



CONCEALMENT METHODS FOR DRUG SMUGGLING MEANS AND PSYCHOTROPIC SUBSTANCES

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ABSTRACT

The author gives an opinion on the concealment of narcotic drugs and psychotropic substances during smuggling; all of these methods of concealment are examined in detail.

KEY WORDS: *smuggling, methods of concealment, narcotic drugs, psychotropic substances.*

DISCUSSION

The criminals pay special attention to concealing the smuggling of narcotic drugs and psychotropic substances, as an element of the commission of a crime.

Still G.G. Zuykov noted that the criminals "... the main attention is paid to concealment of the crime, not deciding to commit it until they think through and to the necessary extent take a set of measures aimed at hiding the fact of the crime or their participation in it" [1].

Thus, the essence of concealment of a crime is that the criminal intent of the guilty persons is not disclosed and their actions are not perceived as illegal. Various authors classify the concealment of smuggling of narcotic drugs and psychotropic substances in their own way.

According to M.M. Kolesnikova's methods of concealment of customs, crimes can be classified on the following grounds:

1) On the content side: a) by concealing information and (or) its carriers; b) by destroying information and (or) its carriers; c) by falsification of information and (or) its carriers; g) mixed methods;

2) In the form of behavior of the subject: a) carried out in an active form (for example, the destruction of traces at the crime scene, mental or other influence on witnesses with the aim of giving false testimony or refusing them, etc.); b) sold in a passive form (refusal to testify, evading appearance at the investigative body, etc.);

3) On the subject of execution: a) methods carried out by the subject of the crime; b) methods

carried out by another person who is not simultaneously the subject of a crime;

4) Depending on the number of entities acting as executors of the concealment method: a) methods performed by one person; b) methods performed by several persons;

5) Depending on their relationship with the method of committing the crime and their goals: a) a method of concealing a crime, the purpose of which is to contribute to the achievement of a criminal result (in the case of forgery of customs documents. In this case, a method of concealing a crime is included in the method of committing a crime; b) a method of concealing a crime, the purpose of which is to ensure evasion of criminal liability and (or) punishment of a person (s). Here, the method of concealment is beyond the scope of the method of committing a crime and is a relatively independent phenomenon in the mechanism of crime" [2].

I.O. Zhuk calls the following ways to conceal smuggling: use of special storage facilities; giving some objects the appearance of others; concealment of objects in the body, things for personal use, clothing [3].

In our opinion, ways to conceal smuggling, including narcotic drugs and psychotropic substances, are contained in the Criminal Code of the Republic of Uzbekistan [4].

It moving across the customs border of the Republic of Uzbekistan in addition to or with hiding from customs control; either with fraudulent use of documentation or means of customs



identification; either associated with non-declaring or declaring not by its name.

1. Movement of prohibited substances and substances outside designated places or at unspecified working hours of customs authorities in these places. D.V. Listikov shares the movement of goods in addition to customs control into: moving outside the place specified by the customs authority for goods and vehicles to cross the customs border, and without coordination with the customs authorities; moving to a place determined by the customs authorities for crossing goods and means of transport of the customs border, but not at the appointed time of customs clearance and without the consent of the customs authorities" [5].

According to the Customs legislation Republic of Uzbekistan, in order to ensure the security of the state and citizens, any goods (items, things, and so on) that enter the territory of the Republic of Uzbekistan, moreover, in various ways: by rail, air, water, road, on foot, including international postal items, as well as individuals arriving from other states, are required to go through customs control. However, criminals, taking advantage of the large length of the borders of the Republic of Uzbekistan, in some cases, the great remoteness of checkpoints and other conditions, sometimes move drugs, psychotropic, potent or toxic substances, as well as plants containing drugs or psychotropic substances, in addition to customs control.

The method of movement is selected depending on the terrain on which the state border of the Republic of Uzbekistan passes. It can be water, using individual personal watercraft, and automobile, if there are bypass country or other roads, and walking, in cases where this path is narrow, mountainous, hilly, marshy, wooded or having other obstacles that do not allow use any kind of transport or you need to go unnoticed by others. Considering these illegal actions of criminals, I.O. The beetle notes that in this case, people move objects across the border "without entering into legal relations in this regard with the state represented by customs authorities" [6].

However, in our opinion, it does not matter at all whether such persons enter into legal relations with the customs authorities or not. Most importantly, they violate public relations that ensure the basic economic interests of our country in general, and the safety of public health, in particular, that is, in this way, enter into legal relations with the state regarding the illegal movement of prohibited substances, substances and plants across the appropriate borders. Therefore, they move narcotic drugs and psychotropic substances in addition to customs posts, as they are

well aware of the unlawful nature of their actions. The largest amount of narcotic drugs, bypassing customs control, enters our country from Afghanistan along the so-called "northern route" through Tajikistan and Kyrgyzstan. This is explained by the fact that, according to the absolutely justified remark of V. Ivanov, the border between Afghanistan and Tajikistan is "largely transparent, caravans pass quite freely across the territory of Tajikistan towards Russia" [7].

