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INFLUENCE OF MIGRATION PROCESSES ON THE STATE OF CRIME IN THE SPHERE OF ILLEGAL TRAFFICKING OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

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ABSTRACT

The article analyzes in detail the impact of migration processes on crime in the field of illicit trafficking in narcotic drugs and psychotropic substances. and conclusions about the increase in the number of drug addicts, The article also examines the impact of international migration on drug and psychotropic substance trafficking crimes, as well as the types of drug-related crimes coming from Asian countries, analyzes world reports as a percentage of the year, the international community has learned to assess and analyze the damage caused by these crimes through timely monitoring, as well as the impact of migration on the growth of this type of crime and the importance of preventing these crimes.

KEYWORDS: *Migration, Drugs, Psychotropic Substances, Opium, Cannabis, Production, Storage, UN, SCO, Precursors, Deviants.*

INTRODUCTION

Main part

The increase in the number of drug addicts and drug trafficking in the Republic of Uzbekistan in recent decades has been facilitated by the presence of many factors: the complexity of the country's transition to market relations, the crisis in the socio-economic sphere, the lack of proper legal mechanisms for combating drug addiction, corruption in government agencies, shortcomings in the organization of law enforcement. and law enforcement. The Republic of Uzbekistan is also taking a number of measures aimed both at combating drug-related crime and its prevention.

The study of the criminological characteristics and prevention of crimes among migrants related to the illicit trafficking in narcotic drugs, psychotropic substances and their analogues is very relevant, as it provides such knowledge that can be applied later in practice¹.

As noted L.M. Prozumentov, “the main criminological characteristics of crime include: state, structure, dynamics. The state of crime is characterized to a greater extent by this phenomenon from the quantitative side, the structure and dynamics - from the qualitative side². The state of crime is the recorded crime at a specific time and in a specific area. The structure of crime shows the proportion of various registered crimes among all registered crimes. The dynamics shows the change (increase, decrease) in quantitative and qualitative indicators of registered crime for a certain period of time. These indicators can be expressed in absolute and relative values.³

The problem of crimes in the sphere of illegal traffic in narcotic drugs and psychotropic substances is not new. At the same time, migrants give it certain features. As S.F. Milyukov, the migration determinant has a serious impact on the criminological situation in Russia, complicating⁴. According to D.A. Shestakov, the crime of migrants and its characteristics should be attributed to ethnic criminology - a new branch of crime and science.

Drug crime imported from Asian countries can be roughly divided into two levels:

1. An organized, well-functioning mechanism for the supply and distribution of drugs, a clear organizational structure, significant volumes of supplies, permanent sales and distribution channels. A distinctive feature of this level is that significant amounts of drugs are supplied by rather small groups that are constant in their composition.
2. A set of unrelated drug dealers committed by representatives of the low-income strata of the population of the Central Asian republics, “guest workers” who import small quantities of heroin in order to provide themselves with funds for the period of employment. This category of persons is characterized by a relatively large number and insignificant volumes of imported drugs, criminal activity is of a one-time nature⁵.

RESULTS AND DISCUSSIONS

According to the 2019 World Drug Report, 35 million people worldwide suffer from drug use disorders, but only 1 in 7 people receive treatment. An estimated 271 million people, or 5.5 percent of the world’s population aged 15-64, used drugs in 2017. While this data is close to 2016 estimates, longer-term analysis shows that the number of people who use drugs is now 30 percent more than in 2009. While this increase was due in part to a 10 percent increase in the 15-64 year old population, current data show higher prevalence of opioid use in Africa, Asia, Europe and North America, and cannabis use in North America, South America and Asia by compared to 2009⁶.

Estimated global illicit cocaine production reached a record high of 1,976 tons in 2017, up 25 percent from the previous year. At the same time, the global amount of cocaine seized in 2017 increased by 13 percent to 1,275 tons - the largest recorded amount.

In 2017, the synthetic opioid overdose crisis in North America also reached new highs, with over 47,000 opioid overdose deaths in the United States, up 13% from the previous year, and 4,000 opioid deaths in Canada. which represents an increase of 33% since 2016.

Fentanyl and its analogues remain a key problem in the synthetic opioid crisis in North America, while the West, Central and North Africa are experiencing a crisis for another synthetic opioid, tramadol. Global seizures of tramadol rose from less than 10 kg in 2010 to nearly 9 tons in 2013, and reached a record level of 125 tons in 2017.

Cannabis remains the world's most widely used drug, with an estimated 188 million people using it in 2017.

