

## THE FRENCH APPROACH TO COMBATING THE ILLICIT TRAFFICKING OF NARCOTIC DRUGS

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A B S T R A C T	K E Y W O R D S
<p>The article analyzes the positive experience of France in developing unified approaches to combating crime in the field of illicit drug trafficking. The main achievements of the practical implementation of French state policy in the field of combating drug crime are considered. The basic directions of the national strategy to combat drug addiction in France are outlined. Features of international cooperation in the fight against drug crime. The scientific novelty of the study is determined by a systematic analysis of the features of the French national strategy in the field of combating drug trafficking. The information obtained as a result of the study is also novel, and is of interest for the further development of scientific research and improvement of the fight against drug addiction.</p>	<p>European Union, French Republic, crime prevention, drug trafficking, prevention, drug trafficking, international cooperation, coordination, modernization of legislation, law enforcement agencies.</p>

### Introduction

The task of combating drug trafficking is becoming a problem not only for individual countries, but also for the entire world community. The production and sale of narcotic drugs, psychotropic substances and their analogues is today becoming the most important area of activity of organized criminal groups in the countries of the European Union (hereinafter referred to as the EU). Favorable conditions for increasing the spread of narcotic drugs in EU countries arose after the abolition of internal border controls and as a result of ineffective law enforcement cooperation between EU states. If ten years ago in the EU, organized criminal groups specialized in certain types of drugs, today, in order to increase profits, they carry out complex deliveries. Evidence of this is the data on confiscated drug shipments, which include various types of drugs.

In EU countries, narcotic drugs move continuously and unhindered, because they are delivered simultaneously from numerous points and laboratories located in all EU countries. Today, criminal groups collaborate with leading experts in the field of chemistry and use well-established transport infrastructure. During the production and sale of narcotic drugs, including supplying precursors, necessary chemicals and equipment, most criminal groups in EU countries cooperate intensively and effectively.

In the current unfavorable conditions of the EU, in the field of illicit trafficking in narcotic drugs and psychotropic substances, the French Republic (hereinafter referred to as France) has its own methods and is developing original methods of combating drug crime, which is of great interest to specialists involved in combating drug crime.

In scientific and specialized literature, existing models of countering the illegal distribution and consumption of narcotic drugs, psychotropic substances and other analogues are conventionally divided into three groups.

Group one - the “hard policy group”, is characterized by the fact that the counteraction to drug crime in it is carried out by very exceptional methods, with the use of life imprisonment and the death penalty as punishment. Representatives of the first group include countries such as Malaysia, Iran, Pakistan, etc.

The second group - the “group of less strict control”, differs from the first in that it exercises the strictest control over drug crime, but without the use of extreme measures. For example, in most countries of the second group, not only the acquisition, storage and sale of drugs, but also the use is criminally punishable.

At the same time, in these countries, people with drug addiction are forced by court to undergo compulsory treatment. In parallel, in the group of states under consideration, the fight against drug crime is combined with active information and preventive work aimed at the most vulnerable layers of citizens, schoolchildren, youth, and people without certain sources of income. Representatives of the countries of the second group are the USA, Great Britain, France, Spain, etc.

The third group is the “liberal group”. The most famous and prominent chairman of the third group is Holland and a number of cantons of Switzerland. Since the 1950s, Holland has followed the path of legalizing a number of drugs, such as marijuana, while becoming a European center for drug distribution. These processes cannot but worry the countries neighboring the Netherlands and are of great concern to European countries, where there is an increase in drug crime, and primarily the spread of drugs.

The French model of combating drug crime belongs to the second group - the “group of less strict control”. In combating illicit trafficking in narcotic drugs and psychotropic substances, the state pays great attention to the problem of crime prevention and, first of all, special personal approaches to the rehabilitation of drug addicts.

In France, state policy in the fight against drug addiction and drug trafficking is a complete ban on all types of drugs. French legislation generally complies with the international conventions ratified by France in 1961, 1971 and 1988, which prescribe prosecution for the possession and distribution of all substances classified as drugs [1].

The legal framework in the field of countering the spread of drugs in France is the laws of 1970, as well as of March 5, 2007, which focus on three areas:

- criminal prosecution of drug trafficking;
- prohibition of the use of all types of drugs;
- free anonymous treatment for drug addicts.

Moreover, it is worth noting that the country’s criminal policy directs prosecutors, if possible, to place maximum emphasis on abandoning repressive measures against drug users in favor of expanding the range of treatment and preventive measures with their further social adaptation, which is considered by many experts as a positive experience in France [2 ].

In 1987, new approaches to drug addicts were developed, prescribing to consider them from the point of view of social behavior, and not depending on the type of substances used. The corresponding instructions prescribed the use of differentiated sanctions: a warning in case of one-time use, referral of chronic drug addicts for treatment, criminal prosecution for drug use associated with their distribution and other offenses.

