

Research Article

Operational and Investigative Activities as a Direction of Combating Drug Offenses

Oleh Shkuta^{1*}, Maksym Korniienko², Serhii Darii³, Leonid Bezuglyi⁴, Denys Kravtsov⁵

¹Director of the Institute of Law and Security, Odessa State University of Internal Affairs, Ukraine

²Doctor of Law Science, Odessa State University of Internal Affairs, Ukraine

³Department of Criminal Law, Institute of Law and Security, Odessa State University of Internal Affairs, Ukraine

⁴Department of Criminal Law and Criminology, The Educational and Scientific Institute of Law and Psychology, National Academy of Internal Affairs, Ukraine

⁵Department of Administrative Law and Process, Odessa State University of Internal Affairs, Ukraine

*Address Correspondence to: Oleh Shkuta, E-mail: olehshkuta ukr@gmail.com

Received: 23 June 2025; Manuscript No: JDAR-25-167109; **Editor assigned:** 25 June 2025; PreQC No: JDAR-25-167109 (PQ); **Reviewed:** 09 July 2025; QC No: JDAR-25-167109; **Revised:** 21 July 2025; Manuscript No: JDAR-25-167109 (R); **Published:** 28 July 2025; **DOI:** 10.4303/JDAR/236443

Copyright: © 2025 Oleh Shkuta, et al. This is an open access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution and reproduction in any medium, provided the original work is properly cited.

Abstract

Aim: The purpose of the article is to reveal operational and investigative activities as a direction in the fight against drug crimes.

Materials and Methods: In accordance with the purpose and objectives of the research, the scientific article uses a system of scientific methods of cognition. Using the method of analysis and systematic study of legal norms, as well as generalization and synthesis, the requirements for compliance with legislation on operational and investigative activities as a direction of combating drug offenses, as well as compliance with the rights and fundamental freedoms of civil servants in operational and investigative activities as a direction of combating drug offenses, were determined.

Results: It is noted that the organizational and legal framework for combating drug crime should be understood as a system of regulatory and legal acts consisting of administrative and legal norms and regulating key aspects of the organization and functioning of counteraction entities in accordance with the legislation in the field of ensuring the fight against drug crime.

Conclusion: It was established that the policy of the EU drugs strategy for 2022-2026 is divided into three key areas: reducing drug supply and enhancing security; reducing drug demand (prevention, treatment and care services); overcoming drug-related consequences and also includes the areas of: international cooperation, research, innovation and forecasting; coordination, management and implementation. It is emphasized that one of the key strategic priorities of the EU drugs strategy for 2022-2026 is to ensure access to treatment and care services, which provides free and non-discriminatory access to a wide range of effective, evidence-based services, including professional counseling, psychosocial, behavioral and drug treatment, including opioid substitution maintenance therapy programs, rehabilitation, social reintegration and recovery support programs.

Keywords: Drug offenses; Professional counselling; Investigative activities; Legal framework

Introduction

The main vectors of the institutional and legal framework for combating drug crime in the international context should be aimed at promoting greater international cooperation to counter the impact of the world drug problem on health, governance and security, but also at assisting EU member states and the world in anticipating and addressing the threats posed by illicit drug markets and mitigating their consequences for public health [1]. The World Drug Report 2023 states that corruption and drug trafficking are related, complementary and mutually reinforcing crimes and are one of the threats to society. The same report 2023 states that the number of people using drugs for non-medical purposes in the world has increased from 240 million in 2011 to 296 million in 2022 [2,3].

The world drug report 2024 also found that in 2023, more than 292 million people or one in 18, used drugs in the past year a 20 percent increase from a decade earlier. Approximately 30 million people used amphetamines in the past year and 60 million people used opioids, of whom about half used opiates [4]. In 2024, about 7 million people worldwide were formally contacted by the police for drug-related crimes, with about two-thirds of these cases involving drug use or possession for the purpose of use. Less than half 2.7 million people were prosecuted for drug-related crimes and more than 1.6 million were convicted [5]. It should be noted that approximately 64 million people

worldwide suffer from drug use disorders, only one in 11 are treated. Women have less access to treatment than men, only one in 18 women with drug use disorders is treated, compared to one in seven men [6]. That is, the number of people who use drugs for non-medical purposes in the world continues to grow and there is a tendency for drug crimes in this area to increase. One of the important international problems is also the increase in illegal drug trafficking on the Internet. The above indicates the relevance of studying the issues of organizational and legal principles of combating drug crime in the international aspect at the present stage [7].

