

ORGANIZED CRIME'S INFLUENCE ON NATIONAL AND EUROPEAN SECURITY

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The organized crime networks and organizations will extend their activities due to the chaos, corruption, misdoings and mishaps in applying control measures in areas that are not under surveillance and to the existence of global information, financial and transport networks. These will manifest in various forms, with small criminal entrepreneurs and movements for specific operations.

The organized crime decreases national and European security.

Keywords: organized crime; corruption; informational networks; national security.

In our opinion, organized crime is an extremely serious crime, that is affecting the policy of states and the activity of democratic institutions¹, which is not only an expression of the proliferation of lawsuits and negative phenomena that escalate in the context of globalization, but also a direct consequence of bad management (erroneous) transformation of political, economic and social changes that occurred or are underway in the EU. Under these conditions, Romania's area of strategic interest turned into a transit and destination area of illicit activities committed by criminal groups consisting mainly of: illegal trafficking of narcotics, arms, ammunition and explosives, illegal migration and human trafficking, trafficking counterfeit goods, money laundering, and other forms of economic-financial crime².

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¹ Flavius Moldovan Andrei, *Trans-border crime - risk factor NATO and the EU border*, the Eleventh Annual Scientific Session with international participation "Balance of power and security environment", Volume I, Center for Strategic Studies for Defence and Security, "Carol I" National Defence University, 17-18 November 2011, Bucharest, 2011, p. 422.

² B. Andronic, B. Andronicus, *Combating corruption in order to reduce national security risks*, Military Science Review no. 4 / 2011, p. 111.

Organized crime is a social product existing in the social and political environment, which "springs from different groups' tendency to use crime as a means of social mobility and even for the seizure of power"³.

We agree with the theory developed by A.J. Ianni and Daniel Bell, who believe that underlying crime is a form of social process. For example, in America, but also in Europe, organized crime groups allow the impoverished immigrants to rise above the ghetto condition and to act in order to avoid oppression and discrimination. These are explanations for the existence of the Italian Mafia and other organized crime groups (tong organizations, triads, yakuza, Colombian groups, Russian, etc.). In the cultural transmission theory, Edwin Sutherland assesses criminal behavior as one that was learned and taught, which means something more than mere imitation. People who become criminals have such a development because of their permanent contact with the underworld, where the law is broken, and because their relative isolation from other law-abiding persons.

Today, on the Eastern border of Romania, the EU's external border, activities of organized crimes are increasing; that are actions directed against individuals and against public property or private. Specialized institutions and organizations' actions to prevent and combat organized crime are operating with large difficulties, because criminal organizations are composed of people who have large sums of money and relationships in almost all communities in several European countries and resort to intimidation, blackmail and corruption. Organized crime is involved in almost all types of transactions or trafficking, legal or illegal, if profitable and offering the opportunity to reinvest money earned in this way.

International organized crime groups use modern techniques of communication and information currently and show concern for infiltration in countries with emerging or fragile democracies, such as, for example, Romania, for laundering the illicit gains and transforming them into legal money or for obtaining goods.

Transnational organized crime is a global threat against EU member states with the following general trends:

- the adaptation of operational behavior of clandestine organizations illegal migration in order to escape control measures of European countries by diversification of the methods used, improving the internal organization and concealment and dissimulation of actions;
- the diversification of exploiting products, values and benefits resulted from the execution of crimes, in order to hide illegal income sources and

³ Robert J. Kelly, *Organized Crime's Nature and specific ITS Operations*, U.S., 1987, p. 5 and Valerian Ciocodei, *Handbook of Criminology*, Ed C. H. Beck, Bucharest, 2007, p. 211.

enhance some gains from activities such as gambling, casinos, illicit traffic in art and national cultural heritage, etc;

- the expansion pack that brings higher crime income with other violent crime, with serious public consequences, such as terrorism actions and other of this type, in order to ensure funding of criminal groups;

- the continuous modification of trafficking routes and products trafficked at market requirements to ensure an increase in synthetic drugs' trafficking from Western Europe to Eastern (Romania, a transit country for drugs, will become a consumer market);

- the expansion of the range of crime in information technology and Communication (IT & C), by fraudulent and unauthorized accessing databases of public institutions;

