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IBI (India) = 4.260
OAJI (USA) = 0.350

SOI: [1.1/TAS](#) DOI: [10.15863/TAS](#)

International Scientific Journal Theoretical & Applied Science

p-ISSN: 2308-4944 (print) e-ISSN: 2409-0085 (online)

Year: 2022 Issue: 11 Volume: 115

Published: 10.11.2022 <http://T-Science.org>

Issue

Article



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KYRGYZSTAN'S POLICY ON COMBATING INTERNATIONAL TERRORISM AND DRUG TRAFFICKING

Abstract: *The relevance of the study on international terrorism and drug trafficking arises from this subject becoming a global concern over recent decades. The purpose of this study is a detailed investigation of theoretical and practical aspects that will help to consider the general mechanism of international terrorism and drug trafficking, and to identify the main methods of combating this global issue based on the foreign policy of Kyrgyzstan and foreign practice. A number of methodological approaches were used in the scientific research, which reveal, as stated above, theoretical and practical aspects. Among such methods, it is necessary to distinguish the theoretical and methodological approach, the method of logical analysis, the formal and legal method, the dialectical methodological approach, the functional methodological approach, the method of comparative analysis, the method of synthesis, and the method of analysis of scientific literature. As a result of the study, the goals and objectives set by the author were fulfilled, namely, the concepts of "terrorism", "international terrorism", and "drug trafficking" were considered in detail, their main characteristic features of the implementation of these infringements were highlighted, which, consequently, allows considering the general mechanism of this issue. The norms consolidated in international legislation, and methods of combating terrorism and drug trafficking were also analysed. In particular, the political efforts of Kyrgyzstan in the fight against the global issue under study, and a comparative analysis of the policies of foreign states at present, were studied in detail. The findings of this study will increase the effectiveness of the fight against international terrorism and drug trafficking in Kyrgyzstan, which will have a significant impact on the country's current internal and external political situation in the international arena.*

Key words: globalisation, types of terrorism, drug mafia, drug trafficking, international practice.

Language: English

Citation: Namatbekova, N., Saliev, K., & Kurmanov, Z. (2022). Kyrgyzstan's policy on combating international terrorism and drug trafficking. *ISJ Theoretical & Applied Science*, 11 (115), 482-489.

Soi: <http://s-o-i.org/1.1/TAS-11-115-26> **Doi:**  <https://dx.doi.org/10.15863/TAS.2022.11.115.26>

Scopus ASCC: 3308.

Introduction

The 21st century is an era of challenges and global issues. Due to the high level of development of scientific and technological progress, the processes of

globalisation and digitalisation, the world community must face daily challenges that can reach the scale of more than one state. Therefore, scientists single out international terrorism and drug trafficking among

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such global dangers and issues. At present, considerable attention is paid to international crimes, which affect not only the socio-political aspect but also the legal aspects.

It is important to note that international terrorism and terrorism, in general, are an act of ideological interconnection, psychological warfare against the morality of the public and the apparatus of power. It cannot be ignored that international terrorism is a global problem that requires a joint solution. For instance, the Secretary-General of the United Nations notes that in the last few decades the number of international terrorist acts, the number of victims and casualties due to terrorist acts and their scope have increased significantly, making terrorism an unprecedented threat to the world, its development and the security of the world community. It is particularly dangerous as an act of indirect aggression that is disguised as an independent action by individual actors or groups of actors [1].

At this stage, it is worth mentioning that there are quite a number of approaches to defining "terrorism" and "international terrorism". Since there is no single agreed definition of these concepts at the international level, this becomes a significant obstacle to the effective application of international normative legal acts [2].

Given the specific nature of the current era, terrorism arising in modern conditions should be characterised as international. However, the very concept of "terrorism" is defined as an international or interstate, but of an international character, organisational or other activity that is aimed at creating organisations or groups for the purpose of attempted murder or murder, inflicting serious bodily injuries, forcibly depriving a person of freedom by means of torture, blackmail and abuse of the subject, the capture of people for ransom as hostages or the transfer of people for ransom [3]. The main feature of terrorist acts is its orientation against key universal values, which are protected by normative acts of both national and international character.

