

Copyright © 2023 The author/s

This work is licensed under a CC-BY 4.0 license

(*) Corresponding author

Peer review method: Double-blind

Review article

DOI: <https://doi.org/10.47305/JLIA2393516r>


Received: 15.07.2023 · Revised: 29.09.2023 · Accepted: 10.10.2023 · Published: 26.12.2023




PREVENTION AND DETECTION OF CRIME WITH NARCOTICS (DRUGS) IN THE REPUBLIC OF NORTH MACEDONIA

Muhamet Racaj¹, Arben Agushi^{2*}, Arianit Racaj³

¹College "Biznesi" -Pristina, Republic of Kosovo  <https://orcid.org/0000-0003-0403-928X> ✉ muhamet.racaj@kolegijbiznesi.com

²College "Biznesi" -Pristina, Republic of Kosovo  <https://orcid.org/0009-0005-8375-5832> ✉ arben.agushi@kolegijbiznesi.com

³Army of the Republic of North Macedonia  <https://orcid.org/0009-0008-0319-2841> ✉ arianit.racaj@hotmail.com

Abstract: *Drug abuse constitutes a significant societal and health challenge in the Republic of North Macedonia, the broader region, and globally. The detrimental consequences, stemming from both direct and indirect effects, profoundly impacted individuals, families, and society, extending to jeopardizing state security. The paper aimed to scrutinize the implementation of the criminal legislation of the Republic of North Macedonia concerning the prevention and detection of criminality involving narcotic substances (drugs) and the penalization of offenders engaged in illegal trafficking and unauthorized production of drugs. Employing the theory of change, which centered on identifying realistic positive transformations in the short and long term, coupled with applying the statistical method, the paper offered an overview of the number of criminal offenses. This overview was based on the official statistical data the Ministry of Internal Affairs provided for 2017 to 2022. Subsequently, the paper extended its focus to international cooperation, engaging in a comprehensive discussion on preventing and detecting criminality involving narcotic substances.*

Keywords: *Drugs; Psychotropic Substances; Precursors; Criminal Offences; Crime Prevention; International Cooperation; North Macedonia*

INTRODUCTION

The historical tapestry of drug and psychoactive substance use dates back to the earliest documented civilizations, with evidence suggesting their presence as far back as the ancient Sumer civilization founded in Mesopotamia. Archaeological findings in places such as Nepur reveal the existence of medical prescriptions inscribed on clays, highlighting the long-standing prevalence of this phenomenon. While the roots of drug use trace deep into history, the contemporary lens frames it as a multifaceted challenge intertwined with various societal issues, including poverty, unemployment, delinquency, prostitution, criminality, and disharmony within families. The gravity of this situation compels states to prioritize it on the national security and public health agenda, recognizing the severe threats drugs and narcotic substances pose to individuals, states, and the international system. In response to this pervasive issue, nations have undertaken legal measures, enshrining actions related to the cultivation, production, transportation, sale, and use of drugs in their laws.

The fight against drugs has transcended national borders, making it an international imperative. The United Nations, designating June 26 (since 1989) as the UN International Day against Drug Abuse and Illicit Trafficking, underscores the global commitment to ensuring the health, dignity, and safety of individuals and societies. As the fight against drugs gains momentum, this article delves

into the European landscape, drawing insights from the European drug reports. Alarming statistics reveal that despite efforts, the availability of drugs remains high, with millions of adults engaging in illegal drug use. Cocaine, in particular, has seen an alarming surge, with record-breaking confiscations indicating a growing role in Europe's drug problem.

Within this context, the Republic of North Macedonia emerges as a critical player due to its strategic position, serving as a transit country and a drug trafficking route from east to west. Criminal elements exploit the country's borders and its illegal entry and exit points, facilitating the flow of narcotic substances. Addressing these challenges, the Republic of North Macedonia has aligned itself with international conventions, committing to prevent and combat organized crime related to narcotics. This article explores the legal, social, and medical aspects of the Republic of North Macedonia's efforts to fulfill its obligations, mitigating the consequences of drug use on public health, societal order, and security.

THE NOTION AND TYPES OF NARCOTICS (DRUGS)

The notion of "drug" can be understood in the broadest sense of the word, including substances for legal and illegal use within the pharmaceutical industry. It is supposed to be derived from Arabic, which means healing agent. The term "drug" is used for the first time in an English publication of 1327 (Medical Encyclopedia 1959, 368-369), while in the 15th century, we also encounter this term in the medical literature of France and Italy.

By the notion of "narcotic", we mean any substance that provokes a state of "numbness" or artificial sleep. This substance slows down vital functions and psychic activity and reduces sensitivity. Simultaneously, the term "psychotropic" encompasses any substance that influences the psyche by altering mental functioning and inducing changes in perceptions, mood, consciousness, behavior, and various psychological and organic functions. The term "psychotropic" denotes an action providing a direction (trope) in spirits or behavior (psycho). Generally, narcotics and psychotropic (psychoactive) substances are chemicals that impact both the human body and mind. Their usage has the potential to result in physical and psychological dependence (Harney and Cross 1975, 328).

