

Research Article

Digitalization of Service Relations of Subjects of Counteraction to Drug Offenses: Administrative and Criminal Law Regulation

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Abstract

Aim: The purpose of the article is the digitalization of service relations between subjects of counteraction to drug offenses: Administrative and criminal law regulation.

Methods: Dialectical method: Study of the problem in development, interconnection and interdependence, considering digitalization as a constant process that creates new challenges and opportunities. Systemic method: Analysis of digitalization as a system consisting of interconnected elements (electronic document flow, databases, analytical systems). Allows you to study the integrity of the phenomenon. Method of analysis and synthesis: Analysis of individual aspects (administrative and legal regulation, criminal and legal regulation) and their synthesis to form a holistic view of the problem. Comparative legal method: Comparison of Ukrainian legislation and practice with the experience of other countries in using digital technologies to combat drug crime. Ukrainian legislation and practice in the field of using digital technologies to combat drug crime have both common features and differences compared to other countries, especially the European Union and the United States.

Results: The existing countermeasure system, which is largely based on traditional methods, is not effective enough to combat cross-border and high-tech drug crimes. The lack of a single digital platform for information exchange, difficulties with the legitimization of electronic evidence and insufficient legislative regulation in this area create significant gaps. This, in turn, requires scientific understanding and the development of theoretical and practical recommendations for improving administrative and criminal law regulation.

Conclusion: Digitalization of service relations of subjects of countering drug offenses is a multifaceted process that has both positive and negative consequences. It significantly increases the efficiency of administrative activities, but at the same time requires the adaptation of criminal law mechanisms. Main problems: Today, the main problems are insufficient adaptation of legislation to the rapid development of technologies, a shortage of qualified personnel in the field of cybersecurity and limited technical equipment of law enforcement agencies. Prospects: Further development of digital technologies opens up new opportunities, in particular, in the field of preventive work, which will allow to more effectively detect and stop criminal activity.

Keywords: Administrative and legal support; Rights and legitimate interests of legal entities; Private law; Digitalization; Service relations; Subjects; Drug crimes; Administrative regulation; Criminal law regulation

Introduction

The current stage of development of society is characterized by rapid digitalization, which covers all spheres of life, including law enforcement activities. Crime, in particular drug crime, is actively adapting to new technological realities, using the capabilities of cyberspace to organize sales, money laundering and coordination of activities. This trend causes an urgent need for a comprehensive study of the digitalization of service relations of subjects of counteraction to drug offenses.

The existing counteraction system, which is largely based on traditional methods, is not effective enough to combat cross-border and high-tech drug crimes. The lack of a single digital platform for information exchange, difficulties with the legitimization of electronic evidence and insufficient legislative regulation in this area create significant gaps. This, in turn, requires scientific understanding and the development of theoretical and practical recommendations for improving administrative and criminal law regulation.

Digitalization, as a process of integrating information and communication technologies into public relations, is a key factor in the transformation of public administration and law enforcement. In the field of combating drug crime, it not only optimizes internal processes, but also creates new challenges that require the adaptation of both administrative and legal and criminal legal mechanisms [1,2].

Materials and Methods

Research methods for the article “Digitalization of service relations of subjects of counteraction to drug offenses” should be comprehensive and include:

Dialectical method: Study of the problem in development,

interconnection and interdependence, considering digitalization as a constant process that creates new challenges and opportunities.

Systemic method: Analysis of digitalization as a system consisting of interconnected elements (electronic document flow, databases, analytical systems). Allows you to study the integrity of the phenomenon.

Method of analysis and synthesis: Analysis of individual aspects (administrative and legal regulation, criminal and legal regulation) and their synthesis to form a holistic view of the problem [3].

Special legal methods

Formal and legal method: Allows you to study the current legislation (Criminal Code, Criminal Procedure Code, laws of Ukraine) to analyze legal norms regulating digitalization.

Comparative legal method: Comparison of Ukrainian legislation and practice with the experience of other countries in using digital technologies to combat drug crime.

Ukrainian legislation and practice in the field of using digital technologies to combat drug crime have both common features and differences compared to other countries, especially the European Union and the United States.