There are several types of terrorism. A nationalistic terrorist act is described as being based on territorial conflicts, setting itself the goal of separating the community at the national level from larger entities in the state and gaining independence in the political aspect, fighting against the dictatorship of monopolies or non-national states [4]. Further, it is necessary to mention such a form as internal, that is, which sets itself tasks in the form of pursuing the fundamental goals or maintaining the current state of both political and economic aspects in the state. This type of terrorist manifestation appears in two key directions – the right and the left, which are quite antagonistic in their ideas, but they are brought together by a negative attitude to the already existing system. And, the last type of terrorist acts is religious, the direction of which is determined in the struggle of

supporters of one religion with supporters of another religion, setting themselves the goal of overthrowing secular power, undermining its authority and at the same time establishing the religious authority. In practical application, these directions rarely appear separately, most often intertwining and borrowing ideas and slogans from one another [5].

Thus, it is of great importance to conduct a detailed study of the phenomenon of international terrorism as one of the global problems of the world community, along with such a problematic phenomenon as the spread of drug trafficking. It is possible to achieve this goal by studying the theoretical mechanism of these global challenges, their impact on various spheres of public life, and the effective foreign policy of various states to combat such phenomena.

Materials and Methods

The study on the topic of Kyrgyzstan's foreign policy on international terrorism and drug trafficking was carried out using a variety of methodological approaches. First of all, it is necessary to disclose the theoretical aspect of the study to obtain greater accuracy of the studied problem, which is possible due to the introduction of a theoretical-methodological approach, which allows revealing the concepts of "international terrorism" and "drug trafficking", and identifying characteristic features of these infringement actions and methods of their implementation. The method of logical analysis, in turn, will help to accurately analyse and reveal the theoretical component of this investigation. Further, the importance of using the formal legal method is highlighted, which helps to analyse the norms enshrined in the international legal instruments and to identify the level of importance in combating international terrorism and drug trafficking. A dialectical methodological approach is also important since it allows general patterns in the implementation of these infringement actions to be considered. Such a methodological approach, such as a functional methodological, cannot be overlooked, as it makes it possible to highlight the key objectives and goals set by Kyrgyzstan's foreign policy to combat international terrorism and drug trafficking. The method of comparative analysis will help to identify positive and negative qualities in the foreign policy of Kyrgyzstan in the topic under study and to consider the international practices in this area. It is possible to consider in more detail how this process should be carried out, based on the theoretical and practical information gained, by introducing the synthesis method into the study. It is also worth mentioning the use of the method of scientific literature analysis, which will help in the research on the topic, based on studies by various authors.

Thus, the author sets the following tasks in the investigation:

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– to reveal the theoretical aspect of research in the study the concepts of "international terrorism" and "drug trafficking", while highlighting the characteristic features of these infringing activities;

– to consider a practical application based on the study of international legal norms and methods of combating international terrorism and drug trafficking;

– to analyse foreign policy on international terrorism and drug trafficking in Kyrgyzstan, and the policies of foreign states in this regard.

The study will be conducted in several key stages:

1. The first stage is based on the study of the theoretical aspect of the investigation, which consists in exploring the concepts of "terrorism", "international terrorism" and "drug trafficking", identifying characteristic principles and characteristics through which these offences can be classified.

2. The second stage is based on the study of legal norms enshrined in international instruments, and the consideration of methods of combating the problem under study in general.

3. The final, third stage, directly examines the foreign policy of Kyrgyzstan in combating international terrorism and drug trafficking, and analyses the policy of foreign states in combating international terrorism and drug trafficking to identify new methods and their application in the policy of Kyrgyzstan towards increasing the effectiveness of ongoing state policy.

Results and Discussion

As society develops, there is an increase in the various types of criminal activity that emerge and operate for the primary purpose of generating cash turnover. Notably, all criminal activities are latent, which creates an opportunity for security in the long-term functioning of the income-generating stage of criminal activity. Since one of the global problems of the modern world is the active development of the drug business, its example can be used to consider the trend of generating the stage of criminal income by producing, transporting, storing, and selling narcotic drugs to generate criminal income. When considering this type of criminal income, it is important to mention that this phase of economic activity represents a plurality of stages, and is also one of the most common, as the organisation of this sector is well investigated.

