

## Research Article

# Organizational and Legal Principles of the State Bureau of Investigation in the Field of Combating Drug Crime

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### Abstract

**Background:** The organizational and legal setbacks of the State Bureau of Investigation's (SBI) efforts to curb drug trafficking have been examined in this article.

**Methods:** The systemic-structural method allows us to identify the place of DBD in the system of subjects against drug addiction. The formal legal method is based on the analysis of legislative acts that regulate the activities of the bureau. The equal legal method is used to establish Ukrainian and European approaches to the organization of specialized criminal justice bodies. The statistical method has adopted the established practice of investigating criminal offenses in the sphere of illegal drug use.

**Results:** It has been determined that the investigation of crimes committed by law enforcement, military personnel, and other special entities, including criminal activity involving narcotics, constitutes the specificity of the DBR's operation in the defined region. The DBR's organizational channels of communication with Ukraine's National Police, Security Service, Bureau of Economic Security, State Mint Service, and Office of the Prosecutor General are examined.

**Conclusion:** Regulatory, institutional, and coordination issues have been found to have an impact on the DBD's efficacy in preventing drug misuse. Strengthening interdepartmental relationships, creating analytical tools, and harmonizing national laws based on European standards are all direct recommendations for fully organizing the organizational and legal security of the DBR's operations.

**Keywords:** Drugs; Precursors; Smuggling; Organizational and legal principles; State bureau of investigation; Combating; Drug crime; Comparative legal analysis

### Introduction

One of the most dangerous threats to national security and the vast order of modern Ukraine is the illegal sale of narcotic drugs, psychotropic drugs, their analogues and precursors. Drug abuse is becoming a complex social and legal phenomenon, which negatively affects public health, the economic security of the state, the level of abuse and the effectiveness of the functioning of public institutions.

This problem is of particular relevance in the minds of globalization, digitalization of social networks and the active development of transnational malicious measures, such as vikorist current information and communications. technologies for organizing illegal production, and the movement of narcotic drugs through state cordons.

Illegal narcotics remain one of the most prevalent forms of transnational organized crime, according to international agencies like the United Nations Office on Narcotics and Drugs and Crime (UNODC). Drug trafficking revenues are frequently used to fund organized crime, corruption, illegal waste, and money laundering. Accordingly, one of the top priorities for both domestic and foreign law enforcement agencies is the prevention of drug misuse [1].

Due to the Russian Federation's extensive military aggression and the establishment of the military camp's legal system, the issue of illegal drug usage is particularly significant for Ukraine. War operations, internal population movements, changes in logistics routes, weakening of control in certain territories and increased international humanitarian assistance create additional risks. To activate drug addiction. In addition, current malicious groups are actively using the Internet, specialized electronic platforms, instant messengers, anonymous networks and cryptocurrency networks to acquire their activities from law enforcement agencies.

It is especially dangerous for the state to deal with cases of drug crime committed by individuals who are in charge of government or law enforcement functions. We are referring to law enforcement officers, members of the armed forces, representatives of ship authorities, and other

special entities that can use their services to facilitate the trafficking of illegal drugs, detect malicious activity, obtain illegal supplies from criminal investigations, or ensure the smooth operation of malicious schemes. In addition to undermining the state's power, public confidence in the legal system, and the rule of law, such manifestations do not stop drug usage from spreading [2].

The state bureau of examination's work as a law enforcement organization with specific competence, established to guarantee an impartial and independent examination of the crimes committed by the high-ranking troops, is especially significant in this regard. Law enforcement officials, members of the armed forces, and other individuals specified by criminal procedure laws. In accordance with the Law of Ukraine "On the State Bureau of Investigation" and the provisions of the Criminal Procedural Code of Ukraine, the DBI is currently conducting pre-trial investigations of a significant number of criminal offenses related to illegal about narcotic substances, as they were caused by subjects under the supervision of the bureau.

The current model of activity of the DBR in the field of anti-drug abuse transfers the joint surveillance, operational-sound, analytical and coordination functions. The effectiveness of these tasks depends largely on proper legal regulation, the organizational structure of the bureau, human resources, material and technical support, and the level of interdepartmental support. Interactions with other actors in the fight against drug addiction [3].

