

Issue I: Use of the Internet for drug-related activities

Recommendation 1

Governments should be encouraged to ensure that their law enforcement agencies are well informed, professionally trained and suitably resourced so as to be effective in the investigation of cyber-related offences and the related use of the Internet for illicit trafficking.

Any action taken YES NO

Comments:

A working group comprising staff of the Ministry of Internal Affairs has been established with a mandate to prevent the use of the Internet for drug trafficking.

The working group has drawn up specific proposals for increasing the effectiveness of activities in that area in terms of equipping the relevant units of the Ministry of Internal Affairs of the Russian Federation with modern software systems for monitoring and blocking illegal content.

Recommendation 2

Governments must work together to overcome the obstacles encountered in undertaking the investigation of cyber-related trafficking offences across multiple jurisdictions and introduce the changes needed in legislation, practices and procedure to expedite information-sharing, enquiries with Internet service providers and the transfer of evidence.

Any action taken YES NO

Comments:

Given the cross-border use of Internet services, it can be difficult to obtain the necessary information from an Internet service provider outside the country of investigation.

The Ministry of Internal Affairs is interested in strengthening international cooperation on this issue, as many websites containing illegal content are hosted on servers located outside the Russian Federation. For example, the websites of the largest trading platform, Hydra, which encompasses all areas of the shadow business world, are hosted on the technical platforms of the hosting company Cloudflare (San Francisco, United States of America). In that connection, action is being taken in collaboration with the competent authorities of the United States. However, the website continues to operate.

In 2018, coordinated operational activities were successfully carried out with the competent authorities of the Commonwealth of Independent States (CIS) countries Belarus, Kazakhstan and Kyrgyzstan to suppress drug trafficking via the Internet.

Recommendation 3

Governments should encourage their law enforcement agencies to develop the specialist skills that will support the investigation of cyber-related offences and lead to successful criminal prosecutions.

Any action taken YES NO

Comments:

Work is under way to provide advanced training to personnel in the area of combating drug-related offences committed through the use of information and telecommunication technologies. Personnel take part in lectures, seminars and training courses, including international ones.

In 2017, for example, representatives of the Ministry of Internal Affairs took part in a training course entitled “Investigation of illicit trafficking of new psychoactive substances facilitated by the darknet and virtual/cryptocurrencies”, which was organized by the secretariat of the Organization for Security and Cooperation in Europe and held at the International Training Centre on Migration and Combating Trafficking in Human Beings, part of the Academy of the Ministry of Internal Affairs of the Republic of Belarus. It is planned to continue that practice.

Issue II: Alternatives to imprisonment for certain offences as demand reduction strategies that promote public health and public safety

Recommendation 1

Governments are encouraged to make full use of alternatives to imprisonment for people with drug use disorders in contact with the criminal justice system, particularly at the time of their arrest and at the pretrial stage.

Any action taken YES NO

Comments:

The relevant legislation of the Russian Federation is constantly being improved with a view to encouraging individuals to give up the illegal use of drugs and to voluntarily seek treatment and medical and social rehabilitation by approaching medical organizations and rehabilitation facilities.

Criminal legislation has been amended to provide for the establishment of a system whereby treatment is provided as an alternative to criminal punishment for people who abuse drugs.

In particular, it is now the practice to order such individuals to undergo mandatory treatment and medical and/or social rehabilitation and to grant deferment of the sentence or even pardon subject to the person's completion of a course of treatment and proof that he or she is in remission.

Recommendation 2

Governments are encouraged to promote and implement institutional mechanisms, including through induction and training programmes, that enable the police to screen, assess and refer appropriate cases to treatment facilities, taking into account their dual role as the first responders and the first criminal justice actors encountered by people with drug use disorders when they come into contact with the criminal justice system.

Any action taken YES NO

Comments:

Legal incentives to overcome drug dependence are widely used within the framework of criminal legislation.

In the Russian Federation, intensive efforts are being made to develop a mechanism whereby drug users are given legal incentives to overcome drug dependence. That mechanism provides for two scenarios.

In the first scenario, drug users who have been given a penalty for an administrative offence under legislation on narcotic drugs are ordered to undergo a course of treatment and rehabilitation.

In the second scenario, public-law mechanisms provide for exemption from administrative liability for persons who have volunteered to undergo a course of drug dependence treatment and rehabilitation.

As a result of these and other measures, more than half of those convicted of the illegal acquisition, storage, transportation, manufacture and processing of narcotic drugs are given penalties other than deprivation of liberty.

Recommendation 3

Governments are encouraged to adopt or amend legislation, policies, and guidelines that allow flexibility when handing down sentences for drug-related offences that take into account the nature and gravity of the offence as well as the personality and background of the offender.

Any action taken YES NO

Comments:

The legal mechanism for sentencing established by the Criminal Code of the Russian Federation provides for a range of penalties for drug trafficking offences.

