

Research Article

Digitalization of Countering Illicit Trafficking in Narcotic Substances: Methodological Foundations, Administrative-Law, Criminal-Law and Civil-Law Aspects

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Abstract

Aim: This paper examines, across several branches of law, how Ukraine is moving to digital tools in its fight against the illegal circulation of narcotic drugs, psychotropic substances, their analogues and precursors. The authors argue that once the drug trade itself has gone online-with orders placed in messengers, Telegram bots and darknet marketplaces, payment made in virtual assets, and goods handed over through hidden caches or by post-the state can respond effectively only if its own counteraction is digitalized to a comparable degree.

Methods: The research rests on a systems approach: The authors treat the response to drug trafficking as a layered structure in which instruments of administrative, criminal and civil law operate together and reinforce one another.

Results: Using 2023-2026 figures published by the public health center of Ukraine's health ministry, the national police and United Nations Office on Drugs and Crime (UNODC), the paper traces how drug-related crime has developed. Recorded offences rose from 38,670 (2023) to 48,629 (2025), an increase of roughly a quarter, yet convictions still correspond to only about 25% of that volume. The data also reveal a marked mismatch between how often trafficking offences under Article 307 of the criminal code are registered and how rarely anyone is actually convicted of selling drugs. On this basis the authors set out the methodological principles of digitalization: A systemic view, lawfulness and proportionality, usability of digital data as evidence, compatibility of state information systems, and a risk-based focus.

Conclusion: The paper describes the relevant toolkit in each branch: In administrative law-electronic records of circulation, e-prescriptions, licence supervision and monitoring; in criminal law-the legal assessment of online sales, digital evidence and Open-Source Intelligence (OSINT); in civil law-the invalidity of illegal transactions, compensation of harm and the status of virtual assets. It concludes by offering an integrated model of digital counteraction together with suggestions for legislative reform.

Keywords: Digitalization, Illicit drug trafficking, Contactless sale, Administrative-law regulation, Criminal liability, Civil-law consequences, Virtual assets, Open-Source Intelligence (OSINT), E-prescription

Introduction

Between 2024 and 2026 the world drug market has been growing in size while also changing technologically. The United Nations Office on Drugs and Crime (UNODC) World Drug Report (WDR) 2026 estimates that 331 million people used drugs in 2024-about a third more than ten years before-and notes that traffickers rely increasingly on technology to launch new substances and to experiment with supply routes and sales channels [1]. A year earlier the figure stood at 316 million [2], so drug use grew by roughly 4.7% in twelve months. In 2024 alone the global market contained 755 new psychoactive substances, of which 118 were reported for the first time [1].

Ukraine, living under martial law, has been strongly affected by these trends. Officially recorded drug offences climbed from 38,670 in 2023 [3] to 47,617 in 2024 [4] and reached 48,629 in 2025 [5]. Sales are now predominantly contactless: A buyer orders from a shop run inside a messenger, pays

with virtual assets and collects the substance from a hidden cache or receives it by courier service. Traditional, largely offline policing therefore loses its grip, and the state has to adopt digital means for detecting offences, recording evidence, supervising legal circulation and redressing harm. Notably, the national drug policy strategy to 2030, endorsed by the government in August 2025, singles out data governance and epidemiological surveillance as a distinct policy track [6].

Earlier scholarship offers a useful starting point. Batyrhareieva studied in detail how information and communication technologies are exploited for contactless drug dealing [7]. Shevchenko observed that the wording of Article 307 of the criminal code has not kept pace with sales made through electronic resources and, relying on comparative material, argued for stricter liability in such cases [8]. Yankovskyi examined the forensic profile of drug offences against the background of their recent increase [9]. Davydenko classified the bodies engaged in combating drug trafficking and showed that their cooperation suffers, among other things, from weak information sharing [10]. Maksymenko traced the evolution of administrative regulation of narcotic medicines, including the move to electronic prescriptions [11]. Saienko reviewed the literature on investigating offences that involve virtual assets, drug crime included [12]. Open-source intelligence and its legal footing are discussed by Byba [13] and by Toma, et al. [14].

