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DRUG DEPENDENCE AMONG MINORS: ISSUES OF COUNTERACTION AND PREVENTION IN A HISTORICAL RETROSPECTIVE

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The article attempts to study the problem of drug addiction in the context of combating drug addiction among minors, as a negative social phenomenon in society. In particular, it is studied that drug addiction, in particular, among minors, is a problem of many years ago, since narcotic drugs were used by mankind for medical, religious, cultural and other purposes. At the same time, with the development of society, with the expansion of the achievements of science and, in particular, medicine, today the problem of drug addiction has arisen, in particular, among minors. Therefore, drug addiction is not only a medical problem today. Narcotics has become a complex social and negative phenomenon, which has extremely serious consequences for society as a whole, since it covers various spheres of life: cultural, economic, legal, family, psychological, etc. Therefore, there is an urgent need, on the one hand, to establish strict, primarily state control, enshrined at the legislative level, over the circulation of narcotic drugs and precursors and, on the other hand, to develop and implement a number of preventive measures against drug addiction among citizens and, in particular, among minors.

It is noted that the international community recognized drug control as a global problem more than a hundred years ago. In particular, this was noted at the first international conference on this issue, which took place in 1909 in Shanghai. Since then, the international system of control over the circulation of narcotic drugs and precursors has developed gradually, in particular, starting in 1912, when the International Opium Convention was adopted. In 1961, the Single Convention on Narcotic Drugs was adopted, in 1971 – the Convention on Psychotropic Substances, in 1988 – the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

It is confirmed that Ukraine, as a European state, has joined and ratified the above-mentioned conventions. Moreover, during the period of independence, anti-narcotics legislation was adopted, in particular, criminal liability for illegal handling of narcotic drugs and precursors was introduced, and a comprehensive countermeasure against drug addiction, in particular among minors, was launched. It is stated that drug addiction as a social phenomenon, in particular, drug addiction among minors, is a huge threat to the development of society and the stability of the state, therefore, combating this scourge is a priority task of every state. Therefore, the prevention and control of drug addiction in our country requires

radical changes: from strict regulation of the circulation of narcotic drugs and precursors at the legislative level to a significant improvement in preventive law enforcement activities at all levels. The ways to solve this problem lie in joining the efforts of state authorities, public organizations and society as a whole. This will certainly give a positive result in the form of a decrease in the level of drug addiction among minors as an important socially negative phenomenon.

Keywords: drug addiction, narkotism, drug addiction of minors, narcotic drugs, precursors, psychotropic substances, counteraction and prevention of drug addiction.

Formulation of the problem. Drug addiction, in particular, among minors, is a problem of many years ago, since narcotic drugs were used by mankind for medical, religious, cultural and other purposes. At the same time, with the development of society, with the expansion of the achievements of science and, in particular, medicine, today the problem of drug addiction has arisen, in particular, among minors. Therefore, drug addiction is not only a medical problem today. Narcotics has become a complex social and negative phenomenon, which has extremely serious consequences for society as a whole, since it covers various spheres of life: cultural, economic, legal, family, psychological, etc. Therefore, there is an urgent need, on the one hand, to establish strict, primarily state control, enshrined at the legislative level, over the circulation of narcotic drugs and precursors and, on the other hand, to develop and implement a number of preventive measures against drug addiction among citizens and, in particular, among minors.

Analysis of the study of the problem. A whole series of scientific works of domestic scientists in the field of criminology is devoted to the problem of studying the theoretical foundations and practical activities of combating drug addiction. In particular, the work of such scientists as O. M. Dzhuzha, A. P. Zakaliuk, O. V. Kozachenko, O. M. Kostenko, O. O. Kravchenko, N. A. Myroshnychenko, A. A. Muzyka, O. V. Naden, E. V. Fesenko, M. S. Khruppa and many others is devoted to the prevention of drug addiction.

The purpose of the article is to study the problem of combating the illegal trafficking of narcotic drugs, precursors, psychotropic substances, as well as combating and preventing drug addiction, in particular, among minors.

Presenting main material. As already noted, drug addiction, as a social phenomenon, arose quite a long time ago. People began to use drugs for religious, medical or other purposes. However, the modern form of drug addiction with all its social, economic and legal consequences, especially spread at the turn of the 19th and 20th centuries with the development of industry, especially chemical, and the expansion of the circulation of narcotic drugs and precursors. The recognition that drug addiction among citizens is harmful, primarily for human society, was the result of centuries of human experience and mistakes. During this period, humanity finally realized that the negative consequences of using narcotic drugs, precursors and psychotropic substances begin to outweigh the potential benefits. Such an understanding of society and the state occurred gradually, based on observations, medical research and revolutionary social changes. Thus, in the 19th century, when substances such as morphine and heroin first appeared, doctors began to note that people who used them became addicted to them, sometimes irreversibly, which ultimately negatively affected both their health and, in most cases, led to death at a fairly young age [1; 8].