In addition, taking into account the ongoing liberal policy towards drug users, and as various sociological surveys show, the scale of drug use, especially the cannabis group, is increasing, all this forces law enforcement agencies to take a flexible approach when arresting drug addicts [3].

Given this policy of virtually “criminal impunity” for drug users, despite the fact that drug use, according to the law, is punishable by one year in prison and a fine of 3,750 euros, according to the police, they are simply trying to “turn a blind eye” on such drug addicts, avoiding wasting official time on bureaucratic red tape, which does not lead to criminal punishment for the perpetrators.

Therefore, police officers in most cases use this legislative norm as compromising material to contact suppliers, and refer consumers themselves for treatment.

The practical fight against drug addiction and substance abuse in France is focused on the consistent implementation of a number of government programs. The main attention is aimed at strengthening measures to prevent and reduce the use of drugs, psychotropic substances, alcohol abuse and smoking tobacco products, improving medical and special assistance to drug-dependent categories of the population.

Considering that a complete cure for chronic drug addicts, as is recognized here, is practically impossible, it is envisaged to create an alternative system for using less toxic drug replacement drugs, which should facilitate the gradual return of many of them to a normal lifestyle [4].

In 2013, France adopted a plan to combat drugs and addictive behaviors until 2017, which determines France’s strategy in this area for 4 years, which in its structure was divided into two parts (2013-2015, 2016- 2017) [5].

It was based on a similar document from the European Union. The main elements of the plan are as follows: Measures to develop programs to inform about the risks of drug addiction and help in getting rid of a bad habit. An information portal has been opened on the basis of the public group “Addictions, drogues, alcool info service” (ADALIS), which annually receives an average of about 150,000 telephone calls, 4 million letters via the Internet, and consultations are held on the “PANJO” program for helping young families. There are 24-hour hotlines and Internet sites for consultations with relatives of drug addicts.

The method of multilateral family therapy is being actively implemented (an integrated approach aimed at the active participation of relatives in treatment to accelerate the process of involving the drug addict in healthy social relationships). The methadone substitution therapy program is being expanded and access to it is being simplified, especially in penitentiary institutions. Adaptation of the European program to combat cannabinoid addiction for youth “Quit the shit” and the program “Break the cycle”, aimed at helping build healthy interpersonal relationships. Monitoring tools for hepatitis C and HIV are being developed in all addiction treatment centers and prisons.

Cooperation between justice agencies, law enforcement and public organizations. The importance of partnerships between Youth Counseling Centers and juvenile police units is emphasized.

Fight against drug trafficking. In accordance with the law on ensuring internal security (LOPPSI 2), video surveillance and control of port areas, transport routes, and information interaction between

various law enforcement agencies are being strengthened. It is planned to equip customs posts with spectrometers in order to promptly monitor the emergence and traffic of new synthetic drugs.

Much attention is paid to combating drug trafficking on the Internet. Control over the sale of medicines on the Internet is being strengthened, active search and blocking of access to sites selling drugs. The legislative framework is being revised to expand the list of grounds for establishing control over information flows (Internet, social networks, telephone communications).

Development of scientific research in the field of combating addiction. Introduction of a compulsory discipline in medical universities to study the psychology and behavior of drug addicts, establishment of master's programs and internships in this area. Rapid exchange of data from French laboratories with European ones within the framework of the Early Warning System program to identify new psychotropic substances. The leading body in France in the field of combating narcotic drugs and psychotropic substances is created in 1982 [6].

The Standing Commission to Combat Substance Abuse, which in 1996 was transformed into the Interministerial Commission to Combat Drugs and Substance Abuse (MILDT), which in 2014 was also reorganized into the Interministerial Commission to Combat Drugs and Addictive Behaviors (MILDECA) under the Office of the Prime Minister -Minister of France.

All participants in this process are considered as partners of MILDECA, they are provided with organizational, methodological, financial and other types of support. Particular attention is paid to achieving maximum efficiency of joint efforts of all parties interested in the fight against drug addiction with their optimal financing from both the state and private sources.

From the MILDECA budget, funds are allocated to specific executors of government decisions, as well as to the implementation of targeted programs and individual projects of various levels and scales within the competence of the commission. In addition, it finances such socially significant associations as the French Committee for Monitoring Drugs and Substance Abuse, and the Information and Methodological Center for the Study of Drug Addiction.

The organizational structure of MILDECA includes eight main functional departments, to the activities of which, taking into account their specifics, units of other relevant departments are connected.

For example, representatives of the ministries of education, sports, agriculture, etc. are jointly involved in issues of information and preventive work. The Ministry of Justice, the Ministry of Internal Affairs, the police, the gendarmerie, the customs service, etc. are involved in the strict observance and application of legislation in the fight against drugs.