The direct development of Ukraine is also of particular importance. During the process of membership in the European Union, the country is obliged to ensure the effective functioning of the law enforcement system in line with European standards in the fight against organized crime, corruption and illegal drug use. This extends to the comprehensive work of the DBI, the application of international criminal justice norms, the creation of international espionage systems, and the bolstering of institutions' pre-trial investigation authorities' powers [4].

Despite Ukraine's law enforcement system reform and the establishment of the State Bureau of Investigation as an autonomous pre-trial investigative body, the efficiency of anti-drug usage measures is inadequate because of low organizational and legal institutional issues [5].

A pressing issue is the clear delineation of competence between the DBR, the National Police of Ukraine, the Security Service of Ukraine, the Bureau of Economic Security of Ukraine and other entities against the illegal use of drugs. The presence of significant new problems often leads to duplication of functions, difficulty in coordinating actions and reducing the effectiveness of criminal activities [6].

The underlying problem is the lack of normative regulation of the mechanisms of interdepartmental information exchange. The presence of a single integrated system for collecting and analyzing drug-related information makes it more difficult to quickly respond to new threats and promptly document malicious activities [7].

The problem of investigating crimes related to the use of modern digital technologies will require great respect. Drug trafficking is now more often carried out through online stores, instant messengers, cryptocurrency platforms and anonymous networks, which will require advanced digital forensics methods and the development of the analytical capabilities of the DBR [8].

An important problem is also the identification and documentation of the facts of the participation of law enforcement officers and military personnel in the illegal drug trade. Such crimes are characterized by a high level of latency, the visibility of corruption links and the possibility of vicarious service to prevent investigation [9].

An additional point is the need to adapt the organizational and legal mechanisms of the activities of the DBR to the standards of the European Union in the field of combating organized crime and illegal drug trafficking zaobiv. The promotion of modern criminal analysis procedures, the extension of international research, and the harmonization of national legislation are particularly important in the context of European integration [10].

The need to create an efficient organizational and legal support model for the State Bureau of Investigation's drug trafficking operations that would align with current security trends, guarantee a sufficient degree of interdepartmental cooperation, and adhere to European standards of law enforcement operations also presents a scientific challenge.

## Materials and Methods

The methodological basis of the investigation is formed by the totality of legal scientific and special legal methods of scientific knowledge, the establishment of which was ensured by the comprehensive integration of organizational and legal ambushes of the activities of the State Bureau of Investigation in the sphere against drug addiction.

The key point in the investigation is the legal method, which is used for the analysis of foreign evidence of the organization of activities of specialized law enforcement agencies and criminal authorities justice, which is investigating crimes in the sphere of illegal drug sales [11]. A legal ambush between the State Bureau of Investigation of Ukraine and comparable institutions of the powers of the European Union and other democratic nations, such as Poland, Germany, France, Lithuania, and the United States of America, was made possible by the established method [12].

During the investigation process, the specifics of legal regulation of the activities of law enforcement agencies during the investigation of drug trafficking, mechanisms of interdepartmental interaction, forms of prosecutorial control, models were analyzed. Operational and sound security of the system of International Spivrobotnitsa [13]. Particular respect is given to the thorough functioning of the Central Anti-Corruption Bureau of Poland (CBA), the Federal Criminal Police Office of Germany (Bundeskriminalamt), the Central Directorate for Combating Illegal Trafficking drugs in France (OFAST), as well as the activities of the US

Drug Enforcement Administration (DEA) [14].

The majority of European powers are characterized by a high degree of coordination between law enforcement agencies, the use of modern information and analytical systems, mechanisms for financial monitoring of illicit proceeds from the drug trade, and widespread support of international co-operation through Europol, Interpol, and other international structures, according to general legal analysis. It has recently been revealed that the Ukrainian model of drug trafficking will require further development in terms of normative consolidation of procedures for inter-departmental exchange of information, development of analytical tools and advancement of current methods of digital investigation [15].

