

Research Article

Administrative and legal support for the development of safe settlement infrastructure as an instrument for countering illicit drug trafficking

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Abstract

Aim: The article examines administrative and legal support for the development of safe settlement infrastructure as an instrument for countering the illicit trafficking of narcotic drugs, psychotropic substances and precursors. It is substantiated that a properly designed, well-maintained and controlled settlement environment is not merely a background to anti-drug policy but a self-standing administrative and legal instrument of situational prevention that reduces the availability of urban space for drug distribution.

Methods: The study applies the comparative-legal, systemic, formal-legal and logico-semantic methods, as well as analysis and synthesis, the statistical and functional methods and modelling. The comparative-legal method made it possible to compare doctrinal approaches to administrative and legal support in different spheres of public administration; the systemic method allowed safe infrastructure to be considered as an integral object; the formal-legal method ensured a correct interpretation of the current legislation on landscaping, urban planning, critical infrastructure and drug control.

Results: The concept of administrative and legal support is delimited from administrative-legal regulation and public administration, and its four structural elements are identified: Subjects, subject matter, norms of administrative law and administrative procedures. Safe settlement infrastructure-public lighting, landscaping, video monitoring, transport and critical infrastructure and digital monitoring of the environment-is characterised both as the subject matter of such support and as a preventive instrument that eliminates the concealment opportunities exploited for dead-drop caches and darknet-linked hand-offs. The instruments of support are systematised in a table according to their anti-drug function and level of effectiveness.

Conclusion: It is concluded that the highest preventive effect is achieved only through a comprehensive combination of environmental-design, organisational, digital and control instruments, secured by consistent norms of administrative law and clear administrative procedures, and coordinated with law-enforcement and public-private partnership mechanisms of post-war reconstruction.

Keywords: Administrative law, Norms of administrative law, Law, Normative legal act, Administrative and legal support, Safe infrastructure of a settlement, Illicit drug trafficking, Public administration, Landscaping, Situational prevention

Introduction

Illicit trafficking of narcotic drugs, psychotropic substances, their analogues and precursors remains one of the most dangerous threats to national security, public health and the socio-economic stability of the state. In recent years the drug trade has changed its spatial forms: alongside traditional channels, distribution increasingly relies on anonymous "dead-drop" caches (the so-called zakladka model) placed in the physical environment of settlements and coordinated through darknet platforms and messengers. The effectiveness of counteraction therefore depends not only on prohibitions and liability, but also on the state of the urban environment in which such offences are committed [1,2].

Modern administrative-legal science convincingly demonstrates that the regulation of drug circulation constitutes an autonomous field of state control, with its own subjects, principles, forms and methods [2], and that the harmonisation of national legislation with the

international conventions of 1961, 1971 and 1988 and with the standards of the European Union (EU) is a prerequisite for its effectiveness [1,3]. At the same time, the criminal and administrative characteristics of drug-related offences and the prevention of such offences, in particular among minors, show that the environment of their commission-public spaces, transport hubs, abandoned and poorly maintained sites-is a significant criminogenic factor [4,5].

The infrastructure of a settlement occupies a key place in ensuring the life-support of the population and forms a comfortable and safe living environment for its residents and visitors; it should be understood as networks of structures and a set of means that ensure the vital activity of the residents and visitors of a settlement [6]. Its constituent elements-social, transport, engineering-transport, critical, housing-and-communal and other components [6] directly shape the conditions under which the settlement space either facilitates or impedes drug distribution. The state of landscaping (blahoustrii) of settlements-lighting, maintenance of territories, removal of abandoned structures-is a separate object of administrative-legal regulation and a factor of environmental safety [7,8].

Despite the developed doctrine of administrative and legal support, on the one hand, and of the infrastructure and landscaping of settlements, on the other, the question of administrative and legal support for the development of safe settlement infrastructure as an instrument for countering illicit drug trafficking has not become the subject of a systemic study. The category of “administrative and legal support” itself remains methodologically heterogeneous [9,10], and its projection onto the sphere of a safe settlement environment as a preventive instrument has not been carried out. The aim of the article is to substantiate, on the basis of a doctrinal analysis, the content and instruments of administrative and legal support for the development of safe settlement infrastructure as an instrument for countering the illicit trafficking of narcotic drugs, psychotropic substances and precursors.

Methods

The methodological basis of the study is a set of general scientific and special legal methods of scientific cognition. The leading role belongs to the comparative-legal method, which was used to compare doctrinal approaches to

the understanding of administrative and legal support in various spheres of public administration-from the realisation of constitutional rights under special legal regimes to the provision of electronic trust services and the state control of drug circulation-which made it possible to reveal the common and distinctive features of the relevant scientific concepts and to transfer the established structure of the support mechanism to the sphere of safe settlement infrastructure [1,2,8-11].

The systemic method allowed safe settlement infrastructure to be considered as an integral structure of interconnected elements, and its administrative-legal support-as a coherent system of subjects, norms and procedures. The formal-legal method ensured the correct interpretation of the current legislation on landscaping, urban-planning activity, critical infrastructure, public-private partnership and drug control. The logico-semantic method was used to clarify the content of the key concepts, while analysis and synthesis served for a detailed study of individual instruments of support and their generalisation into a comprehensive model. The statistical and functional methods were applied to assess the role and powers of public-administration bodies and the dynamics of the relevant offences, and modelling made it possible to formulate substantiated proposals and a summarising table of instruments.