The court has the possibility to assess all the features of a particular criminal case (the nature of the act and the extent to which it poses a danger to society, the personality of the defendant, including mitigating or aggravating circumstances, and the impact of the sentence on the convicted person's behaviour and on the living conditions of his or her family) and to impose a fair punishment, which may be lighter than the minimum applicable penalty.

Recommendation 4

Governments are encouraged to employ a multidisciplinary approach in providing treatment and rehabilitation as an alternative to conviction or punishment and to promote and develop the capacity for institutional coordination between justice, health, and social services authorities.

Any action taken YES NO

Comments:

In order to strengthen governance in the area of combating trafficking in narcotic drugs, psychotropic substances and their precursors, the State Anti-Drug Committee was established by Presidential Decree No. 1374 of 18 October 2007 on additional measures to combat trafficking in narcotic drugs, psychotropic substances and their precursors.

The Committee carries out its activities in cooperation with the federal executive authorities, the drug control commissions in the constituent entities of the Russian Federation, the executive authorities of the constituent entities, municipal authorities and civil society organizations.

Among other things, the Committee prepares proposals relating to the formulation of State policy on combating trafficking in narcotic drugs, psychotropic substances and their precursors and on the comprehensive rehabilitation and social reintegration of people who use narcotic drugs or psychotropic substances illegally. It also draws up proposals relating to improvement of the relevant legislation of the Russian Federation.

Recommendation 5

Governments are encouraged to implement measures to increase public awareness of the benefits of using alternatives to imprisonment.

Any action taken YES NO

Comments:

In the course of work to achieve the smooth integration of prevention measures into the overall system of drug law enforcement, two nationwide campaigns were conducted under the slogans “Tell me where they deal in death” and “Conscript” and a series of events were held to mark the International Day against Drug Abuse and Drug Trafficking.

As part of the development of new areas of drug control work with Internet users through the official accounts of the Ministry of Internal Affairs on the social networks Instagram, VKontakte, Odnoklassniki and Facebook, a film produced by the Ministry, entitled “Living: confession of a drug addict” and based on an interview with a former drug addict who told his true life story, was posted on the official account of the Ministry’s General Administration for Drug Control on the social network VKontakte.

In 2018, a total of 740 publications were posted on VKontakte, attracting some 100,000 views. More than 100 hashtag entries have been published on Instagram and more than 70 on Facebook.

In cooperation with the OTP television channel, an anti-drug discussion platform on the consequences of drug use and drug distribution has been launched as part of the ZaDelo programme. Two episodes of the programme have been devoted to discussion of the topics “Who are today’s police and how do they protect public order?” and “Spice, salt, death...”.

A number of anti-drug projects have been carried out at the Militseiskaya Volna radio station. For example, the Art against Drugs campaign was conducted with the participation of popular musicians who appealed to listeners not to use drugs, and six programmes were broadcast by the Militseiskaya Volna radio station with the participation of speakers from the Ministry of Internal Affairs and Ministry of Health specialists in drug abuse psychiatry.

Recommendation 6

Governments are encouraged to collect and analyse gender- and age-disaggregated data on the use of alternatives to imprisonment and, if applicable, to undertake periodic evaluation of existing initiatives to provide treatment as an alternative to conviction or punishment for people with drug use disorders.

Any action taken YES NO

Comments:

The situation with regard to the commission of drug-related offences by various categories of citizens of the Russian Federation is constantly monitored.

For example, as at 1 January 2018, a total of 163,207 people - including 16,159 women and 167 minors - were in custody in penal institutions for offences relating to drug trafficking. On average, 40 to 45 per cent of sentences handed down by the courts involve deprivation of liberty.

The mechanism of legal incentives to undergo treatment and rehabilitation may be applied in the case of minors within the framework of administrative law only where the minor and the minor’s parents have voluntarily consented to such treatment and rehabilitation.

Issue III: Mainstreaming gender perspectives in drug-related policies and programmes

Recommendation 1

Governments are encouraged to collect and analyse gender-disaggregated data to obtain more information about the situation and circumstances of women drug users and the various roles women assume in drug-related crime and in organized crime groups with a view to developing and implementing effective and comprehensive policies and programmes.

Any action taken YES NO

Comments:

The strategies and programmes in place in the Russian Federation for countering drug-related crime and for treatment and rehabilitation in relation to drug dependence sufficiently reflect the needs and circumstances of women and minors in the context of the world drug problem.

Recommendation 2

Governments are encouraged to ensure non-discriminatory access to health-care services for women, including in prison, and to develop gender-sensitive prevention, primary care, treatment and reintegration policies and programmes, particularly for pregnant women and women with caretaking responsibilities.

Any action taken YES NO

Comments:

In accordance with the legislation of the Russian Federation, all citizens have equal rights to access medical care, including in penal institutions. A broad network of institutions of the State drug abuse treatment service and the various branches of those institutions has been established. The network comprises, among other specialized medical entities, 1,840 outpatient drug abuse treatment facilities and 179 outpatient drug abuse treatment facilities for children and adolescents as part of multidisciplinary medical organizations.