The equal-legal method also allows for the identification of promising direct implementation of foreign intelligence in the activities of the DBR, through the creation of specialized interdepartmental groups from investigations drugs, strengthening mechanisms for monitoring the activities of law enforcement officers, which allow access to special operational capabilities, and promoting risk-oriented approaches to identify corruption links in the sphere illegal drug use.

In addition to the equal-legal method, we have developed a formal-legal method for analyzing the provisions of national legislation, a systemic-structural method for determining the place of DBR in the system of subjects against drug abuse, a logical-legal method for the formulation of principles and propositions through thorough legislation, as well as the method of formalization for the systematization of scientific approaches to the further investigation of the problem [16].

The thorough examination of the organizational and legal pitfalls of the State Bureau of Investigation's efforts in the area of drug trafficking prevention and the creation of scientific evidence guaranteed the establishment of the methods' significance in their interconnection. suggestions to enhance its efficiency in terms of Ukraine's European integration.

## Results and Discussion

The Ukrainian Constitution, the Criminal Procedure Code,

the Law of Ukraine "On the State Bureau of Investigation," the Law of Ukraine "On Operational-Rozshuk Activity," the Law of Ukraine "On narcotic drugs, psychotropic drugs and precursors," and international treaties all serve as the legal foundation for the State Bureau of Investigation's operations [17,18].

The DBR is currently conducting pre-trial investigations of crimes committed by judges, law enforcement officers, military personnel, and other legally designated subjects in compliance with Article 216 of the Ukrainian Code of Criminal Procedure [19].

In the area of drug trafficking prevention, the competence of the DBR focuses on the investigation of criminal offenses under Articles 305–320 of the Criminal Code of Ukraine, since their subjects are individuals subordinate to the DBR [20]. It is particularly dangerous to become involved in the employment of illegal drugs, the acquisition of narcotics, or participation in the activities of organized criminal groups [21].

The organizational structure of the DBR includes the central apparatus, territorial departments, operational subdivisions, surveillance subdivisions, and internal control subdivisions. This structure itself will provide a comprehensive approach to documenting and investigating crimes in the sphere of illegal drug sales [22].

The main areas of activity of the DBR in the field of drug prevention are: identification of crimes associated with illegal drug use with the participation of law enforcement officers and other special forces subjects; conducting pre-trial investigations of criminal offenses related to drug smuggling, illegal production, hoarding, transportation and distribution of drugs; documenting corruption schemes that cover the functioning of the drug business; against organized evil groupings, which include the heads of state bodies; International cooperation between criminal activities and transnational drug trafficking [23].

The activity of the DBI assumes special significance as the facts of drug trafficking cover-up by local law enforcement officials are uncovered. Such evils are likely to advance the level of insecurity through the loss of trust of the citizens in the sovereign institutions (Table 1) [24].

**Table 1:** Interaction of the state bureau of investigation with other subjects against drug trafficking

Subject of mutual interaction	Mainly direct interactions	Practical significance for the prevention of drug abuse
National Police of Ukraine (Department for Combating Drug Abuse)	Exchange of operational information, carrying out extensive investigative (sound) activities, establishing drug channels, Vikating organized groups	Allows you to quickly remove information about drug crimes involving law enforcement officers or other undercover DBR individuals
Office of the Prosecutor General and Prosecutor's Office	Procedural care of pre-trial investigations, consistency of procedural decisions, support of the sovereign prosecution	Ensures the legality of the investigation and the effective prosecution of criminal cases before trial
Security Service of Ukraine	Identifying global drug supply routes, recording transnational criminal organizations' operations, and providing counterintelligence security	Eliminates international drug trafficking borders and blocks drug smuggling channels

