

DRUGS AND THEIR SPREAD, CASE STUDY OF THE REGION OF TETOVO

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Abstract

From year to year, drug abuse is growing at a high rate, slowly becoming a very disturbing phenomenon for man and society itself, perhaps their effects on all are quite harmful to human health. In this regard, local and international institutions must do their best to prevent this negative phenomenon, perhaps their negative effects are multideional.

In this paper, some issues related to drugs will be elaborated, with special emphasis in the Tetovo region. Among other things, some statistic data obtained from the Tetovo Internal Affairs Sector, which belongs to the period 2021-2023, related to adequate submissions against persons involved in incriminating activities of this nature, types of drugs and their quantity.

In the course of the paper, the analysis method, statistic method, comparative method, observation method, etc. will be used.

In conclusion, some concrete conclusions and recommendations will be made that should be taken into account in the fight against this type of crime.

Given the negative effects of the use of narcotics in society, this work aims to increase awareness among state officials especially those who are called to fight criminality to be more responsible in carrying out official authorizations and duties. Also this paper provides knowledge to ordinary citizens not to fall prey to manipulations that affect the use or distribution of narcotics. In this regard, we hope that the work in question, however little, represents a modest contribution to scientific and practical rafhsh.

Keywords: Narcotics, Drugs, Home Affairs Sector Tetovo, Criminal Offence, World Health Organization

Introduction

1. Definition and short history on narcotics

The World Health Organization (WHO) as a drug, is a drug that modifies one or more of its functions by entering a living organism.¹ We can understand any substance with abusive drugs, taken in any possible form that disturbs mood, level of perception and cerebral function.

Drugs have been used since then. People have used some herbal extracts because of their exciting or calming effects. Drugs have been consumed throughout history and around the world. In western Balkan countries, including the Republic of North Macedonia, drugs and the problems they cause became more evident after the 1990s, with the economic and social change of countries.

Drugs can be natural and synthetic. Natural drugs and narcotic beverages are found in nature, which are cultivated and grown in nature, while intoxicating drugs or synthetic narcotic

¹ Institute of Public Health, Drugs and the Consequences of their Use at Young People, 2011, p. 4.

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beverages are narcotic ones which are extracted from various substances through chemical processes.

Otherwise, the word "narcotic" is explained by its root "narco", which means sleep or relation to it. So narcotic means sleep, clumsy, a drug used as a narcosis.²

Research approach and methodology

The overall significance of the study is to empirically evaluate and present the current and past situation of drugs. In order to achieve this goal, the study is designed from both theoretical standpoint (norms, laws, legislatures, conventions, etc.), and empirical standpoint. The empirical aspect is based on official data and information published by national and international institutions.

The methodology used in the study is based on the method of analysis, the case study method, the statistical method, the monitoring method, etc. During the research is used respective contemporary literature, e.g.: university books, scientific journals, professional papers, notes and records from respective institutions that treat this problem, open sources like various websites and annual analysis reports of different governmental and non-governmental institutions, like publications, tractates and studies.

2. Classification of narcotic substances and their characteristics

According to the World Health Organization, drugs are classified into three groups:³

- Stimulants;
- Hallucinogens;
- Depressants.

Stimulants are also called exciting drugs. This category includes cocaine, atropine, amphetamine, caffeine, tein, nicotine. Stimulants have exciting effects on people who use them. The main drug is cocaine. Cocaine is also called the Andean drug, due to its Latin American origin. It is produced from the plant "head." The effects of cocaine are different from depressants such as heroin, opium, morphine. The man who has taken cocaine is euphoric, impulsive, energetic and orator. Some of the cocaine is turned into crack, a substance that can be smoked like tobacco. This has a faster effect than cocaine, although the effect lasts less as time. In the context of a 10-year-old, the degradation of the man who uses this drug is very high. He has a tired body, a yellow skin, he feels weak and without any hope for life.

Hallucinations are called as hallucinations, which appear in the form of illusions. In other words, the user of these kinds of drugs "sees," experiences and believes that don't exist. From the hallucinogens we can mention: cannabis sativa, L.S.D, meskalinje, D.T.M, DET, DPT etc.