The production of synthetic drugs and psychotropic substances is unthinkable without the use of certain chemical substances (chemicals) known as precursors. These chemicals are used in the pharmaceutical and chemical industries to produce dyes, varnishes, adhesives, synthetic materials, perfumes, and other chemicals. The precursor is any natural or synthetic substance that can be used for the production of opioid drugs and is included in the list of precursors following international conventions on the control of opioid drugs. With the International Convention of 1988, control was placed on the production and circulation of precursors in order to stop (prohibit) their misuse in the illegal production of opioid drugs and psychotropic substances, as well as due to the protection of life and health of people as and protecting the living environment from their harmful influence.

Types of Drugs

The drug can be solid (crack), liquid (alcohol), or gaseous (inhalant). Regardless of the way they are obtained, all intoxicating drugs and narcotic drinks generally have the same effects. However, it happens that artificially obtained narcotics have a more substantial effect than natural ones.

The well-known German scientist Lewin, with the help of two French neuropsychiatrists, Deloay and Deniker, 1957 classified the drugs known until then according to the main effects that their use gave.

The World Health Organization also supports this classification, which remains the primary classification for pharmacologists (Sokoli 1999). Based on their pharmacological and psychological effects, narcotics are divided into three main groups: stimulants, hallucinogens, and depressants.

Stimulant drugs are also known as “uppers” because they manage to raise the emotional state of a person. They speed up the body’s functions, increase heart rate, body temperature, and blood pressure, dampen fatigue and exhaustion, reduce appetite, and make the user nervous. Taking large amounts of stimulants causes anxiety, panic, seizures, headaches and stomachaches, aggression, paranoia about persecution, etc. Some authors point out that stimulants are narcotics that can keep a person in a good physical and mental state when they are tired (Oakley, Hart, and Ksir 2010). At the same time, Ramaljak (2007) points out the impact that stimulants have in a particular way on the central nervous system (CNS), bringing increased inner vitality, increased intelligence, and reduced appetite. Stimulants are categorized into mild and strong.

Mild stimulants include caffeine (in tea, coffee, and cola drinks, for example, Coca-Cola), nicotine (in tobacco), and ephedrine (used in asthma and allergy medications). Of these, coffee and tobacco are used more by young people.

Strong stimulants include methamphetamine, cocaine, ecstasy, and slimming tablets (Duromoni, Tenuate Dospan, Ponderaks) (Kazdin 2000, 94-104). Young people mostly use ecstasy and cocaine.

Hallucinogenic drugs profoundly alter the perception of reality, leading users to perceive sights and hear voices that have no actual existence. Although some of these substances are synthetically produced for legal medical use, today, the majority of them are categorized as illegal drugs (Arifi 2008, 22-130). Despite certain compounds being developed for medicinal purposes, their predominant usage falls within the realm of illegal substances.

Individuals under the influence of hallucinogens may experience visual, auditory, and sensory perceptions of non-existent entities or encounter distorted realities. Common effects include emotional and psychological euphoria, heightened talkativeness, excessive laughter, sweating, panic, paranoia, loss of contact with reality, peculiar behavior, and the onset of distressing and terrifying thoughts. Noteworthy examples of popular hallucinogens encompass marijuana, hashish, hashish oil, PCP (phencyclidine), LSD (lysergic acid diethylamide or acid), ibogaine, mescaline, and scopolamine, among others.

People from various countries have historically used chemical agents to induce sleep, reduce stress, and calm anxieties. These chemical agents are known as depressants, which have been available to humans for less than 100 years (Klosterman 2006, 8). These substances affect the central nervous system, specifically the brain’s foci of wakefulness and sleep. People who are under the influence of depressants pronounce words badly, have obstacles when walking, have slow reflexes, lose consciousness, and fall into a coma. If consumed in small quantities, they give calming effects, but if consumed in large quantities, they cause deep sleep until death (Hanson, Venturellii, and Fleckenstein 2011). This group includes opium, morphine, heroin, barbiturates, methadone, inhalants, steroids, etc.

In the Republic of North Macedonia, the most used drug among the population that has used drugs at least once in their life is cannabis, and it is most often used by the young population aged 15 to 34. Among those who have used drugs in the past year, the second most used drug is ecstasy. In the group who have used drugs at least once in the past month, the second most used drug is heroin. The average age of the general population when they first used cannabis is 17.8 years old. As for other drugs, the lowest age of 13 and under when they used drugs for the first time refers to the use of cocaine and ecstasy, respectively 9.7% and 8.1% (National Strategy for Drugs of the Republic of North Macedonia 2021-2025 with Action Plan 2021-2023).