Bureau of Economic Security of Ukraine	Discovery of financial schemes for the drug business, analysis of the money market, analysis of the facts of the legalization of income acquired by the evil way	Ensures the possibility of establishing an economic basis for the activities of drug cartels and confiscation of illegal assets
State Military Service of Ukraine	Control over the movement of goods through the military cordon, identifying facts of smuggling of drugs and precursors	Helps facilitate international drug trafficking and prompt detection of criminals at the stage of drug movement
State Border Service of Ukraine	Monitoring of the sovereign cordon, detection of samples of illegal movement of drugs, carrying out special operations	Ensures the prevention of cross-border drug trafficking and the cessation of drug trafficking routes
National Anti-Corruption Bureau of Ukraine (NABU)	Exchange of information regarding corruption schemes related to illegal drug trafficking, coordination of investigations	Enables you to avoid the negative effects of the pharma industry's Viktoristannya service station.
National Agency for the Prevention of Corruption (NAZK)	Reconsideration of the way of life of the townspeople, analysis declaration, identification of unsecured assets	Helps to identify signs of illegal wealth in individuals that amount to drug abuse
Europol	Exchange of intelligence information, participation in international operations, analytical support	It promotes the fight against international drug restrictions and the integration of Ukraine until European safety system
Interpol	International publicity, exchange of criminal information, location of suspects	Ensure re-investigation of individuals in order to ensure justice beyond the borders of Ukraine
Eurojust	Coordination of international criminal investigations, creation of Joint Investigative Teams (JIT)	Promotes the effectiveness of investigations into transnational drug trafficking
United Nations Office on Drugs and Drugs (UNODC)	Methodical assistance, international personnel training programs, analytical support	Promotes the promotion of international standards against drug abuse

The degree of interdepartmental coordination and the development of an integrated strategy to criminal investigation have a major role in the efficacy of the State Bureau of Investigation's efforts to curb drug trafficking. In addition to the National Police, which is actively involved in combating illicit drug trafficking, the DBI has a specialized function to investigate crimes committed by law enforcement officers, military services and other special entities [25].

The most intensive interaction is observed between the DBR and the National Police of Ukraine. The fight against drug abuse itself often acts as the source of the primary operational information regarding the illegal activities of local officials, which are related to the illegal use of narcotic drugs. At the same time, the DBI will ensure the independence of the investigation into incidents, if the law enforcement officers themselves are responsible for the malign activity [26].

Of greater importance is the cooperation with the SBU and the State Border service, since a significant part of the current drug trafficking is transnational in nature. These bodies have the necessary operational and investigative capabilities to establish international routes for the movement of narcotic drugs, precursors and psychotropic substances.

Of particular relevance is the interaction between the DBR and the Bureau of Economic Security of Ukraine. The current drug business functions as a complex financial system, which transmits a variety of fictitious enterprises, cryptocurrencies, electronic payment services and cash withdrawal mechanisms. Therefore, the discovery and blockage of financial flows is no less important than the detection of direct participants in the illegal drug trade [27].

In the minds of the European Integration of Ukraine, the international cooperation of the DBR with Europol, Interpol and Eurojust is of particular importance. It is through this institution that the exchange of information regarding the activities of international drug borders is carried out, comprehensive operations are carried out and the investigation of trans-cordon crimes is coordinated. The practice of EU member states confirms that successful counteraction to drug abuse is only possible through peaceful cooperation at the national and international levels.

Thus, the system of interaction between the DBR and the subjects of anti-drug abuse is rich in nature and is supported by procedural, operational, analytical and international legal mechanisms spivrobotnitstva. This further development is due to the direct development of a unified information and analytical center, the improvement of normative regulation of interdepartmental interaction and the promotion of innovative European practices in the fight against organized [27].

## Conclusion

The State Bureau of Investigation is an important element of the drug prevention system in Ukraine, currently investigating criminal offenses committed by special actors, directly before law enforcement officials. military services. The Ukrainian Constitution, criminal procedure laws, and special legislation pertaining to the bureau's operations serve as the foundation for the DBR's organizational and legal framework.

The effectiveness of anti-drug abuse depends on proper interdepartmental cooperation, daily information and analytical security, and extensive international intelligence.

It has been established that the key directions for the comprehensive activities of the DBI are the development of digital investigative tools, strengthened coordination between law enforcement agencies and the adaptation of national legislation to European standards criminal justice.

The intricate identification of organizational and legal ambushes of the DBR's anti-drug abuse activities and the requirement to develop an integrated interdepartmental model of information and analytical support for the investigation of drug crimes committed by special entities constitute the investigation's scientific novelty.

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### Conflict of Interest

Authors have no conflict of interest to declare.

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