Materials and Methods

The methodological basis of the study is a system of both philosophical, general scientific and special, traditionally legal, concrete sociological methods. At the empirical level, to establish the essence of operational and investigative activities in the field of drug trafficking, methods of observation of the practical activities of units that carry out operational and investigative activities, generalization and analysis of the results of the fight against crime were used [8]. The work also uses separate methods of cognition: Historical and legal (during the scientific study of operational and investigative activities in combating drug offenses), comparative and legal (for the study of operational and investigative, criminal, procedural and other legislation), systemic and structural (to determine the set of structural elements that make up the concept of operational and investigative activities in combating drug offenses), statistical (during the collection, generalization and study of data on the detection, prevention and cessation of crimes using operational and investigative activities in combating drug offenses), formalistic (allowed us to obtain new theoretical knowledge about operational and investigative activities in combating drug offenses) (Figure 1).

The EU Drugs Strategy 2021-2025 includes in the area of countering drug crime:

- (1) disrupting and eliminating high-risk organised crime groups linked to drug trafficking operating in, originating from or targeting EU Member States; eliminating links with other security threats and improving crime prevention;
- (2) strengthening the detection of illicit wholesale trafficking of drugs and precursors at points of entry and exit from the EU;
- (3) stopping the use of logistical and digital channels for the distribution of illicit drugs in medium and small quantities and increasing the volume of seizures of illicit substances smuggled through these channels, in close cooperation with the private sector;
- (4) stopping the illicit production of drugs and countering illicit cultivation; preventing the diversion and circulation of drug precursors for the illicit production of drugs; and addressing environmental harm;
- (5) preventing drug use and raising awareness of the side effects of drugs;
- (6) ensuring access to and improving treatment and care services;
- (7) reducing risk and harm through interventions and other measures to protect and support people who use drugs;
- (8) addressing the health and social needs of people who use drugs in prison and after release;
- (9) strengthening international cooperation with third countries, regions, international and regional organisations, as well as at multilateral level to achieve the approach and objectives of the EU Drugs Strategy 2021-2025. Strengthening the EU's role as a global facilitator for a people-centred drug policy and the protection of human rights;
- (10) creating synergies to provide the EU and its Member States with the comprehensive research base and forecasting capabilities needed for a more effective, innovative and flexible approach to the growing complexity of the drugs phenomenon, and to enhance the preparedness of the EU and its Member States to respond to future challenges and crises;
- (11) ensuring the optimal implementation of the Strategy and Action Plan against illicit drug trafficking, coordination by default of all stakeholders and provision of appropriate resources at EU and national level.