INTERNATIONAL INSTITUTIONS AND THEIR EFFORTS TO COMBAT DRUGS AND PSYCHOTROPIC SUBSTANCES

To combat drugs and psychotropic substances at the international level, specialized institutions were established for this purpose. Although the anti-drug efforts are undergoing a shift in direction due to the perceived failure of previous repressive approaches, these international institutions now prioritize supervision of drugs, implementation of various programs, and place particular emphasis on prevention, treatment, rehabilitation, resocialization, and legalization. The overarching goal is to mitigate and reduce harm in society. Therefore, the text below will present the selected international institutions.

The United Nations Office on Drugs and Crime (UNODC) is the organization that leads the global fight against illicit drugs and international crime. The UNODC's work program is based on the following pillars: technical cooperation projects on the ground to increase the capacities of States to fight illegal drugs, crime, and terrorism, research and studies to expand knowledge about drug and crime issues, and normative work to assist States in the ratification and implementation of international treaties and the development of domestic legislation in the field of drugs, crime, and terrorism (UNODC 2023).

The cooperation of the Republic of North Macedonia with UNODC is focused on implementing the Regional Program for Southeast Europe entitled "Fight Against Illegal Trafficking and Organized Crime to Improve Governance, Justice and Security" for the period 2012-2015. The progress of the program is supervised by the Special Committee for the countries of South-Eastern Europe, which meets in Vienna twice a year. North Macedonia has fully supported UNODC's new regional project for Southeast Europe. The project has been implemented since January 2020 in Bosnia and Herzegovina, Montenegro, Serbia, the Republic of North Macedonia, and Kosovo and will last until December 2023. The UNODC program implemented in the country and region was presented with a particular reference to the joint EU and UNODC projects to promote the rule of law and good governance through targeted border and airport control measures. The joint action is envisaged following the Container Control Program of UNODC and the World Customs Organization (UNODC-WCO Container Control Programme) and the UNODC, WCO and Interpol Airport Communication Project (UNODC-WCO-INTERPOL Airport Communication Project) (Customs Administration 2022, 31).

EMCDDA is the European Union Agency based in Lisbon, which provides data on the drug situation and responses to this problem in Europe. This agency provides a high-level overview and analysis of drug-related trends and developments through reports. Their reports aim to serve states

as a valuable tool for European and national policymakers and planners who wish to base their strategies and interventions on the latest information.

EUROPOL was established with the so-called Schengen Agreement (motivated by the desire to achieve more significant progress than what has been achieved within the context of the European Union, on June 14, 1985, Belgium, the Netherlands, Luxembourg, Germany, and France signed the Schengen Agreement for the gradual removal of common border controls, while a separate Convention (June 19, 1990) or the so-called "Implementation Convention" was signed to implement this) (Racaj 2012, 80), which regulates security issues after the unification of Europe and the removal of international border controls. Its headquarters is in The Hague, and it started its work in 1999. EUROPOL's internal organization corresponds to its position as a supranational body established by international agreement (Convention). The task of EUROPOL is to improve the cooperation between the police and the governments of the Member States and to increase the efficiency in avoiding the most severe forms of organized crime, which undermines the security system in Europe. Special attention is paid to the drug trade, uncovering the clandestine migration network in the European Union, elimination of terrorism, theft and illegal trade in automobiles, human trafficking, including child pornography, counterfeiting of money (euros) in the European Union, money laundering, etc. (EUROPOL 2023). In addition to those mentioned, EUROPOL also deals with eliminating financial and criminal crimes and the most serious crimes against persons if they are involved in crimes in two or more Member States (Racaj, Dimovski, and Racaj 2021, 211).

INTERPOL plays a central role in combating international drug trafficking, considering it as a typical form of organized crime handled by well-organized international criminal organizations. The Directorate for the fight against illegal drug trafficking functions under the specialized Directorate of INTERPOL. The essential role of this sub-directorate is collecting, comparing, analyzing, and dispersing data on illegal narcotics trafficking, controlling and monitoring the situation regarding the misuse of narcotics on a global scale, coordinating international investigations, maintaining connections with the UN and its specialized agencies, as well as with other international and regional organizations involved in the fight against illegal drug trafficking (INTERPOL 2019). One of its most important activities is to serve as the primary source of drug-related professional and technical advice for the needs of the General Assembly, the INTERPOL Executive Committee, and the National Central Bureau (Nikolova 2020, 75).

The Drug Enforcement Administration (DEA), operating within the US Department of Justice, is the primary agency dedicated to combating drug trafficking. It also serves as the central entity working towards the implementation and enforcement of laws related to the control of narcotic substances.

In addition to the institutions above, other bodies are dealing with the fight against drugs, such as ECDC - European Center for Disease Prevention and Control, European Medicines Agency (EMA), World Health Organization (WHO), World Customs Organization, European School Project on Alcohol and Other Drugs (ESPAD), Core Group of Europe for the analysis of sewerage (SCORE), European Drug Emergencies Network (Euro-DEN), Reitox (European drug information network and drug addiction), UN Interregional Institute for the Study of Crime and Justice (UNICRI) Roma, UN Center for International Crime Prevention (ICCP) Vienna, International Scientific and Professional Council of the UN Program for Crime Prevention and Justice Penela (ISPAC), the International

Criminal Investigation and Training Assistance Program (ICITAP) from the US Department of Justice, etc.