Cannabis is produced from cannabis, marijuana and cannabis extracts. Hash comes from cannabis sativa fruits, while marijuana also comes from mixed leaves, flowers and its seeds. Cannabis extracts are dark and dark sticky liquid. Cannabis sativa has the highest level of consumption in the world. Today it is cultivated on all continents. The territories where it is cultivated most are: India, North Africa and Central America. Marijuana, hash and cannabis extracts are taken from marijuana users, with pip, cigarettes, hookahs. They can be taken from them even after mixing with drinks or food. Their use causes naps, distortion of the concepts of "space" and "time", hallucinations, feelings of happiness accompanied by dreams and gas

² Alketa Elezi, Droga një sfidë inteligjence, Aspekte penalo juridike dhe krahasuese të saj [Drugs an Intelligence Challenge, Criminal Legal and Comparative Aspects of It (Doctoral Work)], Tirana, 2012, p. 17.

³ Ibid.

explosions. This type of drug works on the brain cortex. The user often exhibits impulsive and aggressive behavior.

L.S.D. is the abbreviation of the lusergic diethylomid saure. It was discovered by German chemists Stoll and Hoffmann as preparations in liserjic acid. Depressants in this group are drugs with action in the central nervous system, which have calming or sleep-infusing effects. Depressants include drugs containing opium such as opium, morphine and heroin. Opium is extracted from processing the dandelion. Its main producing countries are: India, China, Afghanistan, Turkey, Egypt, Mexico, etc. The main psycho-physiological properties of opium are that it acts as a ligovon of the high nervous system, causing a state of euphoria associated with naps and dreams. It is drunk with special pipes like tobacco or can be swallowed as a drink or in pill form.

Morphine is a natural alkaloid in the form of bitter-tasting powder. It is dissolved in water, alcohol, ether, etc. It's a powerful calmer. It removes the effects of pain and is accompanied by euphoria, causes a state of sleep and apathy, gives a sense of well-being and calmness. The effect of a takeover lasts up to 5 hours. Heroin is called the tip of drugs. It's heavy drugs and represents their last stage. It was produced experimentally by German scientist Drser, as a derivative of morphine for medicinal effects. There was a very powerful action in calming the pains of the disease until then unconscionable. For this reason the new substance was called heroin, as its effectiveness could be compared to a hero. Because of these properties, he soon entered into illegal narcotics trafficking. It was first produced secretly in Marseilla, France, and then in Italy. It is very cheap because it is very low in weight and is very priced.

The main heroin producing countries are the golden trio: Thailand-LaosBirman; Asia-Pakistan and Afghanistan-Iran-Turkey. Heroin is also produced in Latin American countries. Heroin is in powder form in white in the color of the sand. It has no smell, it tastes bitter, it is dissipating in water, in alcohol and in ether. It has effects similar to those in morphine, but 2-3 times stronger. It is used by injection or in drinks. It melts with a little water in a spoon and before it is put into the syringe for injection it is heated into the flame of a match.

3. Criminals with narcotics

Narcotics are committed by individuals, whether they are individuals or organized criminal groups. This type of crime is committed by the introduction or secret release of illegal and prohibited narcotics, an act that in all states is criminal.

Taking as a criterion the composition and scope of the activity in the local context, criminal groups can divide:

- Criminal groups, mainly composed of local citizens, for the Republic of North Macedonia, with action within the NMK.
- Criminal groups, composed of local and foreign nationals with action inside and outside the NMK.
- Criminal groups, composed of citizens of the NMK, acting outside the country.

The enormous profits of the illicit narcotic trade drive the increase in the number of professional criminal organizations dealing with narcotics trafficking.

4. Combating this type of crime

Developments of this typical form of criminality in contemporary societies are increasingly associated with an increase in the fight against organized crime in the field of narcotics.

Given the negative effects of this criminal phenomenon, numerous attempts are made to prevent it both in preventive⁴ and in the repressive plan.

Special attention is paid to criminal policy against crimes in general and those in the field of drugs in particular.