The process of organising income-generating activities through the distribution of the drug business should be further studied. One of the characteristic features of drug trafficking is obtaining more monetary income by narcotic passing through such stages as the production of narcotic drugs, their processing, transportation, storage of narcotic drugs, and their direct sale.

First, considering the concept of the production of narcotic drugs and psychotropic substances, it should be mentioned that this process is characterised by the implementation of the technological stage of their production since further stages of this process require the involvement of more resources to complete the production of narcotic drugs and psychotropic substances and their transportation. Each subsequent stage is characterised by an increase in the expenses of the production process, as a result of which there is an increase in the growth of prices for covering these expenses. Among the most common methods of production of narcotic drugs and psychotropic substances is the establishment of specialised clandestine laboratories by persons who are involved in the circulation of such drugs to implement the production process of narcotic drugs and psychotropic substances.

Another stage in the drug business is the processing of narcotic drugs and psychotropic substances, which involves purifying the mixture, increasing the intensity and potency of the drug in the mixture that is prepared, and adding special medicaments, chemical substances to such mixtures to exert greater influence on the human body. The processing part of the drug business is characterised by an increase in the price of narcotic drugs and psychotropic substances, as this stage includes the use of additives and the increasing concentration and saturation of the narcotic or psychotropic substance, which indicates an increase in the level of its purity in comparison with the original substance.

In the following steps that characterise the organisation of the drug business, it is important to note the transportation of narcotic drugs and psychotropic substances, which means the transportation of these substances from one key point to another by using a vehicle or other means of transportation. Another stage that deserves mention is the storage of narcotic drugs and psychotropic substances. It is characterised by any actions of a person that are associated with the possession of narcotics and psychotropic drugs, storing them in any place without highlighting the key task in the form of further sale of these substances. The last stage in the drug business is the sale of narcotic substances. This stage is defined as a form of transfer of ownership or possession of these substances to another subject [6].

According to the latest data from the United Nations and the International Monetary Fund for 2020, the annual amount of profit from the business of trafficking in narcotic drugs and psychotropic substances is around USD 500 billion [7]. These statistical indicators provide information that the drug business makes up a significant part of the global income spectrum, which is the basis for satisfying the subjects of the criminal economy by increasing the importance of the criminal economic cycle. In other words, based on these figures, it can be stated that

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trafficking of narcotic drugs and psychotropic preparations allows subjects of the criminal economy to make between 300 and 2000% profit, as a result of which the stages of the criminal cycle are successfully developed and operate further [8].

Given the above information, it should be concluded that the distribution of narcotic drugs and psychotropic substances is a global issue. In this case, it is important to consider in more detail not only the negative qualities and consequences of drug trafficking but also the impact of this sector on the economic and legal segments.

The legalisation of criminal income is beginning to prevail in the world, which means conducting financial plan operations, which means conducting financial transactions that are intended to make the proceeds of criminal activities appear legal. There are three key ways to conduct money laundering operations around the world: placement, integration, and layering. The first method involves introducing the proceeds into the financial system, thereby removing them from their place of origin; this method is considered rather unreliable, as law enforcement authorities can easily trace these funds. Considering such a method as the integration of funds, it should be characterised as the legalisation of money obtained during criminal operations and their introduction into the legal economic system. That is, based on the definition of this method and its direct implementation in practical application, criminal proceeds acquire the character of funds that are obtained through legal operations. The last highlighted method, which is called layering, should be defined as the removal of such funds through a series of complex financial transactions, the need for which lies in the attempt to conceal their criminal origin and to legitimise them. That is, on this basis, a series of complex financial transactions take place, which are "layered" upon one another to hide a previous financial transaction, thereby providing grounds for determining an increase in the level of their conduct [9].