The problem of illegal trade in narcotic substances nowadays shows no signs of decreasing, despite the repressive measures taken, so many countries have begun to take preventive measures in this direction in cooperation with the UN, the International Organizations for the Control of Drugs of the UN's International Drug Control Program trying to stop the production of heroin in Afghanistan and Mansari when it is known that these two countries are the largest producers of opium in the world, as the largest Afghan heroin registry is known it is Europe, with over 80% (Express Newspaper 2021).

North Macedonia cooperates with all the above-mentioned international institutions and regional countries for the prevention and detection of criminality with narcotic substances and drugs. It has ratified several international conventions in this field: the UN Single Convention on Narcotic Drugs from 1961 (supplemented by the protocol from 1972), the Convention on Psychotropic Substances from 1971, the Convention against the Illicit Sale of Narcotic Drugs and Psychotropic Substances from 1988, the European Convention on Human Rights as well as numerous other declarations, statutes, and regulations. It also has and continues to have an obligation to report to international institutions on the issue of drugs and participate in joint initiatives and actions implemented by international institutions. These relations need to be further strengthened, just like the reporting system for the current Republic of North Macedonia circumstances. The EU accession process imposes obligations regarding data management, and national capacities will need to be strengthened by establishing databases in line with international standards and producing reports using this data. The Republic of North Macedonia, a member of the Pompidou Group within the Council of Europe, actively engages in the group's efforts on prevention, treatment, and supply reduction (National Strategy for Drugs 2021-2025, 23).

PREVENTION OF CRIMINALITY WITH NARCOTIC SUBSTANCES (DRUGS) IN THE REPUBLIC OF NORTH MACEDONIA

The Notion of Prevention

The term "prevention" is understood as comprising two semantic parts.

First, prevention means intervention. To act in a preventive way is to intervene in some way and determine the means. Nevertheless, the essential moment in understanding prevention is summed up in the prefix "pre-". This prefix means that when it comes to prevention, it is the kind that will be done before the side effects manifest. According to this, by the notion of crime prevention, we mean the use of all means and measures that aim to prevent the occurrence of any form of criminality. This simple definition is correct, at the same time, and broad if, substantively, the problem of prevention is analyzed in the current criminological practice.

Some authors define prevention as only the activities undertaken for crime prevention by the public and local communities, not by the state police. Although in modern criminology, the notion of crime prevention most often means that the police do not act in a preventive way but in a reactive way, on the other hand, certain police activities are still meant to be preventive in nature (Milutinovic 1984). Specific authors think that prevention should not consider legal actions aimed at preventing the

occurrence of crime. However, these should be the basis for preventive actions by public opinion, bodies, and services. Thus, for example, Van Dijk (1981) defines prevention as “the totality of all political tools, measures, and techniques that are outside the criminal law system and are aimed at reducing the various types of damage caused by the actions carried out, which the state defines them as criminal actions”. Some argue that the preventive strategy should be constructed on the foundation of positive legislation. This implies that criminal laws derived from such legislation should serve as the cornerstone for any preventive strategy.

Other definitions of prevention are equally broad to the one proposed. For example, “prevention is often defined as an activity oriented towards the prevention of the mechanisms that lead to the occurrence of criminal offenses” (Racaj 2019, 113). In this approach, emphasis is placed on the mechanism, signifying that preventive efforts should be directed toward eliminating the conditions and causes that give rise to crime.

Based on this analysis, a comprehensive definition of crime prevention can be formulated, one that is broader than the previous one we provided at the beginning:

By the notion of prevention, we mean the use of all means and measures for the mobilization of individuals, social groups, organizations and institutions for the prevention of these occurrences and phenomena, which are not in accordance with criminal legislation and cause harm to individuals, social groups or society in general (Racaj 2019, 112).

In daily practice, the modern policies of many states, bodies, and social institutions act to prevent crime as special powers, which are considered carriers of this activity. These carriers of preventive activities can be many and different because they have different actions according to the manifestations from one state to another. Various bodies and institutions aim to address specific and highly significant issues de facto by engaging in the ongoing and continuous task of preventive crime suppression. This preventive crime suppression is perceived as a process for mitigating and quelling criminal influences in developing an individual’s negative character, falling within social regulation. This process necessitates the systematic organization and execution of preventive measures and actions. These measures are carried out across various facets of social life and should constitute an interconnected system. Only in this manner can they effectively prevent crime and individual deviations within different social groups. This must be an ongoing and systematic endeavor, utilizing all available tools and measures.