The report shows that an area in which the international community has made some progress is in the fight against new psychoactive substances (NPS). This is evidenced by the decline in the number of NPS, as identified and first reported to UNODC. NPS were not used on the market to the extent feared several years ago, and the international community responded in a timely manner and assessed the harm caused by these substances by providing the required international control.

To date, the proportion of migrants from the Republic of Uzbekistan who illegally export drugs abroad remains high.

Located in the very heart of Central Asia, the Republic of Uzbekistan occupies an important geostrategic and geopolitical position in the region. With a border of 7089 km, 156 Uzbekistan borders with all the countries of Central Asia, as well as with Afghanistan. Uzbekistan is the most populous country in the region, and also has a significant number of labor migrants in the Russian Federation. Large Uzbek diasporas in countries neighboring Uzbekistan can be exploited by Uzbek criminal gangs involved in drug trafficking, creating favorable conditions for illegal cross-border activities. Such diasporas include 1.05 million Uzbeks in Tajikistan (14 percent of the population in 2010), 879,000 in Kyrgyzstan (15 percent of the population in 2013-2015) and 548,800 in Kazakhstan (3 percent of the population in 2016).

At the same time, it is impossible to equate ethnic criminal groups or criminal manifestations on the part of individual citizens and national communities as such⁷.

Integration processes, rapprochement and interpenetration of the economy, culture of modern states should be carried out within the framework of observing the security interests of the parties, not harming the interests of the Republic of Uzbekistan protected by law. International drug crime poses a threat to the national security of not only our state, drug crime is among such global problems as international terrorism, and is inextricably linked with it - a significant part of the super profits received from the drug trade is directed to financing international terrorist organizations⁸.

Since gaining independence, the Republic of Uzbekistan has laid down legislative postulates for the prevention of drugs and psychotropic substances. Criminal liability was introduced for several acts. According to chapter 19 of the Criminal Code of the Republic of Uzbekistan. Cultivation, that is, illegal sowing or cultivation of opium or oil poppy, cannabis plants or other plants containing narcotic drugs or psychotropic substances, - shall be punishable by a fine from twenty-five to fifty basic calculated values or compulsory community service up to three hundred and sixty hours or correctional labor up to three years or restriction of liberty from one year to three years or imprisonment up to three years. The same action taken:

- a) by a person who has previously committed a crime constituting illegal circulation of narcotic drugs or psychotropic substances;
- b) by prior agreement by a group of persons;
- c) on an area of average size, - is punished with a fine from fifty to one hundred base calculated values or restraint of freedom from three to five years, or imprisonment from three to five years.

The same action taken:

- a) a particularly dangerous recidivist;
- b) by an organized group or in its interests;
- c) on an area of large size - is punished with imprisonment from five to ten years.

Illegal seizure of narcotic drugs, their analogues or psychotropic substances, committed by theft or fraud, - is punishable by correctional labor up to three years or restraint of liberty from two to five years, or imprisonment up to five years.

The same action taken:

- a) by a person who has previously committed a crime constituting illegal circulation of narcotic drugs or psychotropic substances;
- b) by prior agreement by a group of persons;
- c) by appropriation or embezzlement;
- d) by robbery;
- e) by abuse of official position;
- f) by extortion;
- g) on a large scale, - is punished with imprisonment from five to ten years.

The same action taken:

- a) a particularly dangerous recidivist;
- b) by an organized group or in its interests;
- c) by robbery, - is punished with imprisonment from ten to twenty years.

Illegal manufacture, acquisition, storage, transportation or shipment for the purpose of sale, as well as sale of narcotic drugs, their analogues or psychotropic substances in small amounts - shall be punishable by restraint of liberty from three to five years or imprisonment from three to five years.

Acts committed in excess of a small amount are punishable by imprisonment from five to seven years.

Acts committed: a) by a person who has previously committed a crime constituting illegal circulation of narcotic drugs or psychotropic substances;

- b) by prior agreement by a group of persons;

c) in places of serving a sentence of imprisonment;

d) in educational institutions or in other places that are used by schoolchildren, students for conducting educational, sports or social events - are punishable by imprisonment from seven to ten years.

Illegal manufacture or processing of narcotic drugs, their analogues or psychotropic substances in laboratories or using means and equipment that are someone else's property or using precursors, as well as the organization or maintenance of dens for the consumption or distribution of these funds:

a) a particularly dangerous recidivist;

b) by an organized group or in its interests - is punished with imprisonment from ten to fifteen years⁹.

