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Research Article

Administrative and criminal law analysis of countering cybercrimes in the field of illicit drug trafficking at the regional and local levels

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Abstract

Aim: The purpose of this article is to reveal the administrative, legal, and criminal law analysis of countering cybercrime in the field of illegal drug trafficking at the regional and local levels.

Methods: The methodological basis of the study is a set of general scientific, special legal and interdisciplinary approaches that provide a comprehensive analysis of counteraction to cybercrime in the field of illicit drug trafficking at the regional and local levels. The dialectical method was used to clarify the patterns of drug crime development in the context of digitalization and the interconnection of administrative-legal and criminal-legal mechanisms. An example is the analysis of the transformation of traditional forms of drug sales into digital ones (online platforms, messengers, darknet) and the corresponding evolution of legal means of response. The system-structural method made it possible to consider counteraction to cyberdrug crime as a holistic system that includes regulatory legal acts, public administration entities, law enforcement agencies and digital control tools. For example, at the regional level, the interaction of local governments, units of the National Police and cyberpolice within the framework of the implementation of drug crime countermeasure programs was analyzed.

Results: As a result of the conducted administrative-legal and criminal-legal analysis of counteraction to cybercrimes in the field of illicit drug trafficking at the regional and local levels, it was established that the digitalization of drug crime necessitates a comprehensive and systematic response from the state and local governments. Cyberspace significantly expands the possibilities of illicit drug trafficking, complicates the detection of offenses and requires the use of special legal and technical tools.

It is substantiated that administrative-legal mechanisms play a key preventive role, ensuring prevention, monitoring and elimination of conditions conducive to the commission of cybercrimes in the field of illicit drug trafficking. At the same time, their effectiveness at the regional and local levels is limited by insufficient clarity of powers, resource limitations and fragmentation of interagency interaction.

Conclusion: Administrative and legal means of combating cybercrime in the field of illicit drug trafficking at the regional and local levels are a necessary element of a comprehensive system of ensuring public safety. Their effective application is possible only if they are systematically combined with criminal law measures, taking into account regional specifics and adapting to modern digital challenges.

It has been proven that effective counteraction to cybercrime in the studied area is possible only under the condition of coordinated application of administrative and criminal law instruments, strengthening of coordination between law enforcement agencies, executive authorities and local self-government, as well as active involvement of civil society institutions.

Keywords: Narcotic drugs, Psychotropic substances, Precursors, Legal regulation, Fight, Legal regulation, Administrative law analysis, Criminal law analysis, Countering cybercrimes, Regional, Local level, Administrative disputes, Criminal disputes, Counteraction, Theoretical analysis

Introduction

The current stage of development of the information society is characterized by the rapid digitalization of almost all spheres of social relations, which, along with positive consequences, leads to the emergence of new forms of criminal activity. One of the most dangerous trends is the transformation of the illicit trafficking of narcotic drugs, psychotropic substances and precursors in cyberspace. The use of information and communication technologies, social networks, encrypted messengers, darknet resources and cryptocurrencies significantly complicates the activities of law enforcement agencies and reduces the effectiveness of

traditional mechanisms of state control [1-3].

Cybercrime in the field of illicit drug trafficking is acquiring a stable systemic character, combining the features of organized, transnational and high-tech crime. At the same time, the regional and local levels play a key role in the implementation of state countermeasure policy, since it is at these levels that prevention, primary detection of offenses, documentation of criminal activity and interaction with the population are carried out. At the same time, limited resources, fragmented powers and insufficient digital capacity of public authorities negatively affect the effectiveness of such activities [4].

The problem becomes particularly relevant in the context of the need for coordinated use of administrative and criminal law means of counteraction. Administrative and legal mechanisms are traditionally focused on prevention, control and regulation, while criminal law instruments are aimed at bringing guilty persons to justice and ensuring the inevitability of punishment. In the context of digitalization, there is a need for new forms of interaction between these components that take into account the specifics of cyberspace and the speed of transformation of criminal practices [5].

The scientific novelty of the study is due to the insufficient development in legal science of a comprehensive analysis of counteraction to cybercrime in the field of illicit drug trafficking, specifically at the regional and local levels. Most scientific works focus either on the general theoretical aspects of cybercrime or on the criminal-legal characteristics of drug crimes, leaving out of consideration the administrative-legal component and the issue of inter-level coordination [6,7].