The Ministry of Health and a number of specialized institutions participate in the work of the scientific and analytical department, incl. National Center for Scientific Research. The commission's international contacts are provided through the relevant structures of the French Foreign Ministry. It also has public relations services, coordination of projects and programs to combat drugs and substance abuse in the field, and a number of other units. The commission's staff is recruited and replenished from employees and specialists of various departments related to the occupation of its activities.

At the regional level, since 1985, committees to combat substance abuse functioned, and at the commune level, administrative commissions for the suppression of offenses dealt with this problem. To increase the efficiency of this work, in 1996, new structures-committees to combat drugs and substance abuse were formed in the office of prefects of territorial departments, which are designed to more effectively implement public policy and coordinate the actions of all departments, public organizations and individuals in this area [7].

MILDECA also includes the French Observatory on Drugs and Substance Abuse (OFDT), which provides research support, involving, if necessary, various competent authorities. Thus, currently OFDT operates within the framework of about 15 approved government programs. For example, the ARAMIS research project is aimed at studying the reasons and motives for taking drugs, as well as identifying figurative associations among schoolchildren with various psychostimulant products (alcohol, smoking, marijuana and other drugs).

The Baro Santé project involves studying the health of people from 11 to 85 years old, in the context of their use of psychostimulant products and their impact on health, establishing connections that caused certain diseases [8].

The ENa-CAARUD project is carried out to study people who regularly use drugs. The task is to survey the drug addict being surveyed for certain factors: use (frequency, age when he tried drugs for the first time), method of use (injections, use of an unsterile needle), infectious diseases, social status, level of education, area of residence, social circle [9].

The EROPP project is aimed at telephone surveys regarding the opinions of the French regarding alcohol, smoking, drugs, as well as assessing the actions of government authorities in the fight against their abuses [10].

A number of research projects are also being conducted in the field of health care, the distribution of drugs via the Internet or through deliveries from abroad, identifying the approximate number of people suffering from psychological addictions to gambling, the Internet, social networks, etc., establishing various specific significant facts-indicators for subsequent analyzing the research results and taking appropriate measures to regulate processes in this area.

In France, there is a constant discussion of a range of issues related to the prevention and control of drug addiction, taking into account the many complex socio-economic aspects of this problem. Various social activities, incl. specific initiatives and projects of various organizations, associations, and individuals contribute to high public awareness on this issue.

Public attention, in turn, stimulates the government and government agencies to make fairly energetic efforts to combat drug trafficking and drug addiction, improve relevant legislation, and expand international cooperation with all interested partners.

Taking into account the trend in many countries towards a constant increase in drug use among young people, the French experience, despite all the difficulties encountered, is regarded as positive and is of interest to teachers of educational institutions and specialists involved in drug prevention among children and adolescents [11].

The French approach consists of comprehensive actions in the sense of prevention and prevention, which require coordinated interaction of all members of the anti-drug team (teachers, educators, doctors, psychologists, parents, associations, police, territorial authorities, etc.).

Moreover, preventive anti-drug work within schools in various forms (health clubs, healthy lifestyles, committees for the education of a healthy lifestyle, committees for the education of a healthy lifestyle and citizenship, etc.) is actively developing in France. Preventive work is also being actively carried out in French schools at the level of secondary prevention of drug abuse (that is, for persons who occasionally use drugs), and not at the primary level, preventing initiation into drug use.

France actively participates in the work of the special commission of the European Union dealing with all aspects of drug issues. During its meetings, issues of a common policy are discussed and common approaches are developed within the framework of joint activities of EU member states in this area.



France, based on the concept of “all drugs are illegal,” pursues a consistent line of tough combat against any form of their distribution with the most tolerant attitude towards drug-dependent categories of the population [12].

It is worth noting that on October 11, 2016, as part of the modernization of the Health Care Law, a drug-liberal law was adopted, related to the opening of a Center for the Controlled Use of Drugs in Paris. This initiative was put forward in 2010 with the idea of creating centers in France where those suffering from drug addiction can take a dose in proper sanitary conditions, with sterile syringes and under the supervision of health workers, in order to avoid the spread of many diseases, in particular, such as AIDS and hepatitis.

According to health officials, this method does not promote cessation of drug use, but makes it possible to involve patients who find themselves outside of society into the system of combating drug addiction, and the experience of neighboring countries has allegedly shown the benefits of such places for the prevention of hepatitis C and HIV.

The mayor of Paris, Anne Hidalgo, said at the opening of this center that “...We are leaving the door open to people who have nowhere else to go...”. Moreover, an attempt to open a safe consumption hall in France was already made in 2013.

