I. Introduction

As Social Networking Services’ (SNS) markets are enlarging so rapidly nowadays, most entrepreneurs are seeking ways to commercialize their products online. The rapid growth is obviously caused by the fact that SNS’s influences on people are so powerful, as evident from the fact that people are highly obsessed with their mobile devices. SNS offer many advantages. Through SNS consumers no longer have to put as much time and effort into seeking and comparing available products; virtually everything is now made possible with just a few clicks; the products are also shipped directly to their homes. However, when it comes to illegal drug markets, no social benefits are created.

Due to the surging influence of SNS, illegal drugs are easily, and very secretly distributed. According to the UNODC World Drug Report 2016, the

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1 According to the World Health Organization (WHO), illicit drugs have: 1) high dependence 2) tolerance 3) addiction and 4) withdrawal symptom - WHO (1993)
proportion of drug abusers who have engaged in purchasing illicit drugs was 25.3\% in 2014, an extremely rapid increase from 1.3\% in the year 2000.\textsuperscript{2} Teenagers have easy access to drugs nowadays due to their exposure to SNS. This results in serious social problems such as adolescents’ deviation and impeded growth. In fact, according to the National Police and Prosecutors Office, the number of sales of illegal drugs via SNS by Korean gangsters are growing rapidly,\textsuperscript{3} as the whole process of import, distribution and sales are usually controlled by them. The Prosecutors Office of Korea reported that the number of people involved in drug-related crimes is estimated to reach 15,000, the highest number ever, by the end of 2016.\textsuperscript{4}

Therefore, we, the Authors, would like to shed light on this recently emerging matter. In the very first section of this article, we will clarify the side effects of illegal drugs, focusing on the mental and physical effect on individuals. Further, we would estimate the social costs of addiction and withdrawal of illegal drugs via SNS. The above mentioned discourses will support our justification for the severe regulatory systems and laws which aim to achieve the complete eradication of illegal drugs, as they are being recognized and known for their serious threats and dangers to individuals and societies. Secondly, we would evaluate the efficiency of the current Korean countermeasures on this issue. The Prosecutors’ Office declared to implement the so called ‘e-robots’ to censor illegal drug-related posts, or any anonymous seller on the internet despite the controversies it brings.\textsuperscript{5} Due to the systematic


\textsuperscript{3} Prosecution Service and Korean National Police Agency, Report (16\textsuperscript{th} of July, 2016)

\textsuperscript{4} Bang, 2016. “SNS Illegal Drugs Sky-Rocketed, highest ever since”, Yonhap News

procedure, there are chances that some (human) rights may be violated through the censoring of posts. Thus we would inspect and analyze through utilizing the principle of the proportionality. Thirdly, we would take a glance into foreign cases such as that of the United States of America’s crackdown measures. Subsequently, we would attempt to figure out the most righteous and reasonable applications or modifications to the Korean mechanism, taking into consideration the impacts on the society. Lastly, as the conclusion, we will propose possible solutions for the online illegal drug markets.

A. Effects on Individuals and the Society

As commonly known, illegal drugs such as cocaine and marijuana are highly detrimental to the human health. Firstly, its effects are critical to the mental health. According to UNODC Reports, illegal drug brings several symptoms such as hallucination, which is conceived as the perception in the absence of external stimulus. People who smoke cocaine happen to fall into intense depression and become addicted to it. As drugs are highly addictive and demand high tolerance, economically, those addicted to them would end up spending much more money than they can afford to. This would result in bad habitual purchases of drugs, from the society’s point of view, and eliminate their opportunities to purchase other products. Also, as drugs bring about the state of paranoia and anger, those addicted to them can be very anti-social, further excluding their lives from the society and reducing interaction with others. In addition, drugs are known to be much more harmful to those suffering from heart diseases; increasing the chances of heart attack. Drug usage is also

6 By ‘human rights’, the authors are referring to the ‘rights to freedom’ and ‘right to pursue happiness’, both of which are declared in the Constitution of Republic of Korea.

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correlated to the academic performance. Students who often use drugs suffer from short-term memory, lack of concentration, reduced cognitive efficiency, etc. This gives rise to low academic performances, and increases the number of drop outs.