2. Concealment from customs control the concealment of narcotic drugs and psychotropic substances from customs control is carried out using hiding places. There are several points of view regarding the concept of caches in the forensic literature. So, for example, O.N.Lopareva believes that a cache should be understood as a place specially equipped or adapted for the hidden storage of objects, documents, tools, traces of a crime and other objects that can act as physical evidence [8]. An almost similar definition of a cache is given by A.V. Synachev [9]. According to V.G. Prokhorova "a cache can be made, equipped or adapted" [10]. A.V. Prisekin and V.V. Yarovenko under the caches understand "the type of method of concealing a crime, consisting in concealing the subject or object of concealment, in a specially made, adapted or suitable place for this, in order to ensure its non-obviousness for the established circle of persons" [11].

In our opinion, it doesn't matter at all whether a particular place for a cache is redone, modified or made anew. The most important thing is that narcotic drugs and psychotropic substances can fit in this place in order to hide them from prying eyes, in our case, from the customs authorities, and give their actions to illegally move them across the border a completely unbreakable character. Such caches can be arranged in a variety of places: in hand luggage in bags, suitcases, backpacks, cases and so on; a second bottom is arranged, their walls and partitions between sections thicken; substances and means prohibited for import and export are mixed with other personal items, perfumes or cosmetics; additional pockets are sewn in clothes; various stripes; buttons having an internal cavity; constructive cavities of various household items are used for hiding places; in shoes, caches are arranged in heels, soles "on platforms"; various belts, both industrial and handicraft, are put directly on the body; bandages etc.

The intraactivity method remains a common way of concealing drug smuggling. Despite the fact that the number of detainees of the so-called "swallowers" of drugs began to decline [12], the number of narcotics illegally transported by them is



still large. In cars, caches suit: in the luggage compartment and spare wheels; between the seats of the car and under them; in the door; gas tank; in the dashboard; under the rear and front bumpers etc. In railway transport, technical cavities of wagons are used to arrange caches. A.G. Kharatishvili in passenger trains and on watercraft calls "cases of drug concealment in public places in order to make it difficult to expose specific individuals in the event of smuggling" [13]. Narcotic drugs and psychotropic substances are increasingly being imported and exported under the guise of fruits and vegetables. By fair remark V.Vladimirova and I.Yurasova, this type of camouflage is the most successful, due to the fact that "fruit and vegetable products whose origin (unlike industrial goods and raw materials) are easy to hide, and its features - mass, the need for quick transit, pungent odors - make it difficult to search screening events"[14]. At the same time, criminals can hide drugs among such products as: onions, carrots, cabbage, turnips and so on; in manufactured models of such products: apples, pears and so on; as well as in agricultural products themselves.

For example, citizen F. from the Republic of Tajikistan to the Moscow region in boxes with pomegranates transported heroin, which he placed in bags inside the fruit. In total, up to 10 kilograms of highly concentrated heroin was placed inside the fruit [15]. As for parcels, parcels, letters with which narcotic drugs and psychotropic substances cross the Republic of Uzbekistan border, caches can be arranged in toys, books, household items, writing products, canned jars and so on.

For example, Kemerovo customs officers found in a parcel from China in dummies of a stationary telephone set "ISA" and an external hard drive "3.5 HDD EXTERNAL ENCLOSURE" two plastic bags weighing 250 grams each. in each with a narcotic drug of synthetic origin (derivatives JWH-122 and TMSP-2201) with a total weight of 500 g. [16].

3. Inaccurate declaration or non-declaration consists in indicating inaccurate information in the declaration regarding the declared customs procedure, about the declarant, customs representative, the sender and the recipient of goods, on vehicles used to move across the border of the Republic of Uzbekistan, about the product being moved (its name, description, classification code of goods according to the Commodity Nomenclature of Foreign Economic Activity, the name of the country of origin or departure, description of the packages, including their quantity, type, marking and serial number, quantity in kilograms (gross weight and net weight) and in

other units of measurement, customs and statistical value, on the calculation of customs duties, the rate of customs duties, taxes, customs duties, the application of benefits for the payment of customs duties, amounts of calculated customs duties, taxes, customs duties, exchange rates established in accordance with the legislation of the Republic of Uzbekistan, on the foreign economic transaction and its basic conditions, on compliance with restrictions, on the manufacturer of the goods, on information confirming compliance with the conditions for placing goods under the customs procedure, on the documents submitted, on the person who made the declaration on the goods, the place and date of preparation of the declaration on the goods.

Inaccurate declaring as a way of concealing illegal movement of prohibited goods across borders should also be recognized as filing a declaration in violation of existing rules.

Such situations may arise when a declaration is submitted to a customs authority that is not authorized to register customs declarations or is not an authorized person; it does not indicate the necessary information to be entered; not signed or certified properly or not compiled in the prescribed form; in relation to the declared goods, no actions have been taken which must be completed before or simultaneously with the filing of the customs declaration.