Results and Discussion

The starting point of the study is the delimitation of the category of “administrative and legal support” from the related, yet distinct, concepts of “administrative-legal regulation” and “public administration”. In the doctrine this category is often incorrectly identified with such concepts, which blurs its functional nature [8]. A more convincing approach treats administrative and legal support as an autonomous function of public authority that performs an intermediate, connecting role between administrative-legal regulation and public administration, ensuring the transformation of normative prescriptions into real managerial activity [9]. In this sense administrative and legal support is a system of legal instruments-norms of administrative law-aimed at ensuring and protecting the rights of persons within the administrative activity of the state, and is not identical to the broader sphere of public administration [11].

The structural approach to administrative and legal support is equally important. Generalising the doctrinal positions, its mechanism should be understood as a systemically ordered set of elements aimed at creating appropriate organisational, procedural and legal conditions for the functioning of a certain sphere, guaranteeing the rights and legitimate interests of the participants of the relevant public-law relations, as well as ensuring stability, security and trust [9,10,12]. The key elements of this mechanism are the subjects of support, its subject matter, the norms of administrative law and administrative procedures [9]. This four-element construction, developed for the sphere of electronic trust services [10], is methodologically applicable to any sphere of public interest, including the development of a safe settlement environment, since it distinguishes the support of a sphere from the regulation of the relations within it.

The scientific tradition of studying administrative and legal support confirms this conclusion. Researchers have addressed the general principles of administrative-legal support of citizens' rights and the priority of the human being in relations with public administration [13], the mechanism and guarantees of such support [14], its concept and limits [15], as well as its correlation with administrative-legal regulation [16]. In the context of special legal regimes it is defined as a complex of legal measures and guarantees aimed at regulating social relations and enabling the state to counter threats to national security and to the life and health of citizens, including the restoration of public order [17]. The system of subjects of such support is multilevel-legislative, executive and regional (including local self-government bodies) [11] which is fully reproduced in the sphere of settlement infrastructure, where the decisive role belongs to local self-government.

The second component of the study is the concept of safe settlement infrastructure as the subject matter of administrative and legal support. Infrastructure is understood not as an arithmetic sum of branches, but as an integral system that ensures the vital activity of the population [18]; the infrastructure of a settlement is a network of structures and a set of means ensuring the vital activity of the residents and visitors of a settlement [5]. Among its components, of particular importance for security are the transport and engineering-transport infrastructure,

the housing-and-communal infrastructure and critical infrastructure-the objects whose disruption may harm vital national interests [5,19]. The categorisation of settlements and the assessment of their real functional capacity [20], as well as the legal protection of the environment within settlements [8], complement the understanding of a safe settlement environment as a multidimensional object.

The safety dimension of settlement infrastructure is directly connected with the sphere of landscaping (*blahoustrii*). Administrative-legal regulation of landscaping ensures the rational use, proper maintenance and protection of the territory of a settlement and the creation of comfortable and safe conditions for a person to stay in that territory, and provides for state, self-government and public forms of control [7]. Lighting of territories, maintenance of streets and public spaces, removal of abandoned buildings and small architectural forms, and the arrangement of green zones are precisely those elements of the settlement environment that determine whether public space offers concealment opportunities for the placement of dead-drop caches. Thus, the development of safe infrastructure through landscaping instruments objectively narrows the physical field of drug distribution.

The third component is the environmental dimension of countering illicit drug trafficking. State control over the circulation of narcotic drugs is an autonomous form of state activity that presupposes the possibility of intervention in the activity of the controlled object, the detection of deviations from the established norms and the prevention of offences, and is distinguished from state supervision, which is limited to observation without direct intervention [2]. The forms of administrative-legal regulation of drug circulation are based on the elements of the state-control mechanism and on the system of public-administration subjects and their powers [1]. However, the classical model of drug control is focused on the licensed (legal) circulation and on law-enforcement response, while the physical environment of illicit distribution remains outside its direct scope. It is precisely here that the instruments of a safe settlement environment acquire an independent preventive value.

The synthesis of the three components allows administrative and legal support for the development of safe settlement infrastructure to be defined as a systemically ordered

activity of public-administration subjects, carried out on the basis of norms of administrative law and administrative procedures, aimed at creating and maintaining a safe, controlled and properly maintained settlement environment that reduces the availability of urban space for the illicit trafficking of narcotic drugs. Its instruments operate as situational-prevention measures: They do not replace criminal or administrative liability but eliminate the environmental preconditions of drug distribution. Modern challenges-digitalisation of the drug trade, the darknet and messenger-coordinated caches-additionally require the development of digital monitoring of the environment, which allows criminal networks to be detected faster, provided that human rights are respected and clear legal regulation is in place [3,4,21].