<table>
<thead>
<tr>
<th>Drug category</th>
<th>Acute toxicity</th>
<th>Chronic toxicity</th>
<th>Relative risk of addiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocaine, amphetamines</td>
<td>Sympathetic overactivity: hypertension, cardiac arrhythmias, hyperthermia; acute toxic psychosis: delusions, hallucinations, paranoia, violence, anorexia</td>
<td>Paresthesias, stereotypy, seizures, withdrawal depression, chronic rhinitis, perforation of nasal septum</td>
<td>1</td>
</tr>
</tbody>
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According to the social-cost approach, it costs much more money, and insurance premiums, to look after their health conditions. Governments have to increase their budget allocated for supporting cure-seekers, starting from regular medical checkups. Furthermore, with illnesses, the working age population and labor efficiency will be decreased. Decline in the total supply-demand, and competitiveness of corporations will doom the society. In fact, according to several researches, the cost of drug abuse in Canada is calculated to be 2.7 percent of the GDP, or US $40 per capita. 60 percent of the social costs were solely caused due to productivity losses resulting from diseases and premature death. More importantly, drug abuse frequently occur amongst juveniles; leading to very detrimental long-term effects. Furthermore, as illegal drug trafficking is highly possibly related with local gangs, it could enlarge opportunities of causing discords in the society. If not regulated, our society would obviously be much more vulnerable to increased number of crimes.

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8 Economic and Social Consequences of Drug Abuse and Illicit Trafficking
We, the Authors are aware that attempts to legalize the possession and consumption of illicit drugs are becoming a global trend. Portugal and several states in United States of America has made positive comments the idea. In such regions, people’s pursuit of happiness and freedom have become the values to be protected, when weighted to the issue of social security. Despite the trend, Republic of Korea has not yet conceived illicit drugs to be ‘OK’ for consumption, as reasoned above. This is why Republic of Korea has been legislating and maintaining laws such as ‘Criminal Law’, ‘Narcotics Control Law’ and many more. Finally, we can justify the implementation of hard-regulations on illegal drugs, as they are being recognized and known for their serious dangers to health and the society. We will now further discuss the updated resolutions on regulating the distribution of illicit drugs via SNS.

II. Evaluation on the Efficiency of the Current Korean Countermeasures

As mentioned above, Republic of Korea has been recognized as a ‘Drug-Clean’ nation, one of the few nations in the world that are considered ‘drug-free’. However, with the development of the internet, and SNS, increasing numbers of Koreans are able to contact foreign drug dealers, or even manufacture illegal substances such as methamphetamine themselves. In 2015, there was a case in which a former pharmaceutical employee with no drug related criminal record, made methamphetamine in his home, with knowledge and materials available on the internet. Also, with more and more people participating in ‘direct

9 Chuncheon, 'Internet crowd collection "bit coin" caught 70 people who deal in hemp trading', Yeonhap News (South Korea, 24 April 2014) <http://www.yonhapnews.co.kr/bulletin/2017/04/24/0200000000AKR20170424070500062.HTML?input=1195m>

10 Gimbyeonghun, 'Cyber drug trade through Internet and SNS', Asia today article (South Korea, 24 August 2016) <http://www.asiatoday.co.kr/view.php?key=20160824010013108>
buying of foreign goods’, Korean officials say that many people are able to purchase drugs online and receive them through foreign shipping.\textsuperscript{11}

The even more troublesome fact is that the ‘source’ of these drugs are diverse – in the past, drugs mainly came from China; but recently, drugs are imported illegally from South Asian nations, Japan and even Mexico. As the world is becoming more and more globalized, mobility of people has increased – consequently, leading also to increased mobility of cultures, diseases and illegal drugs. As it is difficult to access drugs in South Korea, many foreign drug dealers are seeing South Korea as a market with high potential. Recent police investigations\textsuperscript{12} revealed that many North Korean refugees in South Korea and Jo-Seon people from China participate in drug smuggling – a clear evidence that shows the globalization of illegal drug trade.

