taking advantage of globalization, expanding their networks of influence and gaining international status. Globalization also entails the need to reform the structure of global and regional security institutions.

Key words: drug policy, narcotic drugs, psychotropic substances, synthetic drugs, international drug control, UN, online trading, Europol, international security.

GIYOHVANDLIK VOSITALARINING NOQONUNIY AYLANISHI XALQARO MUNOSABATLARDAGI MINTAQAVIY MUAMMO SIFATIDA

ANNOTATSIYA

Giyohvandlik vositalarining noqonuniy savdosining xalqaro miqyosi va transport yoʻnalishlarining tobora ortib borayotgan global tarmogʻiga davlatlarning jalb etilishi hozirgi kunda mamlakatlarga giyohvandlik vositalarini ishlab chiqaruvchilar va ularning isteʼmolchilarini aniq ajratish imkonini bermayapti. Giyohvandlik vositalarini noqonuniy tarqalishining turli qitʼalarga nisbatan maʼlum tendentsiyalarini kuzatish va ularni tahlil qilishgina mumkin.

Jinoiy guruhlar globallashtirishdan foydalanib, oʻz taʼsir tarmoqlarini kengaytirib, xalqaro maqomga ega boʻlmoqda. Globallashtirish global va mintaqaviy xavfsizlik institutlari tuzilmasini isloh qilish zaruratini ham keltirib chiqaradi.

Kalit soʻzlar: narkosiyosat, giyohvandlik vositalari, psixotrop moddalar, sintetik giyohvandlik vositalari, xalqaro narkotik nazorati, BMT, onlayn savdo, Europol, xalqaro xavfsizlik.

НЕЗАКОННЫЙ ОБОРОТ НАРКОТИЧЕСКИХ СРЕДСТВ КАК РЕГИОНАЛЬНАЯ ПРОБЛЕМА В МЕЖДУНАРОДНЫХ ОТНОШЕНИЯХ

АННОТАЦИЯ

Международный масштаб незаконного оборота наркотиков и вовлечение все большего количества государств в мировую сеть маршрутов их нелегальной транспортировки не позволяют в настоящее время четко разграничивать страны на производителей наркотических средств и их потребителей. Имеется возможность только проследить определенные тенденции распространения наркобизнеса применительно к различным континентам и проанализировать их.

Преступные группировки пользуются преимуществами глобализации, расширяя сети своего влияния и приобретая международный статус. Глобализация также влечет за собой необходимость реформирования структуры глобальных и региональных институтов безопасности.

Ключевые слова: наркополитика, наркотические средства, психотропные вещества, синтетические наркотики, международный наркоконтроль, ООН, онлайн-торговля, Европол, международная безопасность.

In recent decades, drug trafficking has become a particularly violent criminal activity, establishing itself as a global problem for the international community. Countries are making attempts to expand the security agenda to include not only defense, but also other segments: political, economic, social and environmental.

In addition, globalization processes and a sufficient degree of openness of economies have provided opportunities for cross-border migration, as well as for illegal trade, in particular drugs and terrorism. Drug trafficking is a global illicit trade involving the cultivation, manufacture, distribution and sale of substances subject to drug laws.

These substances include marijuana, heroin, cocaine, opium, hallucinogens such as LSD, amphetamine-type stimulants (“speed”) such as ecstasy and methamphetamine, and a growing range of synthetic drugs [1].

The United Nations and the International Monetary Fund estimate that the illegal drug trade generates \$600 billion in annual profits, equivalent to the combined GDPs of New Zealand, Ireland and Portugal.

Thus, it accounts for 7.5% of world trade [2] and, if it were a country, it would be eligible for G-20 membership. NON is a “defect” in the international security system and also hinders the development of many regional communities.

Illicit drugs claim millions of lives around the world, fuel national violence, perpetuate endemic public corruption, disrupt legitimate trade, and, with the advent of globalization, have seen the infiltration of online commerce with devastating consequences.