An important applied instrument of developing safe infrastructure under conditions of martial law and post-war reconstruction is public-private partnership. Public-private partnership makes it possible to ensure the continuity of urban-planning processes, to improve the quality of services and to accelerate the restoration of the destroyed infrastructure of a settlement while reducing the financial burden on local budgets [22]. With the entry into force of the new law of Ukraine “on public-private partnership” in 2025, transport and transport infrastructure are among

the spheres in which such partnership is recommended [22,23]. The restoration of safe transport, lighting and communal infrastructure through partnership mechanisms simultaneously restores the controllability of the settlement environment and, consequently, its resistance to drug distribution.

Finally, the effectiveness of the entire system depends on procedural and guarantee components, the criteria of which have been elaborated in the administrative-legal doctrine of the effectiveness of legal support [24]. The law of Ukraine “on administrative procedure” [25] introduces uniform standards of transparency, proportionality and participation of the person, allowing a significant part of conflicts in the sphere of the development of settlement infrastructure to be resolved at the stage of preparing a decision [26]. Judicial control over the decisions, actions and inaction of local self-government bodies in the sphere of infrastructure management guarantees the lawfulness and transparency of the relevant decisions [26]. Anti-corruption mechanisms constitute a cross-cutting element, since corruption is capable of nullifying any state efforts and creating conditions for the impunity of the drug trade. The instruments of administrative and legal support for the development of safe settlement infrastructure and their anti-drug function are systematised in Table 1 [19,23,25,27-30].

Table 1: Instruments of administrative and legal support for the development of safe settlement infrastructure and their function in countering illicit drug trafficking.

Instrument of safe infrastructure	Administrative-legal form of support	Preventive (anti-drug) function	Key normative basis	Level of effectiveness
Legislative and landscaping regulation	Adoption of laws, state building norms, local landscaping rules	Uniform safety standards for public space; elimination of neglected sites used as caches	Laws [23,27]	High (if norms are updated)
Public lighting and video monitoring	Municipal programmes, technical standards, self-government control	Removes dark, uncontrolled spots used for dead-drop caches	Law [23]	High
Spatial planning and environmental design	Urban-planning documentation, landscaping rules	Reduces concealment opportunities in the built environment	Laws [23,27]	Medium-high
Digital monitoring of the environment	Data analytics, e-registers, cyber-monitoring	Detection of darknet-linked drops and online sales	Drug-control policy [1]	High (resource-intensive)
Transport and critical infrastructure control	Licensing, checkpoints, technical regulation	Control of trafficking channels and logistics	Laws [19,25]	Medium-high
Public-private partnership for reconstruction	PPP contracts, specialised agencies	Rapid restoration of a safe, controllable environment	Law [23]	Medium
Anti-corruption mechanisms	Transparent procedures, oversight, accountability	Prevents protection of the drug trade by officials	Anti-corruption legislation	Medium
Interagency and public control	Coordination, self-government and public control	Closes gaps between agencies and the community	Laws [23,25]	Medium

A detailed analysis of the table shows that the effectiveness of administrative and legal support for safe settlement infrastructure is determined not only by the content of individual instruments, but also by the degree of coherence between them and the quality of their implementation [21]. Environmental-design and landscaping instruments create the physical preconditions of safety; digital monitoring adapts them to the darknet-based forms of the drug trade; public-private partnership ensures the resource capacity of reconstruction; and anti-corruption and control mechanisms guarantee that the declared instruments actually work. None of them, taken separately, is capable of ensuring a sustainable preventive result.

Conclusion

Summarising the topic under consideration, it may be concluded that administrative and legal support for the development of safe settlement infrastructure should be recognised as a self-standing administrative and legal instrument of countering the illicit trafficking of narcotic drugs, psychotropic substances and precursors. Its essence lies not in the establishment of new prohibitions, but in the creation and maintenance of a safe, controlled and properly maintained settlement environment that eliminates the physical preconditions of drug distribution.

The category of administrative and legal support in this sphere should be delimited from administrative-legal regulation and public administration and understood through its four structural elements-subjects, subject matter, norms of administrative law and administrative procedures. Its subject matter is the safe infrastructure of a settlement as an integral system-transport, engineering-transport, critical, housing-and-communal infrastructure and the landscaping of territories-the state of which directly determines the availability of urban space for drug distribution.

The instruments of such support have a situational-preventive nature: legislative and landscaping regulation, public lighting and video monitoring, spatial planning and environmental design, digital monitoring of the environment, control of transport and critical infrastructure, public-private partnership of reconstruction, as well as anti-corruption and interagency-coordination mechanisms. The highest preventive effect is achieved only through their comprehensive and balanced combination, secured by consistent norms of administrative law and clear

administrative procedures.

Modern challenges-the digitalisation of the drug trade, the martial-law regime and the need for post-war reconstruction-require the state to develop digital monitoring of the settlement environment and to make active use of public-private partnership, while observing human rights and ensuring judicial and public control over the decisions of local self-government bodies. Therefore, the successful counteraction of illicit drug trafficking is possible only where the state combines legal, environmental, organisational and technological instruments and directs them not only at eliminating the consequences, but also at removing the environmental root causes of this phenomenon within settlements.

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Conflict of Interest

Authors have no conflict of interest to declare.

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