Legislative approaches

Ukraine, like most developed countries, criminalizes activities in cyberspace related to drugs, in particular the creation of online platforms for their sale. The Criminal Code of Ukraine (CCU) allows for prosecution for such actions (Article 307 of the CCU). However, Ukraine does not yet have specialized laws that would comprehensively regulate the digital sphere, as is the case, for example, in the United States with their laws on cybercrime. In Ukraine, for example, the issue of removing information from telecommunications networks is regulated by the Criminal Procedure Code (CPC of Ukraine), while in other countries (for example, in Germany) there may be separate laws on cyber investigation [4].

Digital evidence

In Ukraine, the procedure for obtaining and using digital evidence (e.g., data from electronic devices, messages) is regulated by the code of criminal procedure of Ukraine. While this provides a legal framework, there are problems with compliance with procedures and qualification of evidence. In the USA, for example, there are detailed case law and federal rules of evidence that regulate these issues, providing greater transparency and uniformity.

International cooperation

Ukraine is a party to the convention on cybercrime (Budapest Convention), which provides for cooperation with other countries in investigating cybercrime. This allows for joint operations and information exchange. EU member states actively cooperate through institutions such as Europol to combat international drug crime in the

digital space. Ukraine is also participating in this, but its capabilities and integration with such structures are not yet as deep [5].

Technological capabilities and practices

Ukrainian law enforcement agencies use modern technologies, such as criminal analysis programs, but their integration and access to them can be limited by funding and technical infrastructure. In countries such as the United States, Israel and Germany, law enforcement agencies have significant resources and access to advanced analytical tools, allowing them to more effectively track dark net activity and detect financial flows in cryptocurrency.

Legal modeling method: Building models of possible legal decisions or amendments to legislation for more effective regulation.

Legal forecasting method: Forecasting the development of legislation and law enforcement practice taking into account the rapid development of technologies.

Empirical methods

Documentary method: Study of regulatory legal acts, statistical data of the Ministry of Internal Affairs, Security Service of Ukraine, reports on the work of law enforcement agencies.

Sociological survey method: Conducting interviews or surveys among law enforcement officers to collect data on their experience and needs for digital tools.

Method of generalizing law enforcement practice: Analysis of court decisions and materials of criminal proceedings related to the use of digital evidence in drug crime cases [6].

Results and Discussion

Administrative and legal regulation of digitalization in the context of countering drug crime is aimed at increasing the efficiency of the work of subjects of this activity. These are internal administrative procedures that ensure efficiency and coordination.

Electronic document flow and databases: Instead of paper archives and reports, state bodies (National Police, Security Service of Ukraine, State Border Guard Service) use unified electronic systems. This allows for instant exchange of information on detained persons, seized substances and results of examinations. For example, the unified register of pre-trial investigations (URDR) is a key tool for recording and systematizing data on drug crimes.

Information and analytical systems: The use of modern analytical platforms allows for the analysis of large volumes of data (big data) to identify criminal connections, monitor drug trafficking and predict their spread. These systems help identify hidden networks and make informed management decisions, which significantly increases the efficiency of operational work. Administrative legislation establishes rules for access to such databases, ensuring their protection from unauthorized access [7-9].

Electronic document flow and databases are key elements of the administrative and legal regulation of digitalization in the context of countering drug crime. They transform official relations, ensuring speed, transparency and efficiency of processes.

Electronic document flow in the field of countering drug crime is a system of creating, sending, receiving, storing and using electronic documents, which ensures coordination of actions between different agencies (National Police, Security Service of Ukraine, State Border Service, etc.) [10].

Advantages

Speed: Instant exchange of information on detected offenses, detained persons, results of examinations and other data. **Reduction of bureaucracy:** Minimization of paperwork, which allows you to focus resources on operational activities. **Control:** Electronic systems allow you to track the movement of each document, ensuring transparency and accountability.

Creating and maintaining centralized and distributed databases is the basis for effective information management.