The importance of studying the issue of legalisation of criminal proceeds from the turnover of narcotic drugs and psychotropic substances is also driven by statistical indicators in the global community. Financial measures to combat money-laundering, particularly in the distribution of narcotic drugs and psychotropic substances, have been established, revealing that in the United States of America and Western European countries about USD 85 billion are being laundered each year. In the Russian Federation, the figure ranges from USD 2 to USD 7 billion annually. The rise in the annual global money laundering numbers is influenced by factors such as constant improvements in the way these transactions are conducted and their concealment, which exacerbates and complicates the enforcement agencies' control of these transactions. Importantly, money laundering amounts to USD 1.5 trillion

annually in legal funds, or approximately 5% of the world's gross product [10].

In further disclosing the danger of a global problem of international terrorism, it is important to mention that not only public security is the object of the issue under study since the object of terrorist acts is also relations that are regulated by the subject of coercion, which prevails mainly in the powers of authority and administrative nature of state authorities, both local and autonomous, which are protected by the rights conferred upon them. That is, it points to direct interference in the power and administrative powers of the state and local authorities, which directly violates the security of the state as a whole and infringes on the constitutional foundations of the system. It is also worth mentioning that an act of terrorism can be directed at an individual and their group or a legal entity, which consequently violates the security of the state, society, and individuals.

Moreover, the concepts of "terrorism" and "international terrorism" are enshrined in the world's legal instruments. In examining this issue, an important problem is further defined by the lack of clarity in the definition of the institution. That is, the terms "terrorism" and "international terrorism" are used in parallel since they are connected semantically. But it is worth pointing out that most international legal instruments focus on combating terrorism in general, and not on its international implementation. The concept of "international terrorism" was mentioned only a few times in certain United Nations normative legal acts, namely: the 1979 Hostages Convention, the preamble to the 1979 Convention on the Physical Protection of Nuclear Material, the preamble to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation [11]. However, international legal doctrine has not proposed distinguishing characteristics to differentiate between 'terrorism' and 'international terrorism', which would help to build a clearer definition in this legal concept and distinguish it from other legal phenomena. But, for example, when looking at the practice of the Russian Federation on this issue, one cannot but mention the inclusion in the Criminal Code of the Russian Federation of a new corpus delicti of "acts of international terrorism" as "a crime against the peace and security of mankind" [12]. This demonstrates the increasing relevance of the issue of other national criminal law instruments to international counter-terrorism legal standards.

Yet, if the question of 'international terrorism' is explored in more detail through an analysis of the United Nations legal instruments, two key criteria stand out, namely the territoriality of the terrorist act and the legal affiliation of the perpetrator with a particular state [13]. In this case, the goals, motive, nature of the damage caused and the state-legal affiliation of the victims are not considered as

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constructive elements of this concept. But these neglected criteria do have a significant value as a reflection of the concept of international terrorism. In practical terms, this provides objective factors to complicate the search and prevention of terrorist crimes, which consequently creates additional barriers to international communication in the legal sphere [14]. Having studied in detail the theoretical aspect of such global issues as international terrorism and drug trafficking, it would be necessary to move on to the practical component, namely, the analysis of political activities to combat these phenomena in Kyrgyzstan.

When investigating Kyrgyzstan's counter-terrorism policy, the main legislative acts to be noted are the Law of the Kyrgyz Republic No. 87 "On Counteracting the Financing of Terrorist Activities and Legalization (Laundering) of Crime Proceeds" (2018), the Law of the Kyrgyz Republic No. 178 "On Counteracting Terrorism" (2006), the Law on National Security Bodies of the Kyrgyz Republic [15], the Law on Internal Affairs Bodies, the Code of Administrative Responsibility, the Law of the Kyrgyz Republic No. 150 "On Counteracting Extremist Activities" (2005).