Most of these works, however, stay within one discipline. Criminal-law, forensic and administrative questions are usually analysed separately, and the civil-law side of digital counteraction-the fate of the drug business's digital assets, compensation of harm, the role of online intermediaries-has received little attention. What is also missing is a methodological account of digitalization as a single phenomenon and an empirical look at its "output effectiveness", that is, how registered offences translate into actual convictions.

The aim of this paper is to develop the methodological basis for digitalizing the response to illegal drug circulation and, drawing on statistics for 2023-2026, to analyse its administrative, criminal and civil dimensions and to propose improvements to law and practice. Accordingly, the tasks are: (1) To clarify the notion, layers and guiding principles

of digitalized counteraction; (2) to examine statistical trends in drug crime and in the digital restructuring of the drug market; (3) to describe the digital tools available in each branch of law; and (4) to construct an integrated model of digital counteraction.

Methods

Dialectical reasoning helped expose the tension between the rapid technological change of the drug market and the slow pace of legal adjustment. Doctrinal (formal-legal) analysis was applied to the relevant provisions of Ukraine's administrative offences code, criminal code, criminal procedure code and civil code and to the special drug-control statutes. A comparative method allowed Ukrainian solutions to be set against international standards and foreign practice.

The empirical material includes the public health center's national drug-situation reports for 2023, 2024 and 2025 [3-5], an analysis of criminal-justice statistics [15], National Police releases on the outcomes of special operations [16], and the United Nations Office on Drugs and Crime (UNODC) World Drug Report (WDR) of 2025 and 2026 [1,2]. Statistical techniques-growth rates, structural shares and simple ratios-were used to describe trends and output effectiveness. One limitation must be stressed: Offences recorded in a given year and convictions handed down in that year do not refer to the same set of cases, because a judgment may follow years after registration. The ratios presented below are therefore indicative and should not be read as precise clearance rates. Finally, modelling was used to design the integrated counteraction model.

Results and Discussion

In this paper, digitalization of the response to drug trafficking means the deliberate and legally framed use of digital technology, information systems and analytical techniques by competent authorities when they supervise lawful circulation of controlled substances; prevent, uncover, stop and investigate offences; and restore infringed rights and remedy the harm caused. It is more than automating isolated procedures: It shifts counteraction from reacting to single incidents towards working with data about networks, markets and risks.

Three layers of digitalization can be distinguished. The

technological layer covers registers, electronic accounting, e-prescriptions, databases and analytical software, including Artificial Intelligence (AI)-based tools. The organizational layer concerns data exchange and coordination between agencies, dedicated cyber-police and drug-enforcement units, and cooperation with foreign partners. The normative layer comprises the legal powers to gather and process digital data, the rules on admissibility of digital evidence, the definitions of offences and the legal status of digital assets. The poor information sharing among enforcement bodies noted in the literature [10] belongs to the organizational layer and therefore cannot be cured simply by buying new technology.

We suggest the following guiding principles. (1) Comprehensiveness and symmetry: State tools should reach

every stage of the illicit business-manufacture, logistics, communication, money flows and retail. (2) Lawfulness and proportionality: Any intrusion into privacy or handling of personal data needs a statutory basis and must not exceed what the aim requires. (3) Evidential usability: Digital information has to be obtained in a way that keeps it admissible in court; Byba rightly points out that the unclear legal status of Open-Source Intelligence (OSINT) puts exactly this admissibility at risk [13]. (4) Interoperability: Registers and systems run by different agencies must be able to work together. (5) Risk-based, evidence-informed policy: Decisions should rest on monitoring data. (6) Balance between control and access: Digital supervision of lawful circulation must not make it harder for patients to obtain the narcotic medicines they need [11] (Table 1).

Table 1: Indicators of illegal drug circulation in Ukraine, 2023-2025.