Criminal offences that sanction incriminating acts related to narcotics in the Republic of North Macedonia are provided for in Article 215 and 216 of the Criminal Code of the Republic of Macedonia.⁵ From practical experience and the talks held with police officers dealing⁶ with this same problem, point out that the articles in question, especially Article 215, must undergo changes because it is not accurately mentioned, how much the amount of drugs should be, to go through criminal pass i.e. the offender to respond criminally. This has led to prosecutors in general, including the Prosecutor of Tetovo, not having a unified stand in this direction. Usually, if the person is a marijuana drug user and the same is found over 5 grams of marijuana, then an indictment of the 215 criminal offense of the KP of the NMK is filed against him by the prosecution, otherwise it is against him. If the drug user is caught with more than 3 grams of heroin, or more than 2 grams of cocaine, then the prosecution files an indictment for a criminal offence under Article 215, otherwise, it is infringement. If it happens that the person who was found with drugs during concrete examinations (usually of urine), turns out that the person is not a drug user, then regardless of the amount that has been found, an indictment of a criminal offence under Article 215 is filed against the same person, perhaps the same are the distributors. In most cases, tetovo's procurement does not take into account the expertise that has been done for persons who have been caught with narcotics, if the drug sasai was less than those mentioned above. In such cases, the prosecution has gone against the offense, independently that no narcotic substances were found in the body of the person, which means that the same one had to distribute. This, in the opinion of the police officer dealing with this problem, is also contrary to Article 215, perhaps in this article is not the quantity of drugs seized, which means it is not the element that makes the difference whether we have a criminal offense or not. In this regard, amendments should be made in Article 215 of the NMK, so as not to leave room for manipulation and sectarian justice, perhaps for the same criminal situation with the same characteristics was moved by the establishment of the indictment of a criminal offense foresit in Article 215, while for the other situation with the same characteristics was moved by the offense.

Special importance in the fight against this type, criminality should be devoted to different organizations dealing with different seminars, more frequent discussions in the media by professionals of different fields (doctor, social worker, psychologist, etc.) where each in his field addresses this problem, then the continuity of such topics in educational institutions, especially in primary and secondary schools after this age group due to the Their unmaking is more exposed to drugs, then greater devotion of parents to children working and following them etc. All this is more than necessary, but this phenomenon is not fought in a proper way without having proper state institutions, especially those that are called under the legal provisions to fight this negative phenomenon. Special commitment should be devoted to these institutions in the sense of preparing police officers working in this problem, perhaps not

⁴ It is about developing intensive preventive activity by family, school and other cultural institutions, which can play an important preventive role. In every country it is necessary to have preventive programs in order to engage in the fight against criminality in general professional experts, such as: criminologist, criminalist, sociologist, psychologist, psychiatrist and journalist and always to cooperate with international anti-drug bodies.

⁵ More on these articles see Approach Osmani, Kodi Penal i RMV [Penal Code of the Republic of North Macedonia], 2015, pp. 182-183.

⁶ The conversation was held with police officers of the Department for Criminality with Narcotics and Illegal Trade in Arms at IAS -Tetovo on 02.02.2024.

everyone can be capable of this job, because the specificity of the job is such that there should be specified features, then, the supply of technical means, better coordination between the informed police and the criminal police dealing with this problem etc.

Various countries, including the Republic of North Macedonia, draft strategies at the state level to combat and curb this negative phenomenon. In the framework of the SPB-Tetovo, besides having a special department dealing with the problem of drugs, we also have police units that deal with the fight against negative phenomena in preventive discourse. In the framework of the action of this preventive police unit, projects related to the phenomenon of drugs have been organized. This unit has organized several projects in 2022 and 2023, including the project "Prevention of Drug Abuse". Mainly the activities of this unit are carried out in schools, holding lectures, advisory on this problem. In the wake of this, i.e. for the drug scope, from the Preventive Unit at the IAS-Tetovo, there were coordinating meetings with the Central Social Council of the Municipality of Tetovo, as well as the National Unit for Smuggling and Trade with People at the State level.

Since the topic of this paper concerns the drug problem in the Tetovo region, we will present some state data related to this type of crime.

5. Dynamics of crime with narcotics in Tetovo region for the period (2021-2023)

In any crime research project in a given area, it is important to take indicators of the volume of concrete criminal phenomenon. In this case, these indicators for the criminal offense unauthorized production and release into circulation of narcotic drugs, psychotropic substances and precursors foresaw in Article 215 of the NMK, as well as the criminal offense enabling the Use of Narcotic Drugs provided for in Article 216 of the NMK PC. In this context, data related to the number of detections of these offences, their offenders, and criminal charges processed to the Basic Prosecutor-Tetovo will be analyzed. Also, data related to the quantity and type of sequestration of narcotics will also be presented. In addition to the data relating to criminal charges, data related to the offenses will also be analyzed.