The purpose of the article is to carry out an administrative-legal and criminal-legal analysis of the mechanisms for countering cybercrime in the field of illicit drug trafficking at the regional and local levels, as well as to substantiate the directions for improving legal regulation and the practice of their application. To achieve this goal, the following tasks have been identified: to identify the main forms of manifestation of cyberdrug crime; to analyze administrative-legal and criminal-legal instruments of counteraction; to investigate the features of their interaction at the regional and local levels; to formulate proposals for increasing the effectiveness of state policy in this area.

Methods

The methodological basis of the study is a set of general scientific, special legal and interdisciplinary approaches that provide a comprehensive analysis of counteraction to cybercrime in the field of illicit drug trafficking at the regional and local levels.

The dialectical method was used to clarify the patterns of drug crime development in the context of digitalization and the interconnection of administrative-legal and criminal-legal mechanisms. An example is the analysis of the transformation of traditional forms of drug sales into digital ones (online platforms, messengers, darknet) and the corresponding evolution of legal means of response [8,9].

The system-structural method made it possible to consider counteraction to cyberdrug crime as a holistic system that includes regulatory legal acts, public administration entities, law enforcement agencies and digital control tools [10]. For example, at the regional level, the interaction of local governments, units of the National Police (NP) and cyberpolice within the framework of the implementation of drug crime countermeasure programs was analyzed [11,12].

The formal legal method was used to study the content of the norms of administrative and criminal legislation that regulate liability for illegal drug trafficking using information and communication technologies. In particular, the composition of offenses and crimes in which cyberspace acts as a means or environment for their commission was analyzed [13].

The comparative legal method was used to compare national approaches to countering cyber drug crime with the practices of other states and international standards. As an example, a comparison of administrative and legal prevention measures and criminal legal liability mechanisms with the provisions of the Budapest convention on cybercrime was carried out [14].

The logical-legal method allowed us to formulate theoretical generalizations and conclusions regarding the effectiveness of existing countermeasures, as well as to substantiate proposals for improving legal regulation. An example is the determination of the ratio of preventive administrative measures and repressive criminal law measures at the local level [15].

Statistical and analytical methods were used to summarize

official data from law enforcement agencies and international organizations on the prevalence of cybercrimes related to drug trafficking. In particular, generalized indicators of identified online sales channels and the results of their blocking were used.

The use of these methods in combination ensured the comprehensiveness, objectivity and scientific validity of the research results.

Results and Discussion

Cybercrime in the field of illicit drug trafficking is a complex socio-legal phenomenon that combines traditional drug crimes with the use of modern information and communication technologies [16]. Its essence lies in the illegal use of the digital environment for the purpose of organizing, coordinating, concealing and ensuring the illegal production, sale, shipment and distribution of narcotic drugs, psychotropic substances and their analogues. This form of criminal activity is characterized by a high level of latency, transnationality and difficulty in identifying the subjects of offenses [17,18].

Unlike traditional forms of illicit drug trafficking, cybercrime in this area operates mainly in virtual space, which provides criminals with anonymity, efficiency and a wide audience of potential consumers. The use of social networks, messengers, internet forums, darknet platforms and specialized web resources allows illegal drug sales without direct physical contact between the seller and the buyer, which significantly reduces the risk of detection [19].

The main manifestations of cybercrime in the field of illicit drug trafficking are, firstly, the creation and administration of online platforms and communication channels for advertising and selling drugs. Such resources are often disguised as legal content or use encryption and special access algorithms. Secondly, a common manifestation is the use of electronic payment systems, cryptocurrencies and other digital financial instruments in order to hide the origin of funds and make them untraceable [20].

Thirdly, a characteristic feature of cybercrime in drug trafficking is the use of distance selling technologies, in particular the so-called "bookmark" system, the coordination of which is carried out through digital services. In this context, cyberspace acts not only as a means of communication, but also as a key element of the criminal mechanism. Fourthly, cybercrime in the field of drug trafficking is manifested in the use of software tools to hide digital traces, in particular VPN (Virtual Private Networks) services, anonymizers and the TOR (The Onion Router) network [21].