- the adoption of new means and ways to circumvent the control of specialized border crossing of dangerous products, goods counterfeit, undervalued or undeclared, endangered species of wild fauna and flora, wood material and the genetic forest material;

- the enhancement of the phenomenon of trafficking products that are priced more and excise tax;

- the increase in the number of cases involving networks smuggling and trafficking counterfeit goods;

- the increase in cases of organized crime involvement in trafficking illegal currency and other bearer payment (credit cards, travelers checks, orders etc.);

- the legislation' speculation and corruption of officials from institutions that fight against customs fraud and corruption, for the protection of illegal operations;

- Romania's transition from a source of black labor to a consumer for citizens of countries in Asia, Africa and Europe, which will determine changes in volume and destination of illegal migration.

Romania's geo-strategic position determined transnational organized crime groups to use our country as a transit country (and destination) for part of the activities of transnational organized crime, specialized organs of the state facing a vast problem affecting state security.

Among these, the most important components of organized crime in Romania's Eastern border are organized illegal migration, human trafficking, organized smuggling and trafficking of excise goods, international traffic in stolen motor vehicles, trafficking in pirated or counterfeited goods and trafficking in drugs⁴.

⁴ B. Andronic, *op.cit.*, p. 424.

The repercussions of organized crime on security are exercised through corruption. As a form of criminal behavior, organized crime is the most serious consequences for security. Today, there are many and various organizations in the world, criminal groups and communities that have enormous wealth concentrated in their hands. With money, organized crime organizations make not only money, but also politics. With the wealth stolen from the people, the underworld bribes staff at all levels of state power and plants "its people" into power structures. The corruption of political power is the most serious challenge to social order, the decisive factor for the degradation of all other spheres of society, and for decay of humans. The causes of these phenomena are found in the main areas of social life and we will find their consequences in all these areas: political, economic, social, moral and spiritual.

In the political life, corruption counteracts and cancels the efforts to build a democratic constitutional state. This disaster started from the stage of creating organs of public power. During the transition from socialism to capitalism, states reported cases of involvement of money in election campaigns to promote the desired applications of certain political groups, or some other companies. Buying votes is a phenomenon known throughout the world, which hinders the efforts to build a democratic electoral system based on free competition of political forces.

In the national security area, among the negative consequences of corruption and organized crime could be mentioned the undermining of public confidence in democratic values and institutions, in the efficient functioning of public power bodies at all levels, in the rule of law etc.

Because people, including some market agents, are severely affected (in everyday life, in their entrepreneurial activity) by corruption, they doubt that even the minimal role of the state, which is similar to the role of "night watchman". Some prefer a liberal state, but only as long as it meets their interests, but they riot when the state can not establish and enforce the rules of the game. The security of the state decreases when corruption and organized crime gains amplitude, so as the laws are being undermined, law enforcement is paralyzed and the citizen feels unprotected from the libertine clerk, the pervert employee, and other criminals. In such situations, the domestic and foreign policy of the state is at the freewill of antisocial and anti-national elements, a fact which has already happened in the practice of many countries in transition. Corrupt law enforcement bodies represent the misfortune for society.

The "privatization" of state functions by certain groups of officials, exercising or not functions depending on their personal incentives in one case or another, does not offer too much security. Thus, corruption and organized

crime lead inexorably to ruining security and prestige of the country on the international arena and to increase its economic isolation and political danger.

The most dangerous political repercussions of corruption and organized crime concern state security, and national security of the EU countries. In Romania, due to corruption and organized crime in the early stages of transition, the state has largely lost control in many areas of primary strategic importance to the economy, including large enterprises of the military-industrial complex.

So, the real possibility of state destruction, as a result of corruption and organized crime, is increasing by undermining its economic and social foundations, which compromises both domestic politics and foreign policy corrupted state. One should take into account the real danger of losing the effective independence of the country affected by corruption and organized crime.

Besides, the political consequences, corruption and organized crime seriously damage the economy. It occurs primarily by extending underground black economy, which seriously affects the financial levers to regulate economic processes, blocking competitive market mechanisms, so legal business entities thwart efforts to obtain optimal results. Eventually, the effectiveness and efficiency indices and standard of living of the population decrease. It goes without saying that virtually any individual gain obtained by corruption is accompanied by loss for another.