Analysis will be done on the state of criminality and other characteristics for the period 2021 -2022 and 2022 – 2023

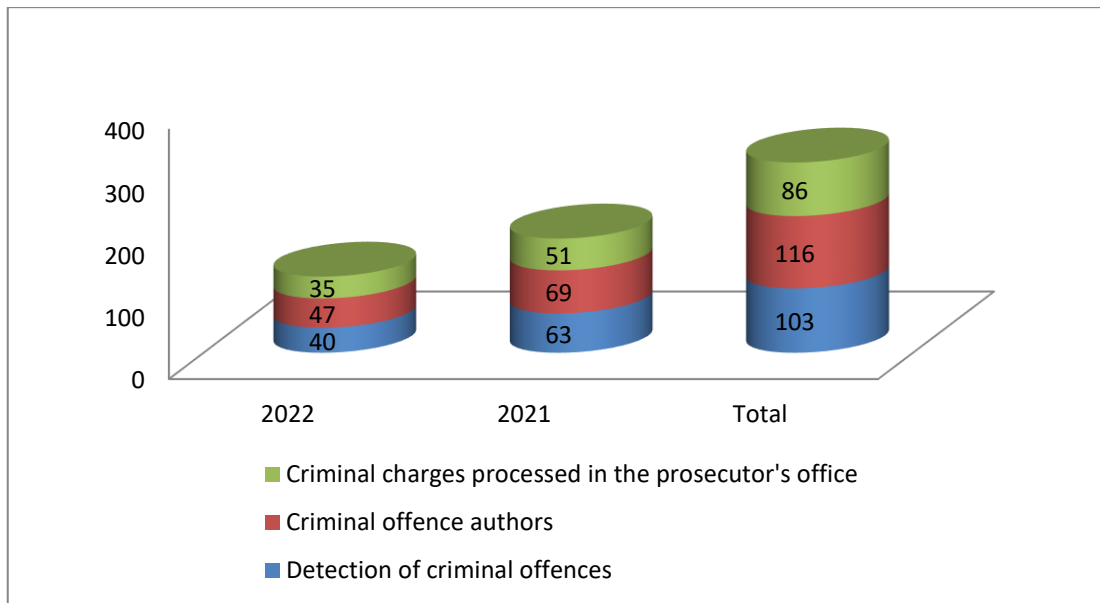
The state of crime with narcotics during 2021 - 2022

Table 1. Detection of criminal offences, their offenders and the processing of criminal charges in basic prosecutor Tetovo, relating to Article 215 and 216 of the NMK

Year	Detection of criminal offences	Criminal offence authors	Criminal charges processed in the prosecutor's office
2022	40	47	35
2021	63	69	51
Total	103	116	86

Source: Annual Report on the Activities of the Internal-Tetovo Sector, page 9

The data from the table, presented in the graph would have the following form:



From the table we see that in the field of illegal trade in narcotics during 2022, a total of 40 criminal offences have been discovered and we notice a decrease in detection function by 24% compared to last year (2021 – 63) criminal offences. Criminal offences were committed by 47 authors (2021-69 authors) and against them 35 criminal charges (2021-53) were filed to the Public Prosecutor's Office of Tetovo According to the nomenclature of the acts in this area, 37 criminal offences "Unauthorized production and distribution of narcotics, psychotropic substances and precursors" provided for and punishable under Article 215 of the NMK and 3 criminal offences "Enabling the use of narcotic drugs, psychotropic substances and precursors" provided for and punishable under Article 216 of the NMK. If we analyze the number of criminal offenses and compare it with the criminal charges processed in the Prosecution Office, we find that the number of criminal charges is less. This is normal, perhaps it happens in a criminal case involving more people. It is not necessary that the number of criminal offences is equal to the number of criminal charges. From the table we also see that the number of criminal offences detections does not correspond to the number of criminal offences committed. For 2022, the number of criminal offences is 40, while the number of committers is 47. How is that explained? The answer is found as follows: For e.g. During the control of two persons, in the same car to the second in their clothes we find narcotic substances with quantities that meet the elements of the criminal offense. In the case of the case, we deal with the same criminal offense, and in the criminal pass it is marked as a criminal offense committed by two persons. And precisely in the state statistics of the respective unit within the IAS-Tetovo, for the specific criminal situation is counted as a criminal offence committed by two persons.

To reveal the penal-related work of narcotics, we must undoubtedly have proof of it. In the case, as the basic evidence, the narcotics that are sequestrated during the undertook of criminal measures and activities, of police officers. In the following form, we will present the seized quantity and type of narcotics, by the officials of IAS-Tetovo.

Table 2 Quantity and type of seizure of narcotics during 2022

Year	Seized quantity	Type of drug
2022	4 kg and 966.17 grams	Marijuana
	252.8 grams	Cocaine
	496.01 grams	Hero
	18.6 grams	Marijuana and tobacco mix
	6 tablets of ecstasy	Tablets of Ecstasy
	249ml	Methadone
	730,77 gr	Mix of caffein and paracetamol
	7,21 gr	Coca and ketamine mix
	15,90 gr,	Beznokain.