Prevention should be grounded in an extensive array of anti-criminal measures, which will take diverse forms and content, manifesting their attributes wherever criminogenic influences are encountered. Consequently, it can be deduced that prevention is an integral component of society’s overall social regulation system. For the prevention process to succeed, adherence to certain principles in the fight against crime is imperative, ensuring effectiveness. Some of the fundamental principles include:

- Legality;
- Humanism;
- Broad engagement of citizens and social associations in preventive activity;
- Connectivity and compatibility with the activities of all subjects in a single system of state prevention and

- The scientific basis of all preventive measures and actions undertaken (Racaj 2019, 112).

According to the National Strategy for Drugs in the Republic of North Macedonia for the period 2021-2025, drug use prevention primarily falls under the purview of the healthcare system. This is primarily accomplished through the efforts of healthcare professionals within healthcare institutions.

These professionals periodically provide lectures and education on these topics in primary and secondary schools, following a specific plan.

It is evident that the issue of systematic education, not only for young people but also for the teaching staff, has persisted for a long time. In contrast, the previous strategy failed to realize this crucial aspect of prevention within the education sector.

While some civil society organizations and youth groups have sporadically conducted educational activities in this field, these efforts are insufficient and do not encompass the entire education system. The strategy calls for a robust educational policy to discourage drug use among young people and promote a healthy lifestyle. To achieve this, the Ministry of Education and Science should collaborate with youth associations, parent councils, and other national and local organizations to develop appropriate programs.

The integration of content related to the harms caused by drug use into primary and secondary educational curricula is currently haphazard, with some content included in courses on personal development or life skills. Unfortunately, much of the existing content is stigmatizing, discriminatory, and fosters prejudice.

The new Law on Primary Education, focusing on social inclusion, and the anticipated adoption of the new Law on secondary education provide an excellent foundation for introducing age-appropriate educational content and methods for children. However, it is worth noting that the comprehensive strategy for education from 2018 to 2025 does not outline specific measures in this regard.

DETECTION OF CRIMINALITY WITH NARCOTIC SUBSTANCES IN NORTH MACEDONIA

Fulfilling the obligations arising from international conventions and various agreements for the prevention and fight against organized crime with narcotics and the phenomenon of drug addiction as a result of the misuse and consumption of various narcotic substances or drugs and endangering the health of the population, order, and public safety.

In the Republic of North Macedonia, more laws and by-laws cover drugs and actions for the prevention of illegal drug production, illegal drug trafficking, health protection, integration of people with drug use disorders in society and similar, where the primary laws are: Law on the Control of Narcotic Drugs and Psychotropic Substances, Law on Precursors, Customs Law, Criminal Code, Law on Execution of Sanctions, Law on Health Care, Law on Social Protection, etc.

The Criminal Code of the Republic of North Macedonia defines three criminal offenses related to drugs: Article 215 "Unauthorized production and distribution of narcotic drugs, psychotropic substances and precursors" (Criminal Code of the Republic of North Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 04/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09 51/11 - two amendments and additions, 135/11, 185/11, 142/13, 166/12, 55/13, 82/13, and Decisions of the Constitutional Court of the Republic of Macedonia, No. 220/2000,

210/2001, 206/2003, 228/2005), Article 216 “Enabling the use of narcotic drugs” (Criminal Code of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12), and Article 217 “Serious offenses against people’s health” (Criminal Code of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Article 217 deals with sanctioning perpetrators of criminal offenses from the two articles above. The legislators clearly describe these articles and fall under chapter XXI of the Criminal Code named “Criminal Offenses against human health”.

The Ministry of Internal Affairs (MOI) and the Customs Directorate are responsible for detecting, verifying, and clarifying crimes related to the Criminal Code Articles 215, 216, and Article 217 related to drugs. These institutions are one of the main actors in the detection function in the processes of combating illegal drug trafficking. As a member of the inter-institutional commission, the MOI influences the creation of policies and programs for interventions related to reducing the supply of drugs. Also, the MOI has established cooperation with local and international factors regarding reporting, coordination, and exchange of best practices in combating illegal trade. Among other things, “the Customs Directorate is responsible for implementing customs control measures, investigative and intelligence measures in order to prevent, detect and investigate customs offenses and crimes” (National Strategy for Drugs 2021-2025, 31).

Police officials in North Macedonia are responsible for uncovering, proving, and clearing drug-related crimes, including narcotics-related crimes, on local and national levels, with support from other countries or international organizations globally. At the same time, police officials are responsible for maintaining law and order and public safety. Hence, it is in their competence to act in cases of violation of public law and order by persons who use drugs using drugs in public spaces and can issue misdemeanor-level sanctions and confiscation of the found drugs. The responsibilities of the police arise from the Law on Internal Affairs, Law on Police, and Law on Misdemeanors against Public Law and Order (Hadzievska 2018).

The Criminal Code articles will be detailed in the text below. An overview of the number of criminal offenses will be presented by applying the statistical method. The results will be based on the official statistical data of the Ministry of Internal Affairs of the Republic of North Macedonia from 2017 to 2022.