The practice of combating terrorism by the bodies of the State Committee for National Security shows that terrorist organisations are constantly improving their methods of subversive activity, and adjusting their plans and intentions. Nevertheless, the government policy of the Kyrgyz Republic is primarily oriented at maintaining its position in the fight against 'international terrorism' and continues to cooperate closely with the Shanghai Cooperation Organisation and the Collective Security Treaty Organisation along with other allies and partners in combating the issue under study. In recent years, this policy has been carried out quite successfully, as evidenced by the detention of more than dozens of militants who were transferred to the territory of Kyrgyzstan to carry out terrorist tasks. It is also worth mentioning the joint efforts of the Kyrgyz Republic and the Russian Federation, which have prevented several terrorist attacks in recent years, notably in Moscow, St. Petersburg and Yekaterinburg. Kyrgyzstan's active foreign policy efforts against international terrorism are reflected in the participation of thousands of Kyrgyz citizens in terrorist organisations in states such as Syria and Iraq [16].

Kyrgyzstan's counter-terrorism policy is also aimed at raising the general level of education to explain the difference between various religious movements in the extremist direction to prevent the population from being drawn into joining terrorist organisations. This is evidenced by the creation of specialised forums by the Security Council of the Kyrgyz Republic, the Eurasian New Wave Foundation, the Association of Veterans of the Anti-Terror Unit "Alpha" and the Pikir Expert Club. The activities of 21 destructive, extremist and terrorist

organisations in the Kyrgyz Republic have been banned by court decisions of various instances. For example, "Islamic State", "Islamic Movement of Uzbekistan", "Al-Qaeda", "Taliban", "Islamic Jihad Union", "Jabhat Al-Nusra" and others. The State National Security Committee of the Kyrgyz Republic has an active policy to detain and prosecute individuals who are involved in the activities of the above-mentioned and other terrorist organisations [17].

An important focus in the fight against terrorism is the adoption of Program of the Government of the Kyrgyz Republic No. 394 "On Countering Extremism and Terrorism for 2017-2022" (2017). Among the counter-terrorism methods already mentioned above in the foreign policy of the Kyrgyz Republic is the work of the Computer Incident Response Centre established under the State National Security Committee, whose key task is to monitor access to various unauthorised resources on the Internet platform to remove, prevent the spread of or block access to such content. This approach in foreign policy is quite important and effective since in today's context the media is influential in reducing extremist and terrorist trends, and practice also shows that communication strategies are a powerful and fast means of preventing real threats from these directions. This is done through such components as the development of social marketing to shape communication with the population to meet their needs, the development of peacekeeping civic communications, the inclusion of "peace journalism" in the media to build communication with target audiences, focusing on its current demand and needs. To increase public confidence and engage the population against the phenomenon of international terrorism, work should be done to improve current communication strategies.

The next important stage in the foreign policy of the Kyrgyz Republic is the fight against the spread of drug trafficking. As part of the fight against the spread of narcotic drugs and psychotropic substances, the capabilities to control this phenomenon were developed in the powers of the Drug Control Service of the Ministry of Internal Affairs of the Kyrgyz Republic and the Department of Drug Provision and Medical Equipment of the Ministry of Health of the Kyrgyz Republic. Measures have focused on the objective of supporting existing legislation in drug control, strengthening potential law enforcement control over the licit movement of controlled narcotic drugs and psychotropic substances based on the United Nations Conventions (Single Convention..., 1961), supporting the operational capacity of the competent authorities in narcotic drug law enforcement at the national level [18].

The Law of the Kyrgyz Republic No. 66 "On narcotic drugs, psychotropic substances and precursors" (1998) was drafted and adopted as part of

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an initiative by Japan to allocate funds for the control of drug trafficking. According to the introduction of this project, many law enforcement officers have been trained in resisting the illegal distribution and trafficking of narcotic drugs and their prevention methods. It is also worth mentioning the collection "Control Over the Turnover of Narcotic Drugs, Psychotropic Substances and Their Precursors in the Kyrgyz Republic in 2009-2017" (2018). According to this initiative, the United Nations Office on Drugs and Crime signed a protocol on cooperation between the Drug Control Service of the Ministry of Internal Affairs of the Kyrgyz Republic and the Drug Control Agency under the President of the Republic of Tajikistan. An important area of Kyrgyz foreign policy is also cooperation with the Central Asian Regional Information and Coordination Centre, through which a special catalogue is created that contains information on the methods of illegal movement of drugs, identifying the various concealment methods used by various criminal organisations for drug trafficking, such as vehicles, consumer products, use of postal envelopes and parcels, on the body and personal clothing [18].