However, it was found another fact: corruption hampers commercial business conducted on the basis of actual cost and highest quality of goods, leading to an unjustified increase of prices and services provided by 5-15%. Economic loss caused by corruption is particularly high in the state orders and purchases, especially in construction where buildings get price in Germany to 30% bigger than their actual cost.

Both corruption and organized crime are not some accidental phenomena, but rather derived abnormal state of things in the macro and microstructure of society. Strategies and programs to combat corruption and organized crime can not be effective and efficient if they are not based on a narrow, fragmented and disunited vision on these phenomena.

Conclusions

Romania and the former Socialist states, as countries in transition, have faced after 1990 a strong offensive of criminal organizations. In order to counteract, immediate action was needed, which in theory could be grouped into two categories: internal and external actions.

It was also necessary to develop an institutional framework to implement the strategies adopted and to act effectively, with good results, to

combat the phenomenon. Therefore, The Organized Crime and Corruption Combat Brigade was created in Romania, within the General Inspectorate of Romanian Police, with attributes in the information documentation area and in finding the acts committed by organized crime, and the Directorate for Investigating Organised Crime and Terrorism Offences, within the Prosecutor of the High Court of Cassation and Justice, with expertise in investigating and prosecuting offenses. Externally, Romania took part in the major international regulatory instruments adopted in combating organized crime, including the United Nations Convention against Transnational Organized Crime.

Today, the phenomenon of organized crime is growing unprecedented, and by its new forms of expression, by its more organized nature, its particular danger and by its internationalization, constitutes a growing threat to the European community, the democratic institutions, and the state as a whole.

In regional Southeast European level, Romania has an important geo-strategic location on the "Balkan route", a route frequently used by criminal organizations to introduce contraband cigarettes, alcohol, fake currency, and drugs into the European Union.

Under these conditions, countering the new manifestations of criminal groups, including the "laboratories" of corruption and organized crime created in the EU is possible by the cooperation between investigative structures, mutual transfer of expertise within European programs, supporting judicial bodies in European countries in the action for their emancipation from the suffocating interest networks political and economic interests concerned with their satisfaction on the accumulation of rapid capital.

For our country's security we can depict the following conclusions:

Romania's security and defense can not break from the security of the EU and of Europe as a whole. NATO is the most important alliance of today's world, security and the EU process analysis must take account of this reality. Efficiency and modernization of European and transatlantic processes should be priorities for all EU countries, including Romania, with the potential, and its role in promoting broader stability in a region that has particular importance for Europe.

It is necessary for Romania to develop a central strategy which aims to reduce mistrust between the European and Euro-Atlantic integrated and ex-Soviet space, subject to contradictory trends. For this purpose, Romania should offer NATO and the EU its previous experiences in the less polarizing period and its geographical position highlighted not only in geo-strategic terms. Adopting such a priority, the Romanian state could participate effectively in the dialogue that NATO and EU structures have with different actors in this area, and its realization would certainly echo much stronger than the current Romanian contributions to maintaining peace and stability in the world.

In Romania, the phenomenon of trans-border organized crime has the following trends: criminal groups are reorienting and are increasingly involved in drug trafficking, trafficking in stolen cars or trafficking because it is easy to obtain financial product committing such crimes; delineation and specialization of activities of members of criminal groups, some criminal activities are carried out abroad, even in several countries (for example, copying of credit card magnetic data is made mostly abroad, and using counterfeit credit cards is made both at home and abroad); taking illicit money by groups or members of their families, through several methods (transfers to bank accounts, transfers through Western Union, by courier or by purchasing goods which are brought into the country and then sold at prices well below the market); numerous attempts to purchase goods on local e-commerce sites, which are paid by using a fraud credit card; the activities of criminal groups are orientated also towards credit cards issued by Romanian banks⁵.

The enlargement of EU responsibilities towards the security and reconstruction of the region, the increase of NATO contribution and Partnership for Peace Program (PfP) in promoting democracy, peace and security, as well as the presence of American operational capabilities in the region, can contribute to founding a viable strategy.

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⁵ *Ibidem*.

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