An important feature of the analyzed phenomenon is its ability to quickly adapt to changes in legal regulation and law enforcement activities. Cyber-drug crime is characterized by a high level of organization, a clear division of roles between participants and the use of modern technological solutions, which necessitates the improvement of both administrative-legal and criminal-legal mechanisms of counteraction [22].

Thus, the essence of cyber-crime in the field of illicit drug trafficking lies in the transformation of traditional drug crimes under the influence of the digitalization of society, and its manifestations reflect new forms of illegal behavior that require a comprehensive legal response. Awareness of the specifics of this phenomenon is a necessary prerequisite for the formation of an effective state policy to combat cyber-drug crime at the national, regional and local levels [23].

Administrative and legal means of combating cybercrime in the field of illicit drug trafficking play a key role in the formation of a preventive and organizational mechanism for combating this socially dangerous phenomenon. At the regional and local levels, their importance is due to the possibility of a prompt response to manifestations of cyberdrug crime, the implementation of preventive measures and the coordination of the activities of public authorities [24].

The essence of administrative and legal means is the application of administrative law norms, management procedures and organizational tools aimed at preventing, identifying and minimizing the risks of illicit drug trafficking using information and communication technologies. They complement criminal and legal measures, ensuring early intervention by the state even before serious crimes are committed [25].

The main administrative and legal means of combating cybercrime in this area include, first of all, regulatory measures that provide for the establishment of rules for the functioning of the digital environment, restriction of access to illegal content and definition of the powers of public

authorities in the field of cybersecurity. At the regional and local levels, such measures are implemented through acts of executive authorities and local governments aimed at ensuring information security and protecting public order [26].

An important place is occupied by administrative and organizational means that cover the activities of authorized structures in monitoring the Internet space, identifying online resources related to illegal drug trafficking, and interacting with telecommunications providers and administrators of digital platforms. In practice, the effectiveness of such measures largely depends on the level of coordination between territorial units of law enforcement agencies, local governments and specialized entities in the field of cybersecurity [27].

A separate group is made up of preventive administrative and legal measures, which are implemented through information and awareness campaigns, educational programs and social initiatives at the regional and local levels. Their goal is to reduce the demand for drugs, form the digital literacy of the population and raise awareness of the risks of involvement in illegal activities on the Internet. It is prevention that allows you to influence the social prerequisites of cyber drug crime, reducing its spread [28].

No less important are administrative and jurisdictional measures, in particular, bringing persons to administrative responsibility for offenses related to violation of the rules for the circulation of information, advertising of drugs on the Internet or failure to comply with the legal requirements of authorized bodies. Such measures are disciplinary in nature and contribute to the formation of lawful behavior in the digital environment [29].

An analysis of the practice of applying administrative and legal means at the regional and local levels indicates the presence of problems related to the fragmentation of legal regulation, insufficient clarity of the competence of local government bodies, and limited resources for cyber monitoring. This necessitates the need to improve the administrative and legal mechanism for combating cybercrime in the field of illicit drug trafficking by strengthening interdepartmental cooperation and a clear division of powers [30] (Table 1).

Table 1: Administrative, legal and criminal means of combating cybercrime in the field of drug trafficking.

Group of means	Specific tools and measures	Implementation level	Subjects of implementation
Regulatory and organizational	Development and adoption of regional programs "Safe Region/City", targeted subventions for cyber protection.	Regional/Local	Regional councils, regional state administrations, city councils.
Preventive and educational	Conducting trainings on digital literacy, online campaign "StopNarcotics", explanatory work in educational institutions.	Local (Communities)	Education departments, youth councils, precinct officers.
Monitoring and technical	Implementation of video surveillance systems with AI (recognition of faces of "hostages"), monitoring of local segments of social networks.	Regional	Cyber police department, situational centers of the Main Directorate of the National Police.
Supervisory and control	Inspections of pharmacy chains for over-the-counter sales (coordinated *via* chat bots), control of Internet providers.	Regional	State Health Service, National Police, representatives of the National Economic and Social Development Committee.
Jurisdictional (sanction)	Drawing up protocols under Art. 44 (illegal storage), Art. 106-2 (violation of circulation rules), Art. 152 of the Code of Administrative Offenses (narcographiti).	Local	Police, administrative commissions under executive committees.
Coordination (partnership)	Cooperation with IT clusters to block mirrors of drug sites, involvement of condominium associations in identifying points of sale.	Local	Local self-government bodies, public organizations.