Source: Annual Report on the Activities of the Internal Affairs Sector of Tetovo, for 2023 page 9.

From the tabular data we see that the amount of narcotics was seized in the criminal proceedings as follows: 4 kg and 966.17 grams of "Marijuana"; 252.8 grams of cocaine; 496.01 grams of "Heroin"; 18.6 grams of marijuana and tobacco mixture; 6 ecstasy tablets; 249 ml methadone; 730.77 g of coffeein and paracetamol mixture; 7.21 grams of coca and ketamine mixture; 15.90 gr, beznokain.

Except for criminal charges. During 2022, SPO Tetovo to the competent Basic Courts and the Department for Offences has submitted 101 requests for initiation of the proceedings for offenses, (2021 - 63 claims) against 148 offenders, (2021 -68 offenders) for the fulcall 101 offences (2021-offences), "Satisfaction with narcotics" provided and punishable under Article 20 of the NMK, In the current period, an increase in detection function is observed by 60% compared to the offenses in the same period last year.

In the proceedings, the amount of narcotics was seized as follows: 37.33 grams of "Marijuana"; 3.42 grams of cocaine 4.13 grams "Heroin"; 24.29 grams of marijuana and tobacco mixture (and 3.93 amphetamines and 0.06 grams of hashish.

a) The state of crime with narcotics during 2022-2023

Table 2. Detection of criminal offences, their offenders and the processing of criminal charges in the Basic Prosecutor's Office of Tetovo. relating to Article 215 and 216 of the NMK

Year	Detection of criminal offences	Criminal offence authors	Criminal charges processed in the prosecutor's office
2023	88	114	75
2022	40	47	35
Total	128	161	110

Source: Annual Report on the Activities of the Internal Affairs Sector of Tetovo, for 2023 page 9.

The data from the table, presented in the graph would have the following form:

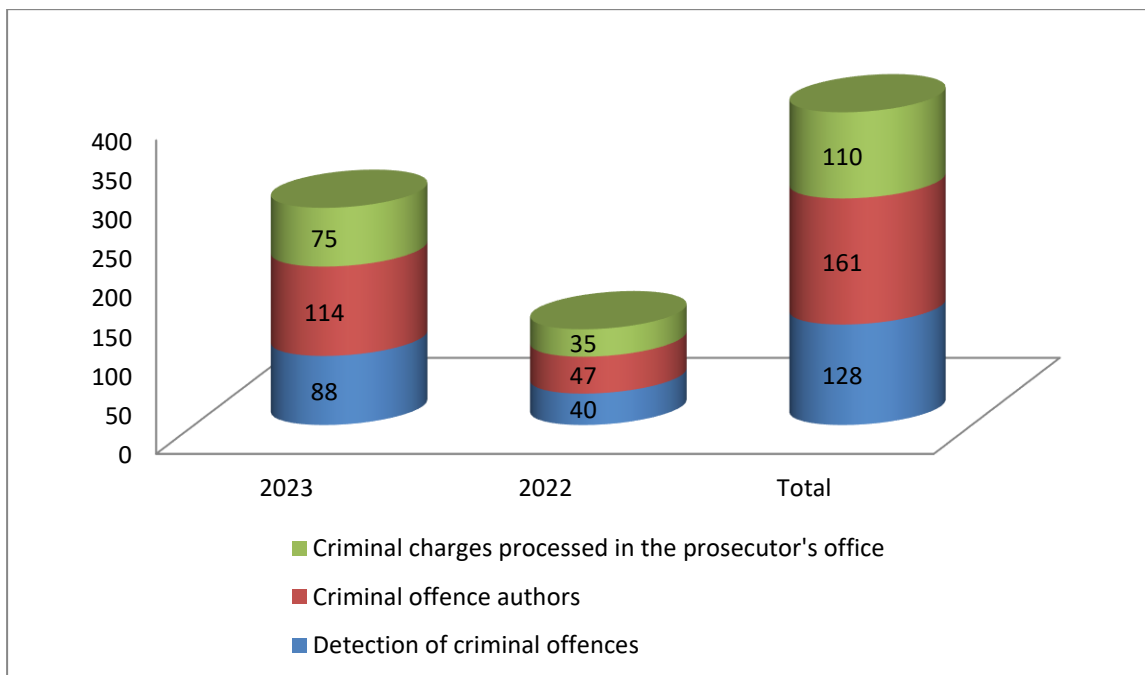


Table 2 Quantity and type of seizure of narcotics during 2023

Year	Seized quantity	Type of drug
2023	33 kg and 002.98 grams	Marijuana
	100,42grams;	Cocaine
	6.59 grams	Hero
	1.21 grams	Marijuana and tobacco mix
	10,68 Amphetamine	Amphetamine
	2,44g	Incense

Source: Annual Report on the Activities of the Internal Affairs Sector of Tetovo, for 2023 page 9.