Figure 1: EU strategy outlines actions to counter drug crime comprehensively

Results and Discussion

Counteraction to drug crime is the activity of the state and society aimed at identifying, eliminating or neutralizing the causes of drug crime and the conditions that contribute to it, phenomena and processes that cause the growth of certain types and types of illegal drug trafficking, factors that influence the formation of drug addiction in certain categories of people, the impact on the conditions of their life and upbringing, eliminating specific conditions that cause participation in illegal drug trafficking by certain individuals, determining forms and methods of social control over drug trafficking in order to maintain it at a minimum level, implementing criminal and other legal coercion for facts of guilty participation in illegal activity [9]. Counteraction to drug crime should be carried out at different levels: International, national, regional and local, etc. [10-13]. Regarding the definition of illegal drug trafficking. Thus, M. Khruppa understands the concept under consideration as an antisocial phenomenon dangerous to people's health and the economy, consisting in non-periodically repeated unlicensed activities in the production, distribution and trade of narcotic drugs aimed at satisfying the illegal demand for them on the "black" market in order to make a profit [14]. As for the category of "countering the illicit trafficking of narcotic drugs", this is the application of a set of measures of a legal, economic, medical and social nature aimed at reducing their illicit trafficking and non-medical use of narcotic drugs and related criminal offenses and administrative torts, to the level of minimal danger to society. We consider the organizational and legal principles of combating drug crime within the framework of public administration [15-18]. In particular, there is a scientific approach that public administration is the activity of public administration entities regulated by laws and other regulatory legal acts, aimed at implementing laws and other regulatory legal acts by making administrative decisions and providing administrative services established by laws [19,20]. Public administration is a system of administrative institutions through which responsibility for the implementation of state decisions is implemented from top to bottom. That is, in the author's opinion, it is the controlled actions of a group of people regarding state affairs, which are related to the 3 branches of government, namely: Legislative, executive and judicial [21]. In scientific sources, for example, the category of "organizational and legal principles of interaction in the illicit trafficking of narcotic drugs" is provided, which represents a joint purposeful and coordinated activity of all subjects that have the authority to implement state policy in this area and create the necessary legal and technical capabilities by state institutions, local governments and public organizations to prevent, counteract and stop the illicit trafficking of narcotic drugs and minimize the consequences of their use [22-27]. In our opinion, the organizational and legal principles of combating drug crime should be understood as a system of regulatory and legal acts that consist of administrative and legal norms and that determine the basic principles,

tasks, forms and methods of developing the normative and administrative activities of subjects of combating drug crime to comply with the legislation in the field of ensuring the counteraction to drug crime [28].

It should be noted that the process of establishing legislative regulation on the organizational and legal principles of combating drug crime has been taking place throughout the years of the current century, starting with the first ever convention on drugs in The Hague [29]. The global anti-drug activity, which was gaining momentum, led to the adoption of the International Opium Convention of 1925 and the creation of the Central Permanent Committee on Opium. Six years later, on June 13, 1931, the International Convention for the Control of the Production and Regulation of the Distribution of Narcotic Drugs was signed in Geneva and entered into force in 1933 [30]. Subsequently, measures to combat drug crime at the international level were reflected in a number of regulatory documents, in particular, the implementation of the provisions of the Convention for the Suppression of Illicit Traffic in Dangerous Drugs and the Protocol to amend the Treaties, Conventions and Protocols on Narcotic Drugs, which were concluded in The Hague on January 23, 1912, in Geneva on February 11, 1925, February 19, 1925 and July 13, 1931, in Bangkok on November 27, 1931 and in Geneva on June 26, 1936, created the basis for the introduction of a system of statistical control of permits for the import and export of drugs, introduced restrictions on world drug production to the volume of medical and scientific needs and the establishment of strict measures to punish persons involved in the illicit trafficking of drugs [31-34].

Taking into account the above and the fact that crime prevention as one of the forms of combating crime is aimed at minimizing criminogenic factors and correcting the behavior of persons prone to committing criminal offenses, preventing the commission of criminal offenses at various stages of criminally unlawful activity, we can define the preventive activities of the units for combating drug crime of the national police of Ukraine as follows: These are the activities of the units for combating drug crime of the national police of Ukraine and other units of the criminal police (criminal investigation, strategic investigations), which systematically and comprehensively carry out search, operational-search, administrative, criminal-procedural and other measures (actions) of preventive purpose, aimed at individual groups and specific persons who are prone to committing criminal offenses related to the illegal circulation of narcotic drugs, psychotropic substances, their analogues and precursors and/or have criminally unlawful intentions to commit them or have initiated criminally unlawful activities in order to minimize criminogenic factors and correct the behavior of persons prone to committing these offenses, prevent the commission of criminal offenses at various stages of criminally unlawful activities, as well as minimize drug addiction in the country.

The state policy strategy for the period up to 2030 must comply with Ukraine's obligations in the field of European integration, stipulated in Chapter III "Justice, freedom and security" of the association agreement between Ukraine, of the one part and the European Union, the European atomic energy community and their member states, of the other part (hereinafter referred to as the 2014 association agreement between Ukraine and the EU) in articles 21 and 27, chapter 22 "Public Health" of chapter V "economic and sectoral cooperation" (Articles 427 and 428) of the 2014 association agreement. In particular, the draft state policy strategy for the period up to 2030, compared to the provisions of the state policy strategy for the period up to 2020, introduces new provisions and organizational and legal measures to combat drug crime.