The experiment was then approved by the National Assembly, but the Council of State (the highest court) rejected it as not complying with the Narcotics Law due to the non-medical nature of these institutions. Debate over this experiment has continued since 2010.

Most Republicans oppose it, believing that the existing system of combating drug addiction has proven its effectiveness and should be further developed. Supervised drug consumption centers are an expensive project that does not solve the drug problem, and the government de facto legitimizes and encourages their use.

Supporters of this project note that the main goals are to reduce overdose mortality and prevent the spread of dangerous infectious diseases. The centers will be located in areas where the concentration of drug addicts is already large, and therefore will strengthen public order, and, according to them, the cost of the project is negligible compared to the funds allocated for the fight against drugs. Thus, at present it is difficult to answer unambiguously whether this will be a positive experience for France or, on the contrary, will aggravate the current situation [13].

Also noteworthy are the ongoing attempts in France to legalize marijuana. For example, in January 2015, a senator from the Green party put forward a bill to legalize marijuana in order to reduce the number of criminal prosecutions and create additional revenue for the country's budget. Under this initiative, marijuana would be made available for recreational use by adult consumers.

In her words, “The paradox is that in Europe, French laws against marijuana smokers are among the strictest, and the number of users continues to grow steadily. Compared to Holland, for example, France lags far behind: we have a strong crackdown on drugs and our laws are based on punishment rather than prevention.”

She also said that two million people use cannabis in France, and her bill to legalize marijuana “will end dealers, create 35,000 jobs and bring billions of euros into the treasury in taxes.” In April 2015, this proposal to legalize and regulate marijuana in the country was rejected. Most of the objections of opponents of reforms are justified by moral standards.

The arguments of legalization supporters are that the ban on the free circulation of marijuana does not prevent its use, but contributes to the strengthening and growth of organized crime, which is becoming

increasingly widespread in France. Free circulation of cannabis would eliminate the existence of drug crime, which, in essence, is a product of drug prohibition.

The main tasks of the projects are:

- collection, accumulation, analysis of information and taking measures to counter the spread of drugs;
- providing law enforcement agencies with the necessary information to identify the most active transnational criminal organizations involved in the supply of drugs;
- assistance in establishing links between transnational criminal organizations and suppliers of these drugs;
- performing the functions of a centralized array of information on illegal trafficking, seizure of drugs, and investigation of crimes regarding this type of drugs by national law enforcement agencies;
- conducting drug research.

The General Secretariat of Interpol, in accordance with the established procedure, provides information from forensic records and data banks to member countries of Interpol:

- about persons involved in cases related to drug trafficking;
- about criminal communities involved in drug trafficking;
- about the fact of drug seizure;
- about the main types of narcotic drugs or psychotropic substances available in illicit trafficking;
- about new types of drugs appearing in circulation;
- about methods of illegal drug production, the most common packaging methods, identified clandestine laboratories;
- about transportation channels and methods of concealment;
- reviews of statistics and law enforcement activities (analysis of drug seizures, trends in the fight against drug trafficking, information materials on the activities of specialized police services in various countries).

When investigating crimes of a transnational nature related to drug trafficking, Interpol's capabilities allow us to obtain significant information and contribute to the resolution of many crimes.

In addition, in 1971, on the initiative of French President Georges Pompidou, the Pompidou Group was created within the Council of Europe (headquarters in Strasbourg, France), with the goal of combating illegal drug use and trafficking. Currently, 35 states participate in the work of the Group.

The group also includes the European Commission. The USA and Canada participate in some programs on an ad hoc basis. The task of this group is to promote the development of modern, multifaceted, effective and informed policies in the fight against drugs in the participating States.

Moreover, this group works with all structures involved in the fight against drug addiction: health care, social services, education, justice, law enforcement, as well as services dealing with youth and sports, and is the basis for coordinated actions within Europe. The Group also plays the role of a forum in which officials, experts and specialists exchange best practices in the fight against illicit drug trafficking.

Summing up the analysis of the national anti-drug strategy of France, we note that the main directions of this activity are the promotion of preventive policies aimed at reducing the demand and supply of narcotic drugs and psychotropic substances, the development of various centers for the provision of assistance and rehabilitation of drug addicts, stimulating their return to public life.

Today, France has a consolidated and diversified network of programs and various resources prepared and presented for people who use drugs. The programs involve both public and private organizations

with government funding. Drug addicts undergo both outpatient treatment and substitution treatment. The state regards combating drug trafficking as one of the most important tasks of law enforcement agencies and provides great support to effective institutions aimed at combating drug crime. Today, France combines rational legislation with aggressive, intensive and dynamic preventive, educational and educational work in the field of combating drug addiction, with the desire and determination to maintain the precarious parity between individual freedom and the health of the nation.

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