Over time, scientific research has shown that drugs destroy the body, cause diseases (in particular, cardiovascular and mental disorders) and lead to premature death. With the increase in the number of addicted people, it became obvious that drugs destroy families, increase the level of crime and reduce labor productivity. Given the above research results, there was an urgent need for state control over the circulation of drugs, primarily through strict regulation of the circulation of narcotic drugs and precursors at the legislative level and a significant improvement in the preventive activities of law enforcement

agencies at all levels. The first laws prohibiting opium cultivation and the growing of poppy, as well as preventing drug smuggling, were enacted in India and China. In 1845, a law on narcotic substances was adopted in France. In the United States of America, at the turn of the 19th and 20th centuries, some states, particularly northern ones, passed resolutions against drug addiction. However, this problem was not limited to a single state; it gained global proportions.

Similarly, in order to counteract the rapidly growing abuse of narcotic substances, the international community has gradually developed a control system since the beginning of the 20th century aimed at restricting citizens' access to narcotic substances, as the world community has finally come to realize the transnational nature of narcotics, as well as the fact that no sovereign country can effectively combat the problem of narcotics and illicit trafficking in narcotics and precursors on its own. As a rule, illicit trafficking in narcotics, precursors and psychotropic substances covers several states at once, sometimes on different continents. Thus, in some states it is produced, in other – more developed – this raw material is processed and purified, and then, as a rule, smuggled through third transit countries, and, finally, it is sold in highly developed states, in which, as a rule, the production of narcotics and precursors is strictly controlled. Therefore, the international community recognized the control of the circulation of narcotic drugs and precursors as a global problem at the first international conference on this issue in Shanghai in 1909 [7, p. 236–242].

The international system of control of the circulation of narcotic drugs, precursors and psychotropic substances continued to develop in 1912 with the adoption of the International so-called Opium Convention.

Later, this activity was continued in 1920 – under the auspices of the League of Nations, and starting from 1946 – under the auspices of the United Nations. In particular, due to the rapid growth in the 1940s and 1950s of the number of people, especially minors, abusing drugs, precursors, and the corresponding increase in their illicit trafficking and smuggling, one of the key tasks of the newly established Commission on Narcotic Drugs was to develop a single Convention on Narcotic Drugs.

It should be emphasized that an important step forward in combating drug addiction and illicit trafficking in narcotic drugs and precursors substances was the adoption of the Single Convention on Narcotic Drugs (1961), which stated that drug addiction is an extraordinary evil for individuals and poses a social and economic threat to humanity [2]. The aforementioned document, adopted by the governments of the world at a special international conference, entered into force in 1964. According to the Single Convention (1961), the circulation of more than 116 narcotic substances is subject to control, including opium, its derivatives, as well as all synthetic narcotic drugs. The Protocol to the Single Convention (1961) was drawn up in 1972, introducing amendments to it, which entered into force on August 8, 1975. These changes are expanding international efforts to prevent illicit drug trafficking and use, especially among minors. Here, for the first time, drug addiction is recognized as a disease, and therefore the question of the need to provide public services for treatment and rehabilitation for persons who abuse narcotic drugs, precursors substances is raised. By virtue of the above-mentioned changes to the Single Convention (1961), treatment and social reintegration are for the first time considered as an alternative or addition to imprisonment for such persons. The need for joint international efforts to solve problems related to the abuse of narcotic drugs, precursors is also emphasized [3; 7, p. 236–242]. Thus, it should be stated that for the first time at the international regulatory level the need for global prevention and control of drug addiction has been recognized.

It should be emphasized that until 1971, only narcotic substances and precursors were subject to international regulatory control. It was then that the issue of combating the harmful effects of psychotropic substances on human health and life was also raised at the international level [4, p. 152]. In particular, in the specified year, under the auspices of the UN, the Convention on Psychotropic Substances (1971) was adopted, which were listed in four lists as annexes to this Convention. At the same time, the states that ratified the said Convention assumed the obligation to ensure restrictions on the circulation of the listed psychotropic substances.