In accordance with Article 21 of the association agreement between Ukraine and the EU, the parties shall cooperate on issues related to the fight against illicit drug trafficking, based on commonly agreed principles consistent with international conventions in this field, taking into account the Political Declaration and the declaration on guiding principles for drug demand reduction adopted in June 1998. Such cooperation shall aim to combat illicit drug trafficking, reduce the supply of, trade in and demand for drugs, combat the health and social consequences of drug addiction and more effectively prevent the diversion of chemical precursors used for the illicit production of narcotic drugs and psychotropic substances. The parties shall use the necessary methods of cooperation to achieve these objectives, ensuring a balanced and integrated approach to these issues. According to Article 426 of the above-mentioned association agreement, the parties shall develop cooperation in the field of health care in order to increase the level of its safety and protection of human health as a prerequisite for sustainable development and economic growth.

Returning to the provisions of the draft state policy strategy for the period until 2030, it is worth noting that one of the directions of the Strategy is to reduce the number of psychoactive substances available on the illegal market; reducing the demand for drugs in illegal circulation, which involves both the promotion of a healthy lifestyle, taking measures to preserve a healthy and able-bodied population of the state and early detection of addiction problems and other mental and behavioral disorders resulting from the use of psychoactive substances, timely and high-quality provision of medical and psychosocial assistance to persons in need and their resocialization is a rather promising direction. In addition, the draft state policy strategy for the period up to 2030 defines forms of cooperation, including in the field of combating drug crime, in particular, covering the following areas:

- Prevention and control of non-communicable diseases through the exchange of information and best practices, promotion of a healthy lifestyle.
- Identification of the main determinants of health and problems in the field of health protection, such as

maternal and child health, mental health, alcohol, drug and tobacco addiction, in particular the implementation of the Framework Convention on Tobacco Control of 2003, etc.

It is necessary to pay attention to such an important document of the organizational and legal framework for combating drug crime in the direction of Ukraine's European integration in this area as the EU drugs strategy for 2021-2025. This international strategy is aimed at protecting and improving the well-being of society and the individual, protecting and strengthening public health and the goal is to offer a high level of safety and well-being for the public and increasing health literacy. The EU drugs strategy for 2021-2025 has a scientifically based, comprehensive, balanced nature and an interdisciplinary approach to the drug phenomenon at the national, European and international levels [26]. The strategy is structured around three main areas of overcoming the problem of illicit drug trafficking, namely:

- Reducing the supply of drugs and enhancing security.
- Reducing the demand for drugs, including prevention, treatment and care services.
- Tackling the harm caused by drug use and in the context of (International cooperation; research into new drugs, innovation and foresight; coordination, management and implementation of innovative measures to prevent drug trafficking [35].

The EU drugs strategy 2021-2025 also includes a gender equality and equity perspective in health care [36]. One of the priorities of the above strategy is to prevent high-risk organized crime groups operating in the EU and abroad in drug trafficking markets; to provide priorities in synergy with the EU policy cycle for organized and serious international crime in the field of trafficking and to break the cycle of drug trafficking and drug trafficking [37].

Conclusion

The EU drugs strategy 2021-2025 aims to protect and improve the well-being of society as a whole and of every individual, to protect and promote public health, to ensure a high level of safety and well-being for the general public and to raise health awareness. As part of its work to reduce the supply of drugs and enhance security, the EU drugs strategy 2021-2025 covers all aspects of the illicit drug market. This includes preventing, deterring and disrupting drug-related criminal activities, in particular organized crime, through cooperation between judicial and law enforcement authorities, intelligence activities. It aims at interdiction, confiscation of assets related to drug-related crimes, investigations and border management to prevent drug smuggling. Drug demand reduction policies encompass a wide range of complementary measures, including drug addiction prevention, early detection and intervention, counselling, treatment, rehabilitation, social reintegration and resocialization.