Indicator	2023	2024	2025	Change
Registered criminal offenses in the field of drug trafficking, units	38,670	47,617	48,629	+25.8% (2025/2023)
Growth rate compared to the previous year, %	-	23.1	2.1	-
Share of offenses under Art. 309 CC (without intent to sell), %	52.1	43.3	not available (n/a)	-8.8 p.p. (2024/2023)
Share of offenses under Art. 307 CC (with intent to sell), %	not available (n/a)	37	not available (n/a)	-
Persons convicted of drug crimes	not available (n/a)	12,320	≈ 11,000	≈ -10.7%
Ratio "convicted persons/registered offenses", %	-	25.9	≈ 22.6	-
Clandestine drug laboratories detected (dismantled), units	not available (n/a)	87	70	-19.50%

Compiled by the authors from [3-5,15]. not available (n/a)-figure not reported in the sources consulted; the 2025 conviction figure is rounded as given in [15]. Ratios are only indicative because registered offences and convictions in a given year relate to different sets of cases.

Several observations follow from Table 1. First, registrations jumped by 23.1% in 2024 and then levelled off in 2025 (+2.1%), remaining at a historically high level; over the three years the cumulative rise was 25.8%. Such a pattern points to a lasting shift in the drug situation during the war rather than a one-off fluctuation.

Second, the composition of offences has changed. Possession-type offences under Article 309 (no intent to sell) fell from 52.1% to 43.3% of the total, whereas

trafficking-type offences under Article 307 accounted for 37.0% in 2024, or 17,601 cases [4]. Already in 2023 Article 307 cases had grown by 40.7% year on year [3]. This move towards supply offences fits the spread of contactless online schemes, which let organisers expand their networks of cache couriers while keeping their own exposure low.

Third-and these matters most for judging effectiveness-registrations and convictions diverge sharply. Of the 12,320 people convicted in 2024, just 933 were sentenced under Article 307, compared with 10,783 under Article 309 [4]. Set against 17,601 registered supply offences, convictions for supply equal only some 5.3% of that number, while the corresponding figure for Article 309 is about 52.3%. Even allowing for the fact that the two series cover different cases, a nearly tenfold difference cannot be put

down to procedural delay. In practice, the justice system mostly catches end users and far less often the dealers and organisers who operate online. In 2025 convictions dropped to roughly 11,000 while registered cases grew to about 49,000 [15], so output effectiveness worsened again.

Fourth, police dismantled 70 clandestine laboratories in 2025 compared with 87 a year earlier (-19.5%) [4,5], yet seizures in 2025 surpassed 3.2 tonnes of drugs and psychotropic substances [5]. This suggests that production is being concentrated in fewer, larger facilities linked directly to online sales. Operation “Rubicon” (2026) is a telling example: Across its three phases the police closed 42 laboratories, 134 storage sites and 56 online drug shops, notified 367 people of suspicion and seized more than a tonne of drugs and around 22 tonnes of precursors, with a street value above Ukrainian Hryvnias (UAH) 540 million [16]. Because the operation targeted websites, shop administrators, delivery chains and payment flows, it illustrates that effective enforcement now means dismantling digital infrastructure rather than arresting individual sellers.

International figures point in the same direction. UNODC reports that in 2024 some 5.9 million people around the world came into formal contact with criminal justice for drug offences, around two thirds of them for use or possession; about 3.7 million were prosecuted and roughly 2.2 million convicted [1]. The tendency of criminal justice to focus on consumers is thus a global rather than a purely Ukrainian issue, and digital tools should help shift enforcement resources towards the higher levels of trafficking networks.

Administrative law forms the front line of digitalization: This is where data on lawful circulation are generated, and it is from lawful circulation that controlled substances may be diverted to the black market. The law of Ukraine “on narcotic drugs, psychotropic substances and precursors”, as amended in December 2023 (law No. 3528-IX), requires a system of reporting and record-keeping and an electronic accounting system run by the central executive authority responsible for drug-circulation policy [17]. Under the Law “on measures to counter illicit trafficking in narcotic drugs”, banks, customs and other bodies must disclose to competent authorities information on the transactions of persons suspected of involvement in trafficking [18]; this gives a statutory basis for the financial-intelligence side of digital counteraction.