From table no. 2 we see that in the field of illegal trade in narcotics during 2023, a total of 88 criminal offences have been discovered and we notice an increase in detection function by 120% compared to last year (2022 – 40) criminal offences. The criminal offences were committed by 114 authors (2022-47 authors) and against them were filed 75 criminal charges (2022-35) to the Basic Public Prosecutor's Office of Tetovo. According to the nomenclature of the acts in this area, these criminal acts are represented: 73 criminal offences "The unauthorized production and distribution of narcotics, psychotropic substances and precursors" provided for and punishable under Article 215 of the NMK and 8 criminal offences "Enabling the use of narcotic drugs, psychotropic substances and precursors" provided for and punishable under Article 216 of the NMK. 5 ongoing criminal offenses "Unauthorized production and distribution of narcotics, psychotropic substances and precursors and 2 criminal offences aiding in connection with the "Unauthorized production and distribution of narcotics, psychotropic substances and precursors" In criminal proceedings, the amount of narcotics was seized as follows: 33 kg and 002.98 grams of "Marijuana"; 100.42grams of "Cocaine"; 6.59 grams of "Heroin"; 1.21 grams of marijuana and tobacco mixture; 10.68 Amphetamine, and 2.44g of incense. During 2023, SPO Tetovo to the competent Basic Courts and the Department for Offences has submitted 159 requests for initiation of the proceedings for offenses, (2022 - 101 claims) against 215 offenders, (2022 - 148 offenders) for committing 159 offences (2022-101 offences), "Pleasure with narcotics" foreseen and punishable under Article 20 of the NMK, in the current period an increase in the detection function by 57% compared to the offences in the same period. period of last year. In

the criminal proceedings, the amount of narcotics was seized as follows: 90.31 grams of "Marijuana"; 7.1 grams of cocaine 5.75 grams of "Heroin"; 17,.29 grams of marijuana and tobacco mixture, 0.38 g of hashish, 1.13 grams 3.4 Methylenedoxin methamphetamine.

6. Discussion and conclusions

Narcotics must be combated from its infation, to stop its production, trafficking and use. In the Republic of North Macedonia, and in this context also in the Tetovo region, the results against this negative phenomenon are weak. This is also seen from the statistics elaborated above, perhaps on the tee the situation is much more alarming especially for the user, where we have many new age groups. This means that catching and placing the traffickers accountable is missing. Criminal offences relating to narcotics are among the most serious criminal offences, as these types of offenses, as well as the consumption of drugs, directly affect human health and life. To combat this phenomenon, the implementation of laws in this area, including criminal ones, must be strengthened, by adequately punishing all the authors of these criminal offences. But not only that, the fight against this negative phenomenon requires the addition and specialization of police forces, customs and other bodies. Not every police or customs officer can be successful in fighting crime related to narcotics. Such officials, besides adequate education, must have physical and psychological preparations to deal with such situations, have a good network of informants or collaborators, then in the continuity we must be trained by experts in this field, if we want to have good results in the fight against this negative phenomenon.

We are witnessing that different people grow narcotic plants. The relevant institutions that fight this negative phenomenon should be vigilant to detect this situation, i.e. to fight the planting of narcotic plants, production, trafficking and the allocation of narcotic and psychotropic substances.

Through education programs, we must explain to citizens, and especially to young people, the risks that come from the use of narcotics. It also needs to address its policies and programs to factors that affect drug use, which can be phobia, unemployment, illiteracy, depression, bad society, etc. By reviewing and comparing international standards and international and European legal acts, as well as practical experience, in order to make the fight against narcotics more efficient we are of the opinion to improve the provisions of Article 215 and 216 provided for in the Criminal Code of the Republic of Macedonia. From the consideration of the provisions specifically of Article 215, and the practice of the Prosecution at the level of the Republic of Macedonia, including the Prosecutor of the SPO-Tetovo, we have no unification of the positions of the amount of the seized case for the person to be prosecuted. This should be regulated, because of the fact that we have different interpretations from the prosecution practice.

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