The Korean government and police investigation services have already recognized this ‘trend’ and are trying hard to prevent citizens from getting close to illegal drugs. As a start, the Supreme Prosecutors’ Office (SPO) and National Police Agency (NPA) will initiate joint investigations to fight online drug trade.\textsuperscript{13} The joint investigations will focus specially on preventing negative transactions of drugs through smartphones’ instant chat applications and dark websites.

\textsuperscript{11} Economic and Social Consequences of Drug Abuse and Illicit Trafficking (n 8)
\textsuperscript{12} ibid
\textsuperscript{13} Gimbyeonghun (n 10)
Also, Korean investigators are trying to develop a computer program, known as ‘e-robots’, to find and censor drug related posts or comments on the internet or SNS.\textsuperscript{14} The Prosecutors’ Office and the Police Agency hope that these robots will help to censor and prevent the import of drugs from overseas.

However, there are many controversies regarding the use of ‘e-robots’. To start with, many experts express concerns regarding the effectiveness of the said ‘e-robots’. As they only censor and search for posts or comments in South Korean networking services regarding the drugs trade, the ‘e-robots’ may not be able to stop the actual trade from happening. In other words, the use of ‘e-robots’ is restricted only to South Korean networks. Considering the fact that many illegal drugs trade occur through overseas networks or servers, the use of ‘e-robots’ is highly limited, therefore the effectiveness of the scheme is questionable.

Officials reported that many online sites or SNS accounts are created in overseas servers – mainly servers in South East Asia, which makes it hard for investigators to further probe the sources and flow of drugs. The use of ‘e-robots’ might help arrest and investigate South Korean illegal drug consumers, but they will not be so helpful when it comes to the attempts to eradicate the flow of drugs into South Korea – that is, the ‘e-robots’ will not be the ultimate solution for drug problems.

There are also concerns regarding the issue of ‘censorship’. Many activists voiced opinions regarding the use of ‘e-robots’ to ‘censor’ SNS. Using ‘e-robots’ to censor or search

\textsuperscript{14} Gyeonghwan, Choi, ‘Cyber drug trade through Internet and SNS’, News1 (South Korea, 26 April 2016) <http://news1.kr/articles/?2645518>
SNS may be considered as a huge infringement of human rights. Even though the ‘e-robots’ may help investigators catch drug dealers, they may pose serious threats to individuals’ privacy and (freedom) rights in the society.

Also, Korean Customs are taking strict measures to prevent drug smuggling. For instance, South Korea’s largest airport, Incheon International Airport is said to enforce customs on all items. Airport officials report that they have installed the ‘Express Logistics Center’ to search and check all express items. Using x-rays and detecting dogs, the airport officials hope that these measures will help decrease the amount of drugs that is being smuggled to South Korea.

However, these measures are only limited to ‘airports’ and ‘airline trade’ of illegal drugs. Considering the current situation in which the majority of illegal drugs are from China, many drugs are smuggled through shipping. Drugs smuggled through airplanes are detected quite easily compared to those smuggled through ships because people or luggages boarding airplanes must undergo security and customs checks. Although ports also have customs and security checks, they are lax, compared to those in airports. Also, as drug trades can happen ‘at sea’, whereas trade ‘on air’ is impossible, these issues should be fully addressed. Drug smuggling through ships are much more threatening than those via aircrafts.

**III. Suggestions on possible tracking-system improvements**

As mentioned in Part II, the problems with the Korean drug prevention system can be condensed down to: the lack of ‘e-robot’ authority and heavy focus on airport control.
Limited jurisdiction is the main cause of ineffectiveness in the current internet crackdown. ‘E-robots’ only have access to websites that have their domain in South Korea. Thus, websites that use Korean servers and receive Korean IPs are free from investigation if they detour their domain to another country, especially countries that are not cooperative with the NPA. This systematic problem should be solved through a shift in ‘e-robot’ policies, providing access to all forms of websites that Korean IPs mainly access to. This would make a significant difference because more than 65% of the websites that lead drug trades are detoured websites. Even websites with domains in Korea can easily change their domain history, making it appear as if it was a foreign one. Only the improved policy will be able to continue the crackdown.