A significant change came on 1 November 2022, when pharmacies were allowed to dispense narcotic medicines against an e-prescription, with each dispensing recorded in the national eHealth system [11]. The e-prescription serves two purposes at once: Every package becomes traceable, which helps prevent diversion, and patients find it easier to obtain pain relief. Monitoring has been strengthened further by making the public health center the national coordinator for drug and alcohol monitoring and by adding new data sources, notably anonymised eHealth records and wastewater testing [19]. These sources can reveal emerging substances and local hotspots earlier than crime statistics do.

Administrative offences in this field (Articles 44, 44-1 and 106-2 of the administrative offences code, among others) [20] remain largely outside the digital ecosystem. Information on offences committed under the influence of drugs, on licence breaches by businesses and on criminal cases sits in separate databases, so no risk profiles of individuals or companies can be built. We therefore suggest: (1) Amending Law No. 62/95-VR to oblige agencies to make their registers interoperable-the electronic register of controlled substances, eHealth, the unified register of pre-trial investigations and the administrative-offence register-with tiered access rights; (2) moving the state service on medicines and drugs control to risk-based electronic licence supervision, replacing routine inspections with automated detection of anomalies in records; and (3) giving OSINT a statutory definition as a preventive administrative activity with clearly drawn limits [13], for example to track drug advertising on social media and in messengers and to request its removal. These steps are in line with the data-governance track of the 2030 drug policy strategy [6].

In criminal law two linked questions arise: Whether the definitions of offences fit the digital ways in which they are now committed, and how digital evidence can be secured. Article 307 of the criminal code [21] in its present form does not treat the use of the internet, messengers or other electronic systems as an aggravating circumstance. A sale through a Telegram bot with no other aggravating features therefore falls under part 1 of Article 307, even though this method is more dangerous to society because it reaches large numbers of buyers, protects the seller’s anonymity and makes drugs easily available to minors. Shevchenko draws attention to this gap and refers to Kazakhstan,

whose criminal code treats sale via electronic information resources as a particularly aggravating circumstance [8]. Batyrhareieva has shown that Information and Communication Technology (ICT) tools now form the technical backbone of contactless dealing in Ukraine [7].

We support a more differentiated approach to liability. Part 2 of Article 307 could be supplemented with an aggravating circumstance worded, for example, as “using electronic communication networks or information and communication systems, including by organizing an online shop”. In addition, running online sales platforms and advertising drugs on the internet could be made separate offences or treated expressly as forms of complicity. Harsher penalties should not, however, fall automatically on low-level cache couriers regardless of their role, because, as Table 1 shows, enforcement is already skewed towards the bottom of the chain.

The divergence between registrations and convictions under Article 307 stems largely from problems of proof. In contactless dealing the seller never meets the buyer, messages are encrypted and payment is made in virtual assets. Digital traces therefore become decisive: Phone data, messenger metadata, geotagged photographs of caches, blockchain records. Yankovskyi stresses that the rise in drug crime calls for an updated forensic profile, including a revised catalogue of typical traces [9]. Promising measures include uniform procedures for seizing and documenting electronic evidence (Articles 99 and 168 of the criminal procedure code [22]); blockchain analysis to follow crypto payments [12]; OSINT methods to identify channel administrators [14]; and automated, partly AI-assisted analysis of large datasets to map network connections. All of this must respect the rules on admissibility of evidence and the ban on entrapment, since evidence gathered digitally but without proper procedure will be excluded.

Operation “Rubicon”, during which police traced the websites used for sales and the people who ran the online infrastructure [16], shows that investigating the network as a whole works better than documenting individual sales one by one. To support this approach, legislation on special confiscation and on the freezing of virtual assets also needs to be improved.

Civil law has rarely been considered in studies of drug

control, but digitalization makes it more relevant for three reasons. First, contracts for the sale of drugs outside lawful circulation-online ones included, where the offer is made by a Telegram bot and accepted by payment-breach the requirement of Article 203 of the civil code that the content of a transaction be lawful and are therefore invalid under Article 215; because they are directed against public health, they may also be regarded as contrary to public order within the meaning of Article 228 [23]. As a result, money and digital assets received under such deals cannot be treated as lawfully acquired.