For the criminal offense “Unauthorized production and release into circulation of narcotic drugs, psychotropic substances, and precursors”, several serious forms are defined, for which severe criminal sanctions are foreseen. Specifically, for the production, processing, possession, purchase, sale, transportation, and trade without authorization of narcotic and psychotropic substances or precursors, the perpetrator is sentenced to imprisonment from three to ten years. This criminal offense is considered committed when the person does it only intentionally (Article 215, Penal Code of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Table 1 presents an overview of the commission of this criminal offense and its perpetrators.

Table 1: Overview of the Criminal Offense Committed and the Perpetrators - Unauthorized Production and Release into Circulation of Narcotic Drugs, Psychotropic Substances, and Precursors (Article 215 of the Criminal Code of the Republic of North Macedonia) in the period 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)

Article 215 - Unauthorized Production and Release into Circulation of Narcotic Drugs, Psychotropic Substances, and Precursors	2017	2018	2019	2020	2021	2022
Recorded Criminal Offences	464	673	763	628	600	643
Perpetrators of Registered Criminal Offenses	532	782	863	857	728	862

The comparative overview of committed criminal offenses from Article 215 of the Criminal Code of the Republic of North Macedonia, as well as the number of perpetrators of this criminal offense from 2017 to 2022, is presented in Table 1. According to the available statistical data, we can conclude that the number of criminal offenses is increasing, from 464 in 2017 to 763 in 2019, while the number of criminal offenses continues to decrease. However, compared to the number of criminal offenses for the five years, it is observed that the number is increasing, namely from 464 criminal offenses in 2017 to 643 criminal offenses in 2022. As for the perpetrators of criminal offenses, we can conclude that the number of perpetrators is also increasing from 532 in 2017. In 2022, the number of perpetrators increased to 862.

For the criminal offense “Enable the use of narcotic drugs” of one to five years, the person who incites another to consume narcotics or precursors or offers narcotics, psychotropic substances, and precursors to be consumed by himself or given to others for consumption, is punished any other person or will make available the space for consumption of narcotics or precursors, or in any of the other ways makes it possible for others to consume narcotics or psychotropic substances and precursors.

Consequently, this criminal offense is considered committed when it is done only on purpose. Alternative actions determine the method of execution. The most severe form of criminal offense is considered when it is committed against a minor or several persons or when it has caused severe consequences (Article 216, Penal Code of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Table 2 presents a clear overview of this criminal offense’s commission and its perpetrators.

Table 2: Overview of The Criminal Offense Committed in General and the Perpetrators of the Criminal Offense - Enabling the Use of Narcotic Drugs (Article 216 of the Criminal Code of the Republic of North Macedonia) for the period from 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)

Article 16 - Enabling the Use of Narcotic Drugs	2017	2018	2019	2020	2021	2022
Recorded Criminal Offences	88	116	133	105	101	97
Perpetrators of Registered Criminal Offenses	97	123	141		112	

Table 2 shows that the number of criminal offenses is increasing, from 88 in 2017 to 133 in 2019, while there is a decrease in the number of criminal offenses. However, comparing the number of criminal offenses for the five years, it is observed that the number is increasing from 88 criminal

offenses in 2017 to 97 in 2022. As for the perpetrators of criminal offenses, we can conclude that the number of perpetrators over the years has also increased from 97 in 2017 to 112 in 2021. Official data on perpetrators for 2020 and 2022 is not available.

Table 3: Total Drug Confiscation by Type and Quantity - according to Articles 215 and 216 for the period 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)

Confiscation	2017	2018	2019	2020	2021	2022
Marijuana in kg	510.18	1.532.43	9.7721	1.890	1. 869	2.973,7
Heroin in kg	1.401	1.970	0.736	16.5	6.053	2.3559
Cocaine in kg	0.263	0.586	0.8523	2.38	0.604	2.736
Cannabis Trunk in kg	0.389	0.819	0.131	0.329	1.658	20.733
Ecstasy Tablets in kg	1.187	0.472	0.409	6.543	1.586	0.349

Table 3 indicates a noteworthy trend in the confiscation of marijuana over the years. In 2017, the quantity confiscated was 510.18 kg, which has surged to 2.973,7 kg by 2022. For heroin, there has been a consistent increase in confiscated amounts over the same period, escalating from 1.401 kg in 2017 to 2.3559 grams, or 2.3 kg, in 2022. In the case of confiscated cocaine, there has been a slight increase in the quantities confiscated, rising from 0.263 kg in 2017 to 2.723 kg in 2022. Simultaneously, for cannabis trunks, we also see an increase in the quantities confiscated, with the numbers climbing from 0.389 kg in 2017 to 20.373 kg in 2022. However, when it comes to ecstasy tablets, there has been a decline in the quantities confiscated. Specifically, the figure has dropped from 1,187 kg in the initial year to 0.349 kg in 2022.

CONCLUSION

Preventing and combating narcotic substances is, and will remain, a pressing global issue. It is a subject of extensive discussion among experts from various fields, representatives of international organizations, non-governmental organizations in North Macedonia, and numerous countries worldwide, including world leaders. The aim is to find effective solutions to address this phenomenon in society.