In addition, 11 rehabilitation centres and 125 rehabilitation units have been set up within medical organizations providing medical assistance in the areas of psychiatry and drug abuse psychiatry in order to provide rehabilitation services on an inpatient basis. Furthermore, 66 medical rehabilitation facilities for outpatients operate within those centres and units.

A network of non-governmental institutions providing drug abuse treatment services has also been established. Medical diagnoses and the gender, age and social situation of drug users are taken into account when treatment is prescribed.

Recommendation 3

Governments are encouraged to ensure close cooperation and collaboration among all relevant national authorities in developing and implementing gender-sensitive drug policies and programmes that take into account the specific needs and circumstances faced by women and girls with regard to the world drug problem.

Any action taken YES NO

Comments:

The strategies and programmes in place in the Russian Federation for countering drug-related crime and for treatment and rehabilitation in relation to drug dependence sufficiently reflect the needs and circumstances of women and minors in the context of the world drug problem.

Issue IV: Money-laundering, illicit financial flows and effective countermeasures

Recommendation 1

In support of the investigation of money-laundering offences and the recovery of the proceeds of crime, Governments are encouraged to enable access by their law enforcement authorities to the information held by their financial intelligence units.

Any action taken YES NO

Comments:

In accordance with article 2 of Federal Act No. 144 of 12 August 1995 on police operations, one of the roles of the law enforcement authorities is to identify property that is subject to confiscation.

Specialized divisions (units and groups) tasked, inter alia, with the organization of activities to combat the laundering of proceeds of drug-related crime have been established within the Ministry of Internal Affairs and its local bodies.

Activities are regularly conducted in cooperation with the Federal Financial Monitoring Service. Bilateral operational cooperation has been established with respect to the review of information voluntarily reported in relation to financial investigations as received from the Federal Financial Monitoring Service in accordance with article 8 of Federal Act No. 115 of 7 August 2001 on combating the legalization (laundering) of the proceeds of crime and the financing of terrorism.

Recommendation 2

Governments are encouraged to ensure that evidence gathered through investigations of money-laundering offences by their financial intelligence units has legal standing in their courts if used in prosecutions brought by other law enforcement agencies.

Any action taken YES NO

Comments:

The information provided by the Federal Financial Monitoring Service is used by the Ministry of Internal Affairs in the course of its operational and investigative activities concerning cases that involve predicate offences (drug trafficking offences) and the legalization of proceeds of drug-related crime.

At the stage of operational verification, the internal affairs agencies use those findings of extensive financial investigations that may provide a basis for economic research within the framework of operational accounting cases. In addition, the data obtained are used for the purposes of planning operational and investigative activities. Financial intelligence information is verified through requests sent to financial and credit institutions in accordance with article 26 of Federal Act No. 395-1 of 2 December 1990 on banks and banking activities.

Recommendation 3

Governments are encouraged to make use of the tools available for training and building the capacity of their law enforcement authorities, financial investigators and prosecutors available through the Global Programme against Money-Laundering of the United Nations Office on Drugs and Crime (UNODC) and other training institutions.

Any action taken YES NO

Comments:

The Ministry of Internal Affairs of the Russian Federation has an independent system of training for the personnel of the competent authorities in the area of combating the laundering of proceeds of drug-related crime. For several years, the International Training Centre for Financial Monitoring has been running regular training courses for personnel of the operational, investigative and expert units of the drug control departments of local and central bodies and for the teaching and research staff of the training institutions of the Ministry of Internal Affairs.

Lectures and seminars on this subject are held on a regular basis as part of the system of in-service training for personnel of the Ministry of Internal Affairs.

Recommendation 4

Governments are encouraged to share with UNODC the results of their national money-laundering risk assessments to facilitate a coordinated global response and to strengthen the capacity of competent authorities and financial institutions to thwart attempts at money-laundering.

Any action taken YES NO

Comments:

The Ministry of Internal Affairs routinely works in collaboration with the national financial intelligence unit and other bodies responsible for combating money-laundering to monitor operations relating to the financial aspect of drug trafficking with a view to the timely identification of, and the design of measures to counter, new challenges and threats in connection with drug-related transactions and the legalization of proceeds of drug-related crime. Currently, such activities are organized in accordance with the Regulations on the Federal Financial Monitoring Service (Presidential Decree No. 103 of 8 March 2016), which authorizes that Service to conduct national risk assessments with the involvement of the Central Bank of the Russian Federation, representatives of the private sector and federal executive authorities that are part of the anti-money-laundering system, those authorities including the Ministry of Internal Affairs.

In 2018, on the initiative of the General Administration for Drug Control and the Federal Financial Information Service and on the basis of identified risks, a study on the characteristics of cross-border schemes involving drug-related transactions and the laundering of proceeds of drug-related crime using modern payment instruments was carried out through the Eurasian Group on Combating Money Laundering and Financing of Terrorism. The purpose of the study was to compile and analyse data of the law enforcement agencies and financial intelligence units of the Group's member States and observers on criminal methods of money-laundering and models of States' legal regulation of electronic payments and the circulation of cryptocurrencies with a view to updating working methods and harmonizing legislation.