Most of the provisions set out in the EU drugs strategy

2021–2025 and the EU drugs action plan 2021–2025 have already been recommended for implementation in national anti-drug legislation. Unfortunately, the draft strategy of state policy of Ukraine for the period up to 2030 has not been approved yet and it is extremely important that the cabinet of ministers of Ukraine approves it as soon as possible.

Acknowledgement

None.

Conflict of Interest

Authors have no conflict of interest to declare.

References

1. Conventions on Psychotropic Substances of 1971.
2. EU Drugs Action Plan 2021–2025 2021/C 272/02 (ST/9819/2021/INIT).
3. EU Drugs Strategy 2021–2025 / Brussels, 18 December 2020.
4. R.R. Gren, Interaction of operational units of law enforcement agencies of Ukraine in countering crimes in the field of narcotic drugs, *Sci Bull Uzhgorod Natl Univ Ser Law*, 38(2016):99–102.
5. M. Khruppa, To develop a criminological concept of illegal drug trafficking, *Law Ukr*, 3–4(1994):31–34.
6. T.V. Korniyakova, A.G. Kondratyeva, Drug addiction: Origins, aspects of development and counteraction, current state, *Sci Bull Priv Public Law*, 6(2022):193–197.
7. Ye.O. Leheza, V. Filatov, V. Varava, V. Halunko, D. Kartsyhin, Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine, *J Leg Ethics Regul Issues*, 22(2019):1–8.
8. Ye. Leheza, K. Pisotska, O. Dubenko, O. Dakhno, A. Sotskyi, The essence of the principles of Ukrainian law in modern jurisprudence, *Rev Jur Port*, (2022): 342–363.
9. Y. Leheza, M. Yankovyi, N. Medvedenko, T. Vaida, M. Koval, Application of artificial intelligence in motivating court decisions: Legal basis and foreign experience, *Al-Risalah*, 24(2024):58–69.
10. Y. Leheza, M. Korniienko, V. Berezniak, A. Mariienko, A. Radchuk, Legal regulation of liability for illegal deportation of children: Administrative, criminal aspects, experience of Ukraine and international standards, *Rev Jurid Portucalense*, (2024):257–274.
11. Y. Leheza, B. Shcherbyna, Y. Leheza, O. Pushkina, O. Marchenko, Features of applying the right to suspension or complete/partial refusal to fulfill a duty in case of non-fulfilment of the counter duty by the other party according to the civil legislation of Ukraine, *Rev Jurid Portucalense*, (2023):340–359.
12. Ye. Leheza, V. Shablysty, I.V. Aristova, I.A. Kravchenko, T. Korniyakova, Foreign experience in legal regulation of combating crime in the sphere of trading of narcotic drugs, psychotropic substances, their analogues and precursors: Administrative and criminal aspect, *J Drug Alcohol Res*, 12(2023):1–8.
13. Y. Leheza, B. Shcherbyna, Y. Leheza, O. Pushkina, O. Marchenko, Features of full/partial suspension or refusal of performance of an obligation in case of non-performance of the counterparty under the civil legislation of Ukraine, *New juice*, 18(2024):131–150.
14. Y. Leheza, B. Shcherbyna, Y. Leheza, O. Pushkina, O. Marchenko, Features of applying the right to suspension or complete/partial refusal to fulfill a duty in case of non-fulfilment of the counter duty by the other party according to the civil legislation of Ukraine, *Rev Jurid Portucalense*, (2023):340–358.
15. Y. Leheza, K. Pisotska, O. Dubenko, O. Dakhno, A. Sotskyi, The essence of the principles of Ukrainian law in modern jurisprudence, *Rev Jurid Portucalense*, 32(2022):342–363.
16. Y. Leheza, L. Yerofieienko, V. Komashko, Peculiarities of legal regulation of intellectual property protection in Ukraine under martial law: Administrative and civil aspects, *Rev Justice Law*, 37(2023):157–172.
17. Y. Leheza, V. Shablysty, I.V. Aristova, I.O. Kravchenko, T. Korniyakova, Foreign experience in legal regulation of combating crime in the sphere of trafficking of narcotic drugs, psychotropic substances, their analogues and precursors: Administrative and criminal aspect, *J Drug Alcohol Res*, 12(2023).
18. Y. Leheza, O. Dubenko, L. Pavlyk, O. Prasov, V. Pavlov, Foreign experience of responsibility for driving vehicles in condition of alcohol intoxication: International standards, administrative and criminal aspects, *Rev Jurid Portucalense*, (2024):161–174.
19. Y. Leheza, B. Shcherbyna, Y. Leheza, O. Pushkina, O. Marchenko, Características de la suspensión o denegación total/parcial del cumplimiento de una obligación en caso de incumplimiento de la contraparte según la legislación civil de Ucrania, *Novum Jus*, 18 (2024):131–150.
20. V.Ya. Nastyuk, O.M. Shevchuk, Administration of drug control in Ukraine: A textbook, Kharkiv: Law, (2015):272.
21. On Amendments to the Regulations on the Department of Internal Security of the National Police of Ukraine: Order of the National Police of Ukraine, (2017).
22. On Approval of Changes to the Structure of the National Police: Order of the National Police of Ukraine, (2016).
23. N.A. Orlovska, Y.P. Stepanova, Current issues of drug trafficking prevention: European experience, *Legal Sci*