To increase the effectiveness of the foreign policy of the Kyrgyz Republic in combating such global problems as international terrorism and drug business, it would be necessary to mention successful policies in other states. For example, the United States of America is characterised by its flexible nature in its foreign policy efforts against international terrorism, the focus of which is to maintain previously achieved positions and ensure the security of the State of Afghanistan through the consensus of all forces of a military-political nature, including the "moderate Taliban". It is also the policy of the United States to assist Syria by providing arms and qualified military training. A more detailed examination of the United States' experience with international terrorism policy is important since it is pragmatic and flexible in nature [19].

It is also worth considering Germany's policy on combating international terrorism. The policy is implemented in several ways, including information technology security for the transmission of any information on international terrorist organisations, the development of the Federal Border Guard, which focuses on border security to prevent crime on the eastern borders, and international cooperation to combat the phenomenon of terrorism more effectively [20].

The most striking example in the fight against drug-related crime is the policy of the Kingdom of Spain. It should be noted that law enforcement agencies have created specialised observation posts, using information and communication technologies to identify methods of production of narcotic drugs, to prevent criminals from using improved methods of transportation and distribution of narcotic drugs, and

to conduct monitoring on digital platforms. Equally important in Spanish policy is prevention among the population, which aims to reduce the demand for narcotic drugs and psychotropic substances, and the development of rehabilitation centres to help people who are drug addicts [21].

Thus, based on the above, there is a high risk of the spread of the phenomena of global terrorism and drug trafficking, which, in turn, directly affect public spheres and the safety of citizens. The analysis of the policy of the Kyrgyz Republic shows that it conducts an active and effective fight against these global problems to maintain the current level of stability on the territory of the state and provides assistance to foreign states to combat these phenomena. An important aspect of the investigation is also the study of the policy practices of developed states, among which are the United States of America, Germany and the Kingdom of Spain. The experience of these states in combating international terrorism and drug trafficking will help identify new ways and methods to eliminate the studied global challenges.

Conclusions

By investigating international terrorism and drug trafficking, both the theoretical and practical aspects of these global world problems have been highlighted. Considering the term "international terrorism", it has been pointed out that international legal doctrine has not proposed a distinguishing feature to differentiate between the concepts of "terrorism" and "international terrorism", which would help to build a clearer definition in this legal concept and distinguish it from other legal phenomena. However, in the practice of the Russian Federation in this matter, the new composition of the "Act of international terrorism" as a "crime against the peace and security of mankind" is enshrined in the Criminal Code of the Russian Federation.

The drug trade, on the other hand, has been analysed in terms of how this global phenomenon is implemented. Among the key stages, the study covered drug production, drug processing, drug transportation, drug possession, and the direct sale of drugs. An equally important factor in the study of this issue is the consideration of the impact of drug trafficking on the economy in the form of criminal income. From a practical aspect, the successful foreign policy efforts to combat the segments under study should be highlighted. Among such methods are the development of social marketing to shape communication with the population to meet their needs, the development of peace-making civic communications, the inclusion of "peace journalism" in the media to build communication with target audiences in line with their current demand and needs. The fight against the trafficking of narcotic drugs and psychotropic substances takes place in the form of support for the current legislation on the control of

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narcotic drugs, strengthening the potential control of law enforcement agencies under the legal turnover of controlled narcotic drugs and psychotropic substances, and the provision of specific training to law enforcement officers to increase their effectiveness in the control of these activities.

An important part of the study is the analysis of foreign policies to combat international terrorism and drug trafficking. Thus, the policies of the United States and Germany were examined to highlight new

ways of controlling and combating the phenomenon of terrorism, and the effective policies of the Kingdom of Spain in the field of drug trafficking were considered.

The highlighted methods and approaches would help to increase the level of activity against the phenomena under study in the Kyrgyz Republic and to make this foreign policy more flexible, pragmatic, and relevant.

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