Key databases: The unified register of pre-trial investigations (URDR): This is the only database where all criminal offenses, including drug-related ones, are recorded. It allows you to quickly receive information about the progress of the investigation.

Databases of individuals: Registries of individuals who have committed drug crimes help track repeat offenders and organized groups.

Information and analytical systems: Accumulate large amounts of data (Big Data) for analysis, which helps identify patterns in the distribution of drugs and predict new criminal schemes [11].

Information and Analytical Systems (IAS) are a key component of the administrative and legal regulation of digitalization in the field of combating drug crime. They allow you to collect, process and analyze large amounts of data, which significantly increases the efficiency of law enforcement agencies.

IAS in the field of combating drug crime are software and hardware complexes that automate the collection, systematization and analysis of information. Their main purpose is to transform disparate data into useful knowledge for making managerial and operational decisions.

Data collection: Systems accumulate information from various sources: registers, databases, reports, as well as open sources, including social networks.

Analysis: Using Big Data algorithms and machine learning, IAS reveal hidden connections, patterns and trends in criminal activity. **Visualization:** The results of the analysis are presented in the form of interactive dashboards, maps and graphs, which facilitates their perception [12].

Administrative and legal regulation

Administrative law establishes rules for the functioning of IAS, ensuring the legality of their use.

Access regulation: Administrative law norms determine who, how and to what extent can access information stored in IAS. This ensures the protection of personal data and state secrets.

Usage procedures: Legislation regulates the procedure for entering information into systems, updating it and using the results of analysis for official purposes. This prevents abuse and ensures that data is used exclusively within the framework of the law.

Interdepartmental interaction: Administrative and legal acts regulate the procedure for exchanging information between different departments (for example, between the National Police and the Security Service of Ukraine) through integrated IAS. This ensures coordination and synergy in the joint fight against crime [13-15].

Examples of IAS use: IAS help solve complex tasks

Identifying criminal networks: Systems can analyze transactions, calls and contacts, which allows you to visualize the structures of organized criminal groups. **Trend forecasting:** Analyzing crime dynamics in different regions helps to predict possible drug crime outbreaks and direct resources to prevent them. **Financial flow tracking:** IAS help detect cryptocurrency transactions and other financial schemes used to launder drug proceeds.

The administrative and legal component of regulating the digitalization of relations between subjects of countering drug offenses is focused on increasing the efficiency of their interaction and internal organization. The use of digital tools allows for the transition from paper to electronic document flow and from centralized to distributed databases.

Electronic document flow and interdepartmental interaction

The implementation of electronic document management systems allows for the reduction of the time for information exchange between different agencies (National Police, Security Service of Ukraine, State Border Guard Service). For example, the unified register of pre-trial investigations (URDR) is a central element of such interaction, providing operational access to information on drug-related criminal offenses [16].

Analytical systems and big data

Modern analytical platforms are capable of processing large data sets (Big Data) to identify criminal connections, predict smuggling routes and monitor the activities of organized criminal groups. These systems help operational units not only respond to crimes, but also prevent them, which is the basis of preventive activities.

Criminal law regulation: From traditional to digital evidence

Digitalization has a significant impact on the methods of investigation and proof of drug crimes, as criminals increasingly use cyberspace for their activities.

Digital evidence. Information from electronic devices, bank accounts, social networks and anonymous messengers is becoming a critically important source of evidence. The Criminal Procedure Code of Ukraine (CPC of Ukraine) regulates the procedures for the extraction and use of such data. In particular, the norms on temporary access to things and documents (Article 159 of the CPC of Ukraine) and on the removal of information from electronic communication networks (Article 263 of the CPC of Ukraine) are the basis for obtaining digital evidence [17].

Drug-related cybercrimes

The distribution of drugs through the “darknet” and other anonymous online platforms is a new challenge for the law enforcement system. This activity requires special investigative methods, such as cyber intelligence and the use of software tools to identify criminals. Criminal legislation must be constantly updated to effectively qualify such acts. For example, article 307 of the Criminal Code of Ukraine, which provides for liability for the sale of narcotic drugs, can be applied to persons who sell them *via* the Internet.