Legislative evidence shows that such policy is realizable. On April 16th, 2015, the Korean government legislated a law that punishes all forms of uploads and downloads of pornography, with the sentence of up to 2 years. In addition, bounty policies are implemented for informers who reported pornography websites. Foreign porn websites are automatically blocked once the bounty report is proven to be true, and all the users of the websites (uploaders and downloaders) are sentenced. Applying this policy to narcotics control, all websites will be considered within the boundaries of Korea’s jurisdiction as soon as a Korean IP is caught accessing them. This jurisdiction does not grant legal rights to shut down or impose punishments upon the operators of the websites in-charge, but grants the banning of access and posting of warning signs instead.

15 Telecommunication Business Law', National Law Enforcement Center (South Korea, 29 May 2016) <http://www.law.go.kr/lsInfoP.do?lsfSeq=182052&efYd=20170330>
The KCSC stands for Korean Censorship Standards Commission, which is highly likely to have authority over SNS narcotic control.

Even the best controls will permit leakages of drugs. Thus, the government should also focus on offline narcotics control. In this sense, the general concept of Korean narcotics control is agreeable. Heavy concentration on airport controls prevents the primary existence of drugs in Korea. Drug controls at seaports are comparatively much more complicated because detailed checks will reduce the efficiency of product distributions. Unlike airports, seaports deal with heavy commerce that requires longer checks. In such sense, the government faces a dilemma for seaport narcotics control. Random inspections occur very rarely, which leave smugglers with more room to smuggle and less chances of getting caught. Increasing the number of inspections will reduce the efficiency for the ports’ commerce; also, the possibility of discovering the smuggled drugs are severely low. Actually, Korea’s low demand on drugs already causes low smuggling rate; which, in turn, ironically causes a
relatively lax seaport control system. The Korean government currently solves this problem through intensifying drug-related crimes’ punishments.

Seaport control is also related with international investigations. Drug smuggling is committed by two different groups of people: exporters (dealers) and importers (addicts). In the latter group of smugglers, the importers are citizens of Korea, who are subject to the Korean law system. However, dealers are sometimes foreigners; they may not even be in Korea. In that case, the police department should cooperate with foreign police departments, or utilize the United Nations Office on Drug and Crimes network. 16

On the other hand, the United States Drug Enforcement Administration (US DEA) supports a different approach towards narcotics crime punishment. Heavy punishments are not considered as preventions by the US DEA, as addiction rate is already high. Most narcotics crimes in the US are committed by ex-convicts, which imply that the severity of the punishments will not deter them as their addiction has taken them over. In this case, rehabilitating the addicts is important; it is also a more fundamental step towards reducing drugs-related crime rates. Republic of Korea has a policy which offer aids to rehabilitating narcotics criminals. The Korean Association Against Drug Abuse (KAADA) has been taking actions to rehabilitate addicts by holding seminars, giving medical treatments, drawing up medical care manuals, etc.

Although each agency is working on their parts and implementing difference countermeasures, the good news is that the implementation of ‘strong punitive measures’ will

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still remain an available option for the Korean government. Unlike the US, Korea’s narcotic drug addiction rate is severely low. Only 0.002% of total crimes in Korea were labeled as narcotic crimes in 2011.\textsuperscript{17} This means that severe punishments will likely operate effectively as a deterrent for the commission of drugs-related crimes.

IV. Conclusion

Through the paper, the Authors have analyzed the status quo as well as why and how illegal drugs are easily, and very secretly distributed through SNS. They also predicted future possible harms of illegal drugs to our society. With the fact that narcotics control’s effectiveness may be weakened through online jurisdictional problems of the internet, the Authors suggests the solutions that have once been introduced to control certain websites, by the National Censorship Standards Commission. However, because of the different issues related to justice, the sudden implementation of the KCSC’s checks and controls on narcotic drugs may be seen as irrational. Adjustment process will be required for such implementation. Acknowledging the heavy concentration on airport control of drugs, the Authors also explained the necessity and rationality behind such imbalanced policy. A gradual and progressive change on narcotics control is necessary and is inevitable.

\textsuperscript{17} Korean National Police Agency, 2011. Annual Statistics on Crime