In fact, the drug trade, as a connecting process, has been playing an important role in the global world order for a long time. As Stony Brook University Professor Emeritus of History and Sociology, Paul Guttenberg, notes: “Until the last century, drugs were generally not divided into illicit and licit, and as a cross-border commodity, they actually played a vanguard economic and cultural role in the construction of the modern world” [3].

The proposal to create an international legal framework regulating the production and sale of narcotic and psychoactive substances was put forward at the beginning of the 20th century at the initiative of the United States and has since gone through several stages of its evolution.

In February 1909, amid growing concerns about opium consumption in China, 12 countries met in Shanghai, where a structure called the Shanghai Opium Commission was subsequently created for the first time to discuss the possibility of introducing international controls over the trade in this type of drug.

The delegates decided to put an end to the practice of smoking opium and limit its use for medical purposes. However, no attempts have been made to influence this problem using the norms of international law and legislative competences.

The worldwide publicity of the above-mentioned Commission served as the starting point for the development of the first International Opium Convention at an international conference in The Hague in 1912.

This and other later international instruments, including those negotiated by the League of Nations, the predecessor of the United Nations, were normative rather than prohibitive in nature, and their purpose was to limit the unregulated free drug trade system.

This meant that they imposed export restrictions, but did not mandate that drug use or cultivation be illegal, let alone make such activity a criminal offence. Thus, the provisions established by the League of Nations regarding opiates, cocaine and cannabis did not criminalize either the substances themselves or their consumption or production.

It was for this reason that the two most "prohibitive" countries at the time - the United States and China - withdrew from the negotiations that later led to the adoption of the International Opium Convention of 1925, considering that the measures taken at that time were not restrictive enough.

Subsequently, nine additional international legal documents were adopted to combat drug trafficking. One of the most important documents is the Convention on the Prohibition of Illicit Traffic in Narcotic Drugs of 1936, which is when the global concept of "drug policy" came into use.

Drug policy is a government strategy that influences the level of drug use in a society in order to reduce the number of drug users and reduce drug-related criminal activity. There are currently three United Nations Conventions that together form international law within the global drug control regime:

- Single Convention on Narcotic Drugs of 1961 as amended by the Protocol of 1972;
- Convention on Psychotropic Substances of 1971;
- Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

The goal of this "anti-drug triad" is to establish international measures to control drug trafficking and improve the health and well-being of all humanity. For more than half a century, the UN and the International Narcotics Control Board have supported (INCB) a "prohibitive" interpretation of these conventions.

While the United Nations in 2008 had generally failed to reduce either the consumption or production of major drugs over the past fifty years of operation, it recognized several "unintended consequences" of the current prohibitionist approach to drug trafficking, including:

- creation of a large criminal market controlled by violence; relocation of production and transit to new areas, called the "balloon effect";
- transfer of public resources from healthcare to law enforcement agencies; a shift in consumption towards new, riskier drugs;
- stigmatization and marginalization of people who use drugs [4].

Even with this statement, most countries in the world have not significantly changed their strategies to combat illegal drug trafficking, and as a result, today we are seeing, including Latin American countries, which do not have the sufficient ability to withstand such external influences as drug trafficking and related increases in violence and corruption.

Moreover, for many countries in the region it is virtually impossible to combat the global illicit drug market, which is estimated to be worth several hundred billion US dollars per year. In recent years, the position of Latin America in the system of international relations has changed significantly.

First of all, we are talking about the emergence of new global risks that threaten the prospect of Latin American unity. Drug trafficking is a consistent economic vector in Latin America. NON is a real institution that aggregates within itself a whole complex of political, cultural, ideological and economic ties.

Therefore, a phenomenon of this nature must be considered at the level of global governance and security. Crime and violence are serious problems in the Latin American region, where one in four citizens say that insecurity is the main problem in their life, even worse than unemployment or the state of the economy [5].

The issue of insecurity has been a major concern of Latin American citizens for the past twenty years. Their concerns are not unfounded, since the region is rightfully recognized as the most violent region on Earth. Although Latin America accounts for less than 9% of the world's population, it accounts for 33.5% of all homicides worldwide, according to the United Nations Office on Drugs and Crime [6].