It cannot be said that the work of the world community in this direction has stopped. The means of counteraction at the international level were constantly improved, which resulted in the adoption by 106 states of the world in 1988 of the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [4]. The said Convention entered into force on November 11, 1990. The said Convention was adopted in order to strengthen and supplement the measures to combat drug addiction, which were enshrined in previous conventions. Particular attention was paid to improving the legal mechanisms of international cooperation to combat international criminal activity related to illicit drug trafficking. The 1988 Convention covers and attempted to regulate those aspects of the problem that were not previously sufficiently regulated by previous Conventions. One of the key provisions of this document is the introduction of control over raw materials for the production of narcotic drugs and psychotropic substances. In particular, in the said Convention, in Tables I and II, 22 substances, better known in the specialized literature as precursors, are listed. The signatory states undertake to cooperate with each other in combating illicit trafficking in precursors. It should be noted that the Convention (1988) also for the first time in international practice of combating drug trafficking introduced the method of the so-called “controlled delivery”, the essence of which is the controlled movement (import, transit, export) of suspicious or illegal cargoes of narcotic drugs, precursors, psychotropic substances to the territory of one or more states with their consent and under the supervision of competent authorities. The purpose of this method was precisely to detect and identify persons involved in the commission of transnational offenses defined in this Convention. The first such example of a “controlled delivery” can be the transfer of a sea container with narcotic raw materials from Afghanistan to Canada in 1988 by controlled transit through the then USSR and a number of European countries in order to identify the recipient in the territory of Canada and the USA[1; 7, p. 236–242]. Thus, for all states that ratified the analyzed Conventions, the obligation to criminalize acts of illicit trafficking in narcotic drugs, precursors and psychotropic substances was established.

It should be noted that the mutual activities of the signatory states of the Convention (1988) are based on the establishment of intergovernmental relations in the fight against illicit trafficking in narcotic drugs, psychotropic substances and precursors, however, such activities must comply with the norms of public international law relating to the protection of human rights, in particular. The three International Conventions analyzed by us form the legal basis for the national legislator to form a system of control over the illicit trafficking of narcotic drugs, precursors and psychotropic substances in the fight as a means of combating drug addiction. This system is created and supported by the international community, ensuring the coordination of interaction of most states in resolving these issues [4, p. 152; 5]. The norms of the above conventions are aimed at protecting key universal values, in particular, life, health and social well-being of a person. At the same time, each of the following conventions complements and expands the previous one, which provides an opportunity for development and improvement in connection with new challenges in the field of drug addiction.

Our state also recognizes as a priority task the fight against drug addiction, in particular among minors, as well as the fight against illicit trafficking in narcotic drugs, psychotropic substances and precursors. It was on the basis of the ratified three Conventions that anti-drug legislation was adopted in Ukraine in accordance with international standards. The principles of criminalization and establishment of responsibility for illicit trafficking in narcotic drugs, psychotropic substances and precursors have been significantly revised. The state has identified entities involved in combating drug addiction, including

law enforcement agencies (National Police of Ukraine, Security Service of Ukraine, and State Customs Service), state executive authorities (Ministry of Health, Ministry of Justice), international organizations (Interpol, Europol, UN), as well as non-governmental organizations engaged in the prevention of drug addiction and rehabilitation of dependent persons [7, p. 236–242].

At the state level, various educational programs are being implemented regarding information campaigns in schools and higher education institutions to combat drug addiction among minors. State and private centers for the treatment and social adaptation of drug addicts are operating. Resocialization programs for those who have undergone treatment are constantly being improved.

The state has introduced strict accounting of chemical substances that can be used for drug production, and is also licensing enterprises engaged in the production and sale of precursors. Databases are being created on criminals involved in the illicit trafficking of narcotic drugs, psychotropic substances and precursors. Statistical work is being conducted in this area. International cooperation remains a mandatory element in combating drug addiction. Information exchange is conducted, and Ukraine participates in international programs for sharing data on drug trafficking, as well as joint training sessions: training for Ukrainian law enforcement officers with the participation of experts from other countries. During international cooperation, work is carried out with

neighboring countries to close transportation routes for drugs. The priority area of work in the analyzed area remains cooperation with Ukraine's international partners. During this period, SAP representatives regularly met with the ambassadors of the G7 and EU countries to Ukraine, members of the US Congress, as well as ministers of the EU countries in the Weimar Triangle format [7].

An important problem that complicates the fight against drug addiction is the establishment of control over the non-industrial circulation of synthetic drugs, which are quite easily manufactured. To effectively address this problem, further international efforts are needed, since synthetic drugs are sometimes developed and produced much faster than legislative restrictions on their circulation can be introduced. A significant problem today is online trade in drugs, precursors and psychotropic substances, since 90 % of all circulation takes place via the Internet [6]. Preventive measures and addiction treatment also remain important elements of the state strategy. Preventive measures in the analyzed area and addiction treatment remain.