As for the non-declaration of goods transported across the relevant borders, this method of concealment consists in the fact that the declarant is silent about the objects illegally transported by him or such a declaration does not fill out the declaration at all.

An example is citizen A. who from the city of Osh of the Kyrgyz Republic illegally moved by air to Moscow mixtures (preparations) containing heroin, acetyl codeine and 6-monoacetylmorphine, with a total weight of narcotic drugs of 995.11 grams contained in two briquettes, placed in low shoes, worn on it. At the same time, when passing through customs control at Domodedovo Customs, he deliberately did not indicate this drug in the customs declaration, did not present customs control, but proceeded through the customs control zone via the "green" channel, thereby not performing customs declaration of goods in writing [17].

4. Use of documents containing inaccurate information about the goods. Most often, such documents contain signs of falsification. Moreover, the falsification may concern both transport, transportation, commercial or other documents. The goods indicated in them may not correspond to the name, address of the recipient, etc. These



documents may contain information about fictitious products: when inspecting a truck delivering agricultural products from Europe, 400 cardboard boxes with bags of “contaminated poppy” weighing 25 kg were found, which according to the documents passed as dried fruits [18].

The documents may contain an underestimated or conversely, overestimated amount of agricultural products or other items (at Brest customs, when inspecting the cargo compartment of a road train traveling to Kazakhstan from Germany, more than 70 items of goods not listed in the accompanying documents were found, among which were a large number of anabolic steroids [19]), or other inaccurate information is contained.

Inauthentic documents confirming the authority of the person filing the customs declaration may contain information about the non-existent legal entity on behalf of which it acts, which can be either the recipient of the goods or moving them across the relevant borders; state registration of a legal entity, or state registration of an individual as an individual entrepreneur; on registration of the declarant with the tax authorities.

In the event that the natural person acts as the declarant, the documents proving his identity may be false documents: passports with signs of erasing, adding, re-sticking photos, replacing sheets or stolen or lost by the owners. Documents confirming the country of origin of the goods, as well as their accompanying documents: bill of lading, bill of lading, or other documents confirming the existence and content of the contract for the carriage of goods, may be false.

So, a citizen of R., when crossing the border of the Customs Union at the Bryansk Customs, presented a document stating that he was transporting drugs. However, in his car, behind the last row of seats, drugs were found containing potent substances - methandienone, dehydrochloride-tiltestosterone, testosterone propionate and mesterolone, a total of 126800 tablets and 4590 ampoules [20].

In determining the customs value of the goods being transported, forged contracts of foreign trade purchase and sale may be presented, invoice (invoice) containing false information, banking, other payment or insurance documents that do not correspond to reality, shipping and packing lists and other documents that are used in accordance with international treaties of the Republic of Uzbekistan in carrying out foreign trade and other activities and which, by virtue of a law, agreement of the parties or business customs, are used to confirm transactions involving the movement of goods across the customs border,

documents confirming the payment of customs payments and the right to privileges on their payment and others.

Since the customs declaration can be submitted both in writing and in electronic form, such documents can also be forged. This applies primarily to electronic signatures. In addition, some changes to the customs declaration may be made after this document has been certified by an electronic digital signature of the person authorized to put such a signature.

5. The use of counterfeit or other means of identification related to other goods. The identification of goods and vehicles is a set of measures applied by customs authorities aimed at establishing the conformity (identity) of goods and vehicles placed under the selected customs procedure.

Since quite often-narcotic drugs and psychotropic substances are transported along the customs border of the Republic of Uzbekistan together with any goods or goods, they are placed there after the relevant goods or goods are already in any vehicle.

And since the identification of goods or goods moved across the corresponding border is carried out by applying seals, stamps, digital, letter and other markings, identification marks, stamping, sampling and sampling, a detailed description of the goods, drawing up drawings, making large-scale images, photographs, illustrations, the use of shipping and other documentation, as well as in other ways, the seals on the doors of wagons or other containers in which the main cargo moves may not be applied in the proper way, the cargo itself may be falsified or digital, alphabetic or other identification marks that do not correspond to the goods transported.

So, for example, during the inspection of cargo coming from the Republic of Tajikistan, which was located in two vehicles, the North-West Operational Customs officers revealed that the manufacturer did not have a seal on the seal, and the seal itself was different in shape and size. When checking persimmon boxes inside these vehicles, 180 kg of heroin were found [21].

In conclusion, I would like to note that the use of search equipment is important in the activities of customs authorities in identifying crimes in the field of drug trafficking.

For the detection of caches for storing narcotic drugs, they use publicly and secretly the means of search technology of contact action (cats, probes, borax), and for the detection of caches of cavities of cavities - means of search technology of contactless action (metal detectors and X-ray television equipment).



Detection of drugs during transportation in freight wagons and containers by personal investigations is a labor-intensive and time-consuming process. Therefore, without the proper organization of operational work, achieving high results in this direction is rather difficult.

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