Digital evidence is an important tool in the investigation of drug-related crimes, especially in the context of official relations between law enforcement agencies. This evidence helps to reconstruct the picture of the crime, establish connections between suspects and prove their guilt.

Digital evidence can be of different types, depending on its origin and content

Electronic data: Information contained on computers, smartphones, tablets or other gadgets. This can include text messages, emails, photos, videos, browser history, as well as metadata indicating the time and place of creation of files.

Communication network information: Data about phone calls, SMS, correspondence in instant messengers, as well as traffic information (who, when and with whom was contacted).

Cloud storage data: Files and documents stored on remote servers (e.g. Google Drive, Dropbox), which may contain important information about criminal plans or financial transactions.

Information from banking and financial systems: Data on transactions related to the purchase and sale of drugs, money laundering, including in cryptocurrency.

Procedure for collecting digital evidence. The procedure for collecting digital evidence must strictly comply with the law to ensure its legitimacy in court. Court authorization: The collection of most digital evidence requires a decision from an investigating judge. This applies, for example, to temporary access to electronic devices, removing

information from communication channels.

Specialized knowledge: Specialists in the field of cybersecurity and computer forensics are involved in the extraction, analysis and processing of digital evidence. Logging: Every action related to the collection of evidence is carefully documented to ensure its authenticity.

Role in service relations

In the context of service relations between law enforcement agencies, digital evidence plays an important role in:

Coordination of actions: Electronic data allows for the efficient exchange of information between units and departments, accelerating investigations.

Establishing connections: Analysis of digital data helps to identify connections between members of criminal groups, their organizers and suppliers.

Proving guilt: Digital evidence is a key element in proving the guilt of suspects in court. For example, emails about a drug deal can be direct evidence of a crime [18].

Problems and challenges: Despite its effectiveness, the use of digital evidence has certain problems: Difficulty of collection: Collecting digital evidence can be technically difficult, especially if criminals use encrypted communication channels or anonymous networks. Legislative gaps: Legislation does not always keep up with the rapid development of technology, which creates legal uncertainties. Maintaining authenticity: There is a risk of modification or destruction of digital data, so it is important to follow all procedures to maintain its authenticity.

Drug-related cybercrime poses a significant challenge to those involved in countering drug-related crimes. These crimes use digital technologies to coordinate and carry out illegal activities, requiring law enforcement agencies to adapt their work relationships and methods.

Definition and types of cybercrime: Drug-related cybercrime is any criminal activity that uses digital technologies to sell, acquire, transport or launder drug proceeds.

Such crimes include: Creating and operating online stores on the “dark net” for the sale of drugs. These platforms allow sellers and buyers to remain anonymous. Using cryptocurrencies for anonymous financial transactions. This makes it difficult to trace the flow of funds and recover them. Recruiting individuals into drug trafficking through social media, instant messengers and other online platforms.

Using encrypted communication channels for communication between members of criminal groups. The digitalization of criminal activity is forcing law enforcement to change their service relationships. Coordination: Cybercrimes are often transnational in nature, requiring international cooperation. Service relationships are expanding to the level of international data exchange and

joint operations.

Competencies: Law enforcement agencies need specialized cybersecurity and computer forensics units that can detect online crimes and collect digital evidence.

Technologies: Effective countermeasures require information and analytical systems that allow tracking activity in cyberspace and analyzing large amounts of data.

Countering drug-related cybercrime is regulated by both criminal and procedural legislation. Criminal legislation:

The Criminal Code of Ukraine (CCU) provides for liability for the sale of narcotic drugs (Article 307 of the CCU), which can be applied to crimes committed in cyberspace. However, improvements are needed to take into account the specifics of cybercrime.

Criminal procedural legislation: The criminal procedure code of Ukraine (CPC of Ukraine) regulates the procedures for collecting digital evidence (Articles 159, 263 of the CPC of Ukraine), which is the basis for investigating such crimes (Table 1).