The annual homicide rate of 24 murders per 100,000 population in 2017 is more than three times the global average, six times the United States rate and 20 times the United Kingdom rate.

It is not only the high homicide rates that are alarming, but also the regional trend: while, for example, in sub-Saharan Africa, the homicide trend is decreasing, and in turn, Latin America is the only region where the level of violence has remained consistently high and has continued to increase since 2005 [7].

Criminal groups are taking advantage of globalization, expanding their networks of influence and gaining international status. Globalization also entails the need to reform the structure of global and regional security institutions.

Transnational organized crime networks now have access to the most advanced technologies for transporting illegal drugs (airplanes, submarines, unmanned aerial vehicles, etc.) and use sophisticated cyber operations to launder money [8].

When studying international processes that are in one way or another related to drug trafficking and organized crime in Latin American countries, it is also necessary to take into account social variables that directly and/or indirectly are barriers to solving these problems.

For example, low wages and unsafe working conditions in the vast majority of countries in the Latin American region tend to be the main factors that motivate young people to join criminal networks. The term "narco-terrorism" was first used in 1983 by Peruvian President Belaunde Terry [9].

On December 9, 1994, the UN General Assembly adopted a Resolution on Measures to Eliminate International Terrorism, which emphasized concern "about the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs who resort to all forms of violence, thereby threatening the constitutional order of States and violating fundamental human rights".

Despite its positive features, globalization has made countries more vulnerable to transnational crime. As international trade increases, criminal and terrorist groups have greater opportunities to engage in illegal activities.

Collaboration between criminal drug trafficking organizations has increased and has therefore strengthened their ability to evade local law enforcement. The creation of free trade zones and free trade agreements have reduced the ability of law enforcement agencies to distinguish between legal and illegal trade and to trace the path of producing countries to their destination.

In addition, over the years, retail drug prices have dropped significantly due to more efficient distribution of drugs. This allows us to conclude that the problem of NON in international relations of the 21st century is actually urgent and requires effective resolution through cooperation between countries.

REFERENCES. ИҚТИБОСЛАР. СНОСКИ.

1. Report of the International Narcotics Control Board 2019 (E/INCB/2019/1), United Nations: International Narcotics Control Board, January 2020. pp. 15-51.
2. UNODC World Drug Report 2018. United Nations Publication, No. R.18.XI.7.
3. Gootenberg Paul, Campos Isaac. Toward a New Drug History of Latin America: A Research Frontier at the Center of Debates. *Hispanic American Historical Review* 1 February 2015; 95 (1): P. 1-35
4. Wainwright T. *Narconomics: A crime syndicate as a successful business model* [trans. from English Mikhailova G.A.]. - St. Petersburg: Palmira Publishing House LLC, 2018. P. 45-48.
5. Muggah Robert, Aguirre Tobón Katherine. Paper No.33 - Citizen Security in Latin America: Facts and Figures, The Igarapé Strategic Institute, 2018.
6. UNODC World Drug Report 2018. United Nations Publication, No. R.18.XI.7.
7. UNODC data on homicide statistics (2005-2017) - [Electronic resource] - URL: <https://www.unodc.org/gsh/en/data.html>.
8. Gachúz Juan Carlos, El Yattioui Mohamed Badine, Castañeda Claudia Barona. "Presentación del monográfico. Crimen organizado y narcotráfico en América Latina: implicaciones en seguridad", *Revista de Estudios en Seguridad Internacional*, Vol. 5, No. 1, 2019. P. 1-6. [Electronic resource] URL: <http://dx.doi.org/10.18847/1.9.1>.
9. Hartelius Jonas. *Narcoterrorism*, EastWest Institute and the Swedish Carnegie Institute, February 2008. P. 7-15. [Electronic resource] URL: https://www.files.ethz.ch/isn/90550/2008_02-20_Narcoterrorism.pdf.