- Electron J, 6(2022):348–351.
24. B.A. Pidgorny, Administration of counteraction to illicit trafficking in synthetic narcotic drugs: Concept and essence, *Probl Leg*, 126(2014):133–138.
 25. K.O. Prystinska, Organizational and legal principles of interaction of public administration bodies in preventing illicit trafficking in narcotic drugs, psychotropic substances and precursors: Author's abstract ... candidate of legal sciences in specialty: 12.00.07, Uzhgorod: State Higher Educational Institution "Uzhgorod National University", (2021):21.
 26. O. Shkuta, Y. Leheza, I. Telelym, A. Anosienkov, O. Yaroshak, National security in the conditions of the Russia-Ukraine war: Legal regulation and Islamic law perspectives, *Al-Ahkam*, 34(2024):99-120.
 27. O. Shkuta, D. Karbovskyi, O. Pushkina, M. Potip, O. Varhuliak, Object and subject of state control in the sphere of legal turnover of narcotic drugs, psychotropic substances and their precursors in Ukraine: Administrative, criminal and civil-legal aspect, *J Drug Alcohol Res*, 12(2023).
 28. Single Convention on Narcotic Drugs of 1961 (1961).
 29. A. Sotska, S. Tryhub, T. Voloshanivska, V. Kolomiets, K. Rezvorovych, Legal regulation of the protection of children's rights by European standards: A comparative perspective, *Syariah J Huk Pemikir*, 24(2024):359-375.
 30. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, (1988).
 31. Y. Volkova, B. Bon, A. Borysenko, Y. Leheza, Y. Leheza, Crypto market experience: Navigating regulatory challenges in modern conditions, *Al-Risalah Social Law Study Forum*, 24(2024):178-194.
 32. O. Volobuieva, Y. Leheza, V. Pervii, Y. Plokhuta, R. Pichko, Criminal and administrative legal characteristics of offenses in the field of countering drug trafficking: Insights from Ukraine, *Yustisia J Huk*, 12(2023):262-277.
 33. T. Voloshanivska, I. Pozihun, S. Losych, O. Merdova, Y. Leheza, Administrative and criminal law aspects of preventing offenses committed by minors in the sphere of illegal circulation of narcotic drugs, psychotropic substances and precursors, *J Drug Alcohol Res*, 12(2023).
 34. A.M. Voloshchuk, Activities of public administration bodies of Ukraine in combating illicit trafficking in narcotic drugs, psychotropic substances and precursors: Issues of theory and practice: Monograph, Odessa: State University of Internal Affairs, (2011):427.
 35. World Drug Report 2023.
 36. World Drug Report 2024.
 37. O. Yunin, A. Dal, V. Polovnikov, N. Shumska, M. Koteliukh, The administrative-legal and criminal aspect of prosecuting persons for offenses in the field of illegal drug trading, *J Drug Alcohol Res*, 13(2024).