Table 1: Analysis of digitalization in the field of combating drug crime in Ukraine

| Digitalization component | Description | Current status and effectiveness | Problems and challenges |
|--|--|--|--|
| Electronic document management | Exchange of documents (protocols, reports, requests) between law enforcement agencies in digital format | Partially implemented, especially within the unified register of pre-trial investigations (URDI). This speeds up the exchange of information | Incomplete integration between all departments, which creates gaps in communication |
| Use of digital evidence | Collection, analysis and legitimization of data from electronic devices, social networks and messengers | The number of IT-related criminal offences increased by 56% in 2020 compared to 2019. This indicates the active use of digital evidence | Insufficient number of specialists, lack of technical means, complexity of procedures for recording and legitimizing evidence in court |
| Information and Analytical Systems (IAS) | Use of software for analyzing large volumes of data (big data) to identify criminal connections and trends | Used, but their potential is not fully realized. IAS help in analysis, but are not always integrated with all databases | Lack of a single integrated system, insufficient funding, which leads to outdated equipment and software |
| Interdepartmental interaction | Exchange of information and coordination of actions between various entities (National Police, SBU, Border Guard Service) through digital channels | Interaction is taking place, but there are bureaucratic obstacles and a lack of unified exchange protocols | Difficulty in accessing data from other departments, legal restrictions that slow down operational work |

Analysis of available statistics shows that digitalization in the field of combating drug crime in Ukraine is at the stage of formation.

The growth in the number of drug-related cybercrimes indicates that criminals are actively using digital technologies [19-21].

The lack of centralized statistics specifically on the digitalization of service relations is one of the main problems, which complicates the assessment of effectiveness and planning.

Main problems: Insufficient funding, lack of qualified specialists in the field of cybersecurity and the complexity of legislative regulation of procedures for collecting digital evidence.

Despite these challenges, the active use of digital tools is indispensable in the modern world, therefore its further development and improvement is critically important for increasing the effectiveness of the fight against drug crime [22].

Conclusions

Digitalization of service relations of subjects of countering drug offenses is a multifaceted process that has both positive and negative consequences. It significantly increases the

efficiency of administrative activities, but at the same time requires the adaptation of criminal law mechanisms.

Main problems: Today, the main problems are insufficient adaptation of legislation to the rapid development of technologies, a shortage of qualified personnel in the field of cybersecurity and limited technical equipment of law enforcement agencies.

Prospects: Further development of digital technologies opens up new opportunities, in particular, in the field of preventive work, which will allow to more effectively detect and stop criminal activity.

Digitalization of service relations of subjects of counteraction to drug offenses is an inevitable and necessary process that radically changes approaches to the fight against crime. This process requires comprehensive administrative-legal and criminal-legal regulation, as well as systemic integration of technologies.

Improvement of administrative-legal regulation

The introduction of electronic document flow and interdepartmental databases significantly increases the efficiency of administrative activities. The use of Information and Analytical Systems (IAS) allows law enforcement agencies to move from reactive methods to preventive ones, predicting the development of crime and

identifying organized networks. This optimizes resources and increases the speed of response to crimes. However, for this it is necessary to create clear legal mechanisms for access, protection and exchange of information between various subjects (Police, SBU, Border Guard).

Adaptation of criminal-legal regulation

With the increasing use of cyberspace for drug trafficking, criminal-legal regulation needs to be adapted. Digital evidence (data from messengers, electronic wallets) is becoming key in the investigation, which requires improving the procedural rules for their collection, recording and legitimization. Legislation should clearly define procedures that will ensure the admissibility of digital evidence in court, while respecting human rights and freedoms.

Challenges and prospects

Despite significant progress, there are also challenges. The biggest of them are the lack of qualified personnel in the field of cybersecurity and computer forensics, as well as insufficient funding for proper technical equipment. For the effective development of digitalization, it is necessary to invest in personnel training and improve the legislative framework so that it meets modern technological realities.

As a result, the successful digitalization of service relations in the field of countering drug crime depends on the harmonious interaction of technology, legislation and human potential. This will allow creating a single, effective and transparent system capable of confronting modern challenges of crime.

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Conflicts of Interest

Authors have no conflict of interest to declare.

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