The conducted administrative-legal and criminal-legal analysis showed that cybercrime in the field of illicit drug trafficking at the regional and local levels has acquired a stable systemic character, which is due to the active use of digital technologies as a tool for organizing, coordinating and masking illegal activities. The results obtained confirm the tendency to shift traditional forms of drug crime into virtual space, which significantly complicates its detection and suppression.

Within the framework of the administrative-legal analysis, it was established that the current system of prevention of cybercrime in the field of drug trafficking at the regional and local levels is not sufficiently coordinated. Administrative

measures aimed at monitoring internet resources, restricting access to illegal content and preventing offenses are applied fragmentarily and do not have a clear regulatory framework regarding the role of local governments. This results in limited impact on the prevention of cyber-drug crime and reduces the overall effectiveness of administrative response [31].

The criminal-legal analysis showed that the existing categories of crimes related to the illicit trafficking of drugs generally include the use of information and communication technologies, but do not always take into account the increased level of public danger of cyber-criminal forms of such activity. The lack of clearly defined qualifying features related to the use of digital platforms, anonymous networks and electronic payment systems complicates law enforcement practice on the ground and does not contribute to the formation of a unified approach to the qualification of relevant crimes [32].

The problem of interaction between subjects of counteraction to cyber-crime at the regional and local levels deserves special attention. The results of the study indicate insufficient coordination between law enforcement agencies, cybersecurity units, executive authorities and local governments. The lack of stable mechanisms for information exchange and joint response negatively affects the timeliness of detecting cyber drug channels and bringing perpetrators to justice [33].

Discussing the results obtained, it should be noted that effective counteraction to cybercrime in the field of illicit drug trafficking requires a comprehensive combination of administrative-legal and criminal-legal instruments. Administrative measures should perform preventive and service-organizational functions aimed at early detection of risks and minimizing the spread of illegal content, while criminal-legal mechanisms should ensure the inevitability of punishment for committing cyber drug crimes [34].

Thus, the results of the study confirm the need to improve the regulatory and legal regulation of counteraction to cybercrime in the field of illicit drug trafficking, taking into account regional and local specifics. The proposed approach allows to increase the efficiency of law enforcement practice, strengthen the preventive component, and ensure the proper level of protection of public interests in the digital environment [35].

Conclusion

As a result of the conducted administrative-legal and criminal-legal analysis of counteraction to cybercrimes in the field of illicit drug trafficking at the regional and local levels, it was established that the digitalization of drug crime necessitates a comprehensive and systematic response from the state and local governments. Cyberspace significantly expands the possibilities of illicit drug trafficking, complicates the detection of offenses and requires the use of special legal and technical tools.

It is substantiated that administrative-legal mechanisms play a key preventive role, ensuring prevention, monitoring and elimination of conditions conducive to the commission of cybercrimes in the field of illicit drug trafficking. At the same time, their effectiveness at the regional and local levels is limited by insufficient clarity of powers, resource limitations and fragmentation of interagency interaction.

Criminal law principles of counteraction are aimed at directly responding to the most dangerous manifestations of cybercrime in the field of illicit drug trafficking. At the same time, it has been established that the problems of proof, identification of individuals in cyberspace and the cross-border nature of criminal activity significantly complicate the implementation of criminal liability, especially at the local level.

It has been proven that effective counteraction to cybercrime in the studied area is possible only under the condition of coordinated application of administrative and criminal law instruments, strengthening of coordination between law enforcement agencies, executive authorities and local self-government, as well as active involvement of civil society institutions.

It was concluded that further improvement of the countermeasure system should include harmonization of legislation taking into account the cyber component of drug crime, development of institutional capacity of regional and local authorities, introduction of modern digital monitoring technologies, and expansion of international cooperation in the field of combating cybercrime and illicit drug trafficking.

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Conflict of Interest

Authors have no conflict of interest to declare.

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