Illegal sale of narcotic drugs, their analogues or psychotropic substances in large amounts, - shall be punishable by imprisonment from ten to twenty years.

A person who has committed an act shall be released from punishment if he voluntarily confessed to the authorities and handed over narcotic drugs, their analogues or psychotropic substances.

Involvement in the consumption of narcotic drugs, their analogues, psychotropic or other substances affecting intellectual and volitional activity in any form, - is punishable by correctional labor up to three years or restriction of freedom from one to three years or imprisonment up to three years¹⁰.

Violation of the established rules for the production, storage, accounting, dispensing, transportation or shipment of narcotic drugs, their analogues or psychotropic substances - is punishable by a fine from twenty-five to fifty basic calculated values or by deprivation of a certain right up to five years, or correctional labor up to three years or restraint of freedom from two to five years or imprisonment up to five years.

Illegal manufacture, storage, purchase, transportation or transfer of narcotic drugs, their analogues or psychotropic substances without the purpose of sale - shall be punishable by a fine of up to fifty base calculated values or compulsory community service up to three hundred and sixty hours or correctional labor up to three years, or restriction of freedom from one year to three years or imprisonment up to three years.

In Uzbekistan, owing to its proximity to Afghanistan, Uzbekistan continues to be attractive to drug traffickers seeking to smuggle opiates across the border to destinations north and west of the country. At the same time, seizures of opiates have declined over the past few years, and during the same period there has been a shift from heroin abuse to the non-medical use of pharmaceutical opioids, in particular tramadol and codeine, and alcohol¹¹.

It is of some concern that the growth of crime in the sphere of drug trafficking and an increase in the level of illegal migration are considered by the state to be unmanageable risks, that is, those whose nature and direction cannot be changed. It should still be assumed that it is premature to exclude illicit drug trafficking, drug smuggling and illegal migration from the number of controlled processes. The transformation of unmanaged parameters into partially controlled and

even controlled, in our opinion, is possible through an integrated approach to solving the problem.

UN World Drug Report 2015. Moreover, a study by the United Nations Office on Drugs and Crime shows that the recent increase in opium and heroin production has yet to be reflected in the expansion of supply in most regions. The destination of the additionally produced heroin is not yet known, but some evidence suggests a trend towards shifting routes used to import opiates. The drug business, which traditionally uses the Balkan route, according to the UN, is experimenting with a new route through the Caucasus. A study of the cocaine market also revealed a clear shift to the east¹².

The conclusions of the UN Office on Drugs and Crime, compared with the forecast of an increase in illegal migration in the world, suggest an increase in the illegal traffic in narcotic drugs, psychotropic substances and their precursors, in particular, an increase in smuggling and an expansion of the domestic market for heroin and cocaine, which will inevitably lead to a deterioration drug situation and an increase in the number of drug addicts.

Among illegal migrants, there is a fairly high level of drug users, who have formed a stable dependence on “hard” drugs.

It is not possible to provide reliable data on the number and composition of drug addicts among illegal migrants due to objective reasons.

CONCLUSION

In conclusion, it should be noted that the influence of international migration on the crimes of illegal trafficking in drugs and psychotropic substances is expressed in the fact that it is a factor contributing to the increase in the number of such crimes and the effectiveness of their implementation by criminals. However, in the case of drug trafficking, migration is a tool through which the transportation of drugs, human and material resources necessary for carrying out a terrorist attack or drug trade is carried out. In the case of psychotropic substances, migration is a factor that has a significant impact on the growth of nationalist sentiments, the manifestation of intolerance and discrimination against migrants, which, however, is mainly due to their deviant behavior, expressed in an unwillingness to respect the laws and customs of the host state, often aggressive behavior towards local residents, the creation of competition in the labor market and participation in various types of criminal activities.

In our opinion, it is necessary to tighten border and customs control at the border of the Republic of Uzbekistan, which, on the one hand, requires a more thorough inspection of persons entering the territory of the Republic, and on the other, the creation of an effective system of border control through the organization of more thorough patrolling of the state border, the creation of special strongholds in key areas of illegal migration. For this, it is necessary to establish interaction with the territorial bodies of the Ministry of Internal Affairs.

In addition, in our opinion, it is necessary to actively involve the SCO in activities in this direction, which could provide assistance to the border troops of the SCO member states in the most difficult patrolling areas, as well as create a special body on the basis of the SCO that would constantly monitor the situation with illegal migration in the region.

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