Second, the general rules on compensation for property and non-pecuniary damage (Articles 1166 and 1167 of the civil code) and on recovering the cost of treating a victim of a criminal offence (Article 1206) [23] can and should be used against dealers, particularly where drugs have caused poisoning or death or where minors have been drawn in. A civil claim filed within criminal proceedings (Article 128 of the criminal procedure code) [22] allows prosecution and redress to be pursued together, yet it is seldom used. Digital records such as order histories and payment data can help prove that a particular dealer’s conduct caused the harm.

Third, virtual assets have become the drug market’s main means of payment, which makes their legal status crucial. Saienko notes both their use in drug trafficking and the lack of legal clarity surrounding operations with them [12]. Ukraine’s 2022 law “on virtual assets” never came into effect, while bill No. 10225-d, passed at first reading on 3 September 2025, was still awaiting its second reading in 2026 [24]. Without operative rules, it is difficult to freeze, hold, value and confiscate crypto assets or to enforce compensation claims against them. When the bill is finalised, it should in our view provide for: Compulsory customer identification by virtual-asset service providers; freezing of wallets on the order of an investigating judge; rules for the custody and sale of seized virtual assets; and matching civil code provisions recognising virtual assets as objects of civil rights that can be subject to enforcement [25].

Another issue is the contractual responsibility of online intermediaries such as hosting providers, platforms and delivery services. Their user terms should oblige them to block resources used for selling drugs without delay when a competent authority submits a reasoned request, and to

preserve the data needed for an investigation, subject to data-protection rules [26].

Taken together, these findings support an integrated model in which each branch of law has its own digital tools while all branches draw on shared data and inter-agency cooperation (Table 2).

The model works as follows: Administrative tools produce data and prevent diversion from lawful circulation; criminal-law tools use those and other digital data to pursue the upper levels of trafficking networks; civil-law tools strip the drug business of its financial base and secure compensation for victims. Its success should be measured not by how many offences are registered, but by outcomes—the share of convictions for supply and organisation, the value of confiscated assets (virtual assets included), the number of online resources blocked and the reduction in harm to public health [27].

Conclusion

Digitalizing the response to drug trafficking means the deliberate, legally framed use of digital technology and analytics by competent authorities across three layers—technological, organizational and normative. It rests on comprehensiveness and symmetry, lawfulness and proportionality, evidential usability of digital data, interoperability, a risk-based focus, and a balance between control and patients' access to treatment.

The statistics reveal a lasting rise in drug crime in Ukraine—from 38,670 recorded offences in 2023 to 48,629 in 2025 (+25.8%) together with a shift towards supply offences, which made up 37.0% of the total in 2024. Convictions, however, amount to only about 22–26% of registered offences, and the 933 people convicted of supply in 2024 equal roughly 5.3% of Article 307 registrations. Criminal justice is thus tilted towards consumers and is poorly equipped to tackle the digital infrastructure of the trade.

On the administrative side, the key tools are electronic accounting of controlled substances, e-prescriptions and expanded drug-situation monitoring. Legislation still needs to require interoperable state registers, introduce risk-based electronic licence supervision and define OSINT.

On the criminal side, the paper argues for adding sale through electronic communication networks and

information systems as an aggravating circumstance in part 2 of Article 307 of the criminal code and for criminalizing the operation of online sales platforms. Priority should go to uniform standards for handling digital evidence and to network-oriented investigation.

On the civil side, the paper highlights the invalidity of transactions in illicitly circulating drugs, the untapped potential of damage claims and of civil claims within criminal cases, and the pressing need to finish regulating virtual assets, including procedures for freezing, seizing and enforcing against them.

The proposed integrated model links the tools of administrative, criminal and civil law through a shared information base and should be evaluated by outcome indicators. Future research could address the legal boundaries of using artificial intelligence against drug crime and international mechanisms for exchanging digital evidence.

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Conflict of Interest

Authors have no conflict of interest to declare.

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