Successful prevention of criminal activity related to the illegal trade of narcotic substances hinges on correctly defining the goals, objectives, and means to achieve them. The development of this prevention and combat effort can be categorized into two dimensions: theoretical and practical.

The theoretical aspect of preventing and combatting criminal activity associated with the illegal trade of narcotic substances pertains to fundamental principles and the accurate delineation of theoretical concepts to prevent criminal actions. On the practical front, it extends to enacting criminal legislation and rigorously implementing it in practice. This requires that legal and penal institutions and bodies, such as courts, the prosecutor’s office, and law enforcement agencies, operate professionally and efficiently.

The issue of illegal drug trade is persisting without signs of decline in today’s world, despite the repressive measures that have been implemented. Consequently, many countries are now adopting preventive measures in collaboration with international bodies such as the UN and the

International Organizations for Drug Control as part of the UN International Drug Control Programme.

Numerous efforts and battles against drug abuse, both at the national and international levels, have proven ineffective. Many states have found themselves powerless in this pervasive and deeply concerning societal issue. It can be observed that the current campaign against drugs and narcotic substances is, in essence, a “losing war”. The cultivation, production, distribution, consumption, and abuse of drugs and narcotic substances continue to thrive on a global scale. In light of this stark reality, it is imperative for many nations (including North Macedonia) and international organizations dedicated to combating drugs and psychotropic substances to reassess and adapt their strategies and policies. Some countries have taken measures to “legalize” or decriminalize certain drugs, emphasizing a shift towards preventive efforts over repressive measures as a means of gaining better control over drug sales.

North Macedonia and other states and international mechanisms committed to combating this detrimental phenomenon should take a multifaceted approach to address it effectively. These measures should encompass:

- Strengthening and enforcing laws to make the punishment policy more stringent.
- Enhancing the overall human and material-technical capabilities of competent institutions responsible for detecting and preventing illegal drug trade.
- Establishing effective mechanisms for coordination and communication among competent institutions, both at the national and international levels, to combat illegal drug trade.
- Ensuring the efficient and effective functioning of courts, public prosecutions, and institutions responsible for reducing illegal drug trade, ultimately leading to a decrease in the drug supply.
- Implementing educational and preventive programs tailored to specific needs, adhering to internationally recognized criteria and standards.
- Improving the policy of punishment and the execution of sanctions for acts related to illegal drug trade.
- Enhancing material and technical capacities aligns with modern requirements and trends for preventing illegal drug trade.

When it comes to the prevention and detection of criminal activities related to narcotic substances and drugs in North Macedonia, it is essential to implement the proposals mentioned above. This is particularly significant because, based on available statistical data on criminal offenses like “the unauthorized production and distribution of narcotic drugs, psychotropic substances, and precursors” and “enabling the use of narcotic drugs”, it is evident that the number of criminal offenses and their perpetrators has been increasing over the years. Additionally, regarding drug confiscation by type and quantity, it is noteworthy that the number of confiscated quantities is also on the rise. North Macedonia must also address the cultivation of narcotic and psychotropic plants. This can be achieved through state policies aimed at improving the country’s economic and social conditions, ultimately reducing unemployment and the factors that contribute to drug and narcotic substance use. As long as there remains a demand for drugs, the issues of cultivation, production, trafficking, and consumption will persist. Therefore, the primary objective is to minimize these demands.

CRediT AUTHOR STATEMENT

Muhamet Racaj: Conceptualization, methodology, writing - original draft preparation.

Arben Agushi: Conceptualization, methodology, writing - original draft preparation, supervision.

Arianit Racaj: Conceptualization, editing.

All authors have read and agreed to the published version of the article.

COMPLIANCE WITH ETHICAL STANDARDS

Acknowledgments:

We sincerely appreciate and thank Arianit Racaj, our esteemed colleague, for his invaluable contributions to the research that shaped this article.

Funding:

Not applicable.

Statement of Human Rights:

This article does not contain any studies with human participants performed by any authors.

Statement on the Welfare of Animals:

This article does not contain any studies with animals performed by any authors.

Informed Consent:

Not applicable.

Disclosure statement:

No potential conflict of interest was reported by the author/s.

PUBLISHER'S NOTE

The Institute for Research and European Studies remains neutral concerning jurisdictional claims in published maps and institutional affiliations.