Conclusions. Thus, Ukraine, as a European state, has joined and ratified the analyzed international conventions. Moreover, during the period of independence, anti-drug legislation was adopted, in particular, criminal liability for illegal handling of narcotic drugs and precursors was introduced, and a comprehensive fight against drug addiction was launched, in particular among minors. It should be noted that drug addiction as a social phenomenon, in particular drug addiction among minors, poses a huge threat to the development of society and the stability of the state, therefore, the fight against this scourge is a priority task of every state. Therefore, the prevention and control of drug addiction in our country require radical changes: from strict regulation of the circulation of narcotic drugs and precursors at the legislative level to a significant improvement in the preventive activities of law enforcement agencies at all levels. The ways to solve this problem lie in combining the efforts of state bodies, public organizations and society as a whole. This will certainly yield a positive result in the form of a reduction in the level of drug addiction among minors as an important socially negative phenomenon. Despite significant successes, the fight against drugs remains a complex task that requires constant improvement of approaches and international cooperation.

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НАРКОТИЗМ НЕПОВНОЛІТНІХ: ПИТАННЯ ПРОТИДІЇ ТА ПРОФІЛАКТИКИ В ІСТОРИЧНІЙ РЕТРОСПЕКТИВІ

У статті зроблено спробу дослідження проблеми наркоманії у контексті протидії наркотизму, зокрема наркотизму серед неповнолітніх, як негативного соціального явища в суспільстві. Досліджено, що наркоманія, зокрема, серед неповнолітніх є проблемою багаторічної

давнини, оскільки наркотичні засоби використовувалися людством з медичною, релігійною, культурною та іншою метою. Водночас з розвитком суспільства, з розширенням надбань науки та, зокрема, медицини, сьогодні постала проблема наркотичної залежності, зокрема, серед неповнолітніх осіб. Тому наркотизм на сьогодні є не лише медичною проблемою. Наркотизм став складним соціально негативним явищем, яке породжує вкрай тяжкі наслідки для суспільства загалом, оскільки охоплює різні сфери життя: культурні, економічні, правові, сімейні, психологічні тощо. Тому нагальною є потреба, з одного боку, встановлення жорсткого, насамперед, державного контролю, закріпленого на законодавчому рівні, над обігом наркотичних засобів, психотропних речовин та прекурсорів і, з другого боку, розроблення і проведення низки профілактичних заходів проти наркотизму серед громадян, зокрема, серед неповнолітніх.

Констатовано, що міжнародна спільнота вже понад сто років тому визнала контроль над наркотиками загальносвітовою проблемою. Зокрема, це було відзначено на першій Міжнародній конференції з цього питання, яка відбулася 1909 року в Шанхаї. Відтоді міжнародна система контролю за обігом наркотичних засобів та прекурсорів поступально розвивалася. Починаючи з 1912 року, коли була прийнята Міжнародна опіумна конвенція. В 1961 році була прийнята Єдина конвенція про наркотичні засоби, в 1971 році – Конвенція про психотропні речовини, в 1988 році – Конвенція ООН про боротьбу проти незаконного обігу наркотичних засобів і психотропних речовин.

Підтверджено, що Україна як європейська держава приєдналась і ратифікувала вищезазначені конвенції. Ба більше, за часи незалежності була сформована система антинаркотичного законодавства, зокрема, реформована кримінальна відповідальність за незаконний обіг наркотичних засобів, психотропних речовин і прекурсорів, розпочато організацію комплексної протидії наркотизму, зокрема, серед неповнолітніх. Констатовано, що наркоманія як соціальне явище, зокрема, наркотизм серед неповнолітніх, є величезною загрозою для розвитку суспільства та стабільності держави, тому протидія цьому лиху є першочерговим завданням держави. Попередження та профілактика наркоманії у нашій державі потребує кардинальних змін: починаючи від жорсткого врегулювання обігу наркотичних засобів та прекурсорів на законодавчому рівні до істотного вдосконалення профілактичної правоохоронної діяльності на всіх рівнях. Шляхи розв'язання цієї проблеми пролягають через об'єднання зусиль міжнародного співтовариства, органів державної влади, громадських організацій та суспільства загалом. Це неодмінно дасть позитивний результат у вигляді зниження рівня наркотизму серед неповнолітніх як проблемного суспільно негативного явища.

Ключові слова: наркоманія, наркотизм, наркотизм неповнолітніх, наркотичні засоби, прекурсори, психотропні речовини, протидія та профілактика наркотизму.