REFERENCES

1. Annual Report of the Ministry of Internal Affairs for 2017. 2017. Available at: https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20MVR%20javna%20verzija1.pdf
2. Annual Report of the Ministry of Internal Affairs for 2018. 2018. Available at: https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%202018.pdf
3. Annual Report of the Ministry of Internal Affairs for 2019. 2019. Available at: https://mvr.gov.mk/Upload/Editor_Upload/%D0%9E%D0%9A%D0%A0%D0%90/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202019.pdf
4. Annual Report of the Ministry of Internal Affairs for 2020. 2020. Available at: https://mvr.gov.mk/Upload/Editor_Upload/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202020.pdf
5. Annual Report of the Ministry of Internal Affairs for 2021. 2021. Available at: https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%20na%20MVR%20za%202021%20godina,%20-%2015_04_2022.pdf
6. Annual Report of the Ministry of Internal Affairs for 2022. 2022. Available at: https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98_2022_%D0%9C%D0%92%D0%A0.pdf
7. Arifi, A. 2008. "Drogat [Drugs]". Vatra. ISBN 9989665907, 9789989665905. Skopje. p. 22-130
8. Criminal Code of the Republic of Macedonia ("Official Gazette of the Republic of Macedonia" No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07 /08, 139/ 08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12).
9. Customs Administration of the Republic of North Macedonia - Annual Report. 2022. Available at: https://www.customs.gov.mk/content/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D1%80%D0%B5%D1%88%D1%82%D0%B0%D1%98%202022%20pdf_compressed.pdf
10. DEA. 2023. Available at: <https://www.dea.gov/who-we-are>
11. Dijk, Van. 1981. "Crime Prevention: An evaluation of the National Publicity Campaigns". Ministry of Justice, Hague.
12. European Drug Report. 2020. Available at: https://www.emcdda.europa.eu/system/files/publications/13236/TDAT20001ENN_web.pdf
13. EUROPOL. 2023. Available at: <https://www.europol.europa.eu/sites/default/files/documents/albania.pdf>
14. European Monitoring Centre for Drugs and Drug Addiction. 2020. "European Drug Report 2020: Trends and Developments". Publications Office of the European Union, Luxembourg. Available at: https://www.emcdda.europa.eu/system/files/publications/13236/TDAT20001ENN_web.pdf
15. Express Newspaper. 2021. Available at: <https://www.gazetaexpress.com/ku-perfundon-droga-e-prodhuar-ne-afganistan/>
16. Harney ML and Cross JC. 1975. "The Narcotic Officer's Notebook, 2nd Ed". Charles C Thomas Publisher. Illinois, USA. p. 328

17. Hanson, R., G., Venturelli, J., P., and Fleckenstein, E. A. 2011. "Drugs and Society". *Burlington: Jones and Bartlett Learning*. 11th Edition
18. Hadzievska, Sofka. "Timely detection of drug trafficking by the police services - imperative to prevent drug addiction". *Association for Criminal Law and Criminology of Macedonia*. Professional article UDC: 343.575:351.74(497.7). Available at: <http://maclc.mk/Upload/Documents/Sofka%20Hadzievska.pdf>
19. INTERPOL, Drug Trafficking. 2019. Available at: <https://www.interpol.int/en/Crimes/Drugtrafficking>
20. Kazdin E. A. 2000. "Encyclopedia of Psychology". American Psychological Association and Oxford University Press, Inc. p. 94-104
21. Klosterman, Lorrie. 2006. "The facts about depressants". New York: Marshall Cavendish. p. 8
22. Medical Encyclopedia. 1959. Institute of Lexicography. Zagreb. SFRY. Book III.
23. Milutinovic, Milan. 1984. "Criminal Policy". *Modern Administration*, Belgrade.
24. Ministry of Internal Affairs. 2023. Available at: <https://mvr.gov.mk/analiza/kriminal55>
25. National Strategy for Drugs of the Republic of North Macedonia 2021-2025 with Action Plan 2021-2023. 2021. Available at: https://hops.org.mk/wp-content/uploads/2022/05/Strategija-za-drogi_eng-final-version-1.pdf
26. Nikolova, Zorica. 2020. "Улогата на меѓународните полициски организации во спречување на трговијата со наркотици во Западен Балкан" ["The role of international police organizations in preventing drug trafficking in the Western Balkans"]. Master's thesis. Skopje. p. 75. Available at: <https://repository.ukim.mk/bitstream/20.500.12188/8350/1/zornikolova2020.pdf>
27. Oakley, R., Carl Hart, and Charles Ksir. 2010. "Drugs, Society and Human Behavior". McGraw-Hill Education; 15th edition New York (September 17, 2012)
28. Racaj, Muhamet. 2012. "Introduction to Criminalistics". Solaris Print, Skopje . p. 80
29. Racaj, Muhamet, Zlate Dimovski, and Arianit Racaj. 2021. "Criminal Intelligence". De Print-Struga. Skopje. p. 211
30. Racaj Muhamet. 2019. "Organized Crime - Prevention and Repression". De Print-Struga. Skopje. p. 112-115
31. Ramljak, A. 2007. "Kriminalistika Mjekësore" ["Medical Forensics"]. University AAB. Pristina.
32. Sokoli, L. 1999. "Droga" ["Drugs"]. Onufri: Tirana.
33. UNODC. 2014. "The illicit drug trade through South-Eastern Europe". Vienna. Available at: https://www.unodc.org/documents/data-and-analysis/Studies/Illicit_DT
34. UNODC. 2023. Available at: <https://www.unodc.org/unodc/en/index.html>