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THESIS ABSTRACT

**ILLEGAL FORMS OF THE INTERNATIONAL
TRADE**

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Introduction

Amongst the factors with a major contribution to the prosperity of the human kind we include the development of the trade, with all of its structural and localization elements; if we make an imagination exercise we can easily understand how slow the development of human kind without trade, without market would have been (self-sufficient areas proofs this undoubtedly) .

Unfortunately, with the legal trade that is taxed, based on economic rules, an illegal trade has developed, trade that is not subject to taxation, based on other rules or economic principles; the two types of trade - legal and illegal - coexists, influence each other, and when illegal attacks become predominant they may generate an abnormal functioning of the entire economy. Furthermore, the illegal trade unifies in its inner side a series of components that by their existence and occurrence harm the society from an economic point of view; its harming effects also extend to life, health, physical integrity of people. If the development of a trade in counterfeit products or non-taxed goods mainly affects just the economic part of life, the drug trade, the human trafficking, the arms trade, etc., most certainly affects life itself.

The concerning fact is that the illegal trade tends, in time, to take over more and more of the legal area, to develop, to expand, with consequences directly proportional to the its magnitude. For this reason, some parts of the illegal trade are subject to some states' concern, institutions and international organizations, associations, with the purpose of establishing what is and how is to be done or if something has to be done. Also, various researchers and scientists approached, by studying particular cases, the various parts of illegal trade, to be able to issue hypotheses and generally valid theories. As a consequence, at an international level, there currently exists statistic data targeting illegal trade components, based either on the information resulted after the intervention of the state's authorities, or of other international institutions, or on those resulted from assessments, also based on other collected data and their correlation. These are materialized in prompt analysis and studies, but also in periodic or annual activity reports, which offer us a picture of what these components mean and the effects they can produce.

Unfortunately, at the present time the illegal trade, as a whole, is not subjected to a unitary vision, meaning that each of its component is dealt with separately, sometimes by bodies or institutions which do not corroborate their data with those of others of the same kind or with those that process data or information regarding a completely different

component of the illegal trade, but these overlap, interacting and influencing each other. Furthermore, there are some states which still do not approach this phenomenon the way they should, as a whole. For instance, if in Romania the initiative to establish different strategies to combat one or other of the illegal trade's components, in adopting laws regarding these components and thus aligning Romania to the effort of the vast majority of the world's states is welcomed, we discover that, for example, there is no official data regarding the counterfeit goods market, the smuggled goods in general and regarding the cigarettes market in particular, the only ratings are achieved by a private company, at the request of the largest cigarette manufacturers from Romania.

Starting from these data, we will try to analyse the most important components of the illegal trade, in order to have a unitary approach of them and an overall, more ample view, of it. Also, we will try to overlap official or quasi-official data with certain cases, identified by the authorities and which have the purpose to consolidate the first, to show without doubt that these things really happen and how do they take place. Each component of the illegal trade is approached from a conceptual point of view, and then its particularities and features are underlined, the forms of occurrence or the steps covered, the causes that generates or favour it, the effects that it produces and the measures that were or can be adopted in order to counteract them, if these are adequate or not or if they lead to eradication or decrease of the phenomenon.

1. Conceptual and historic landmarks of the international trade

1.1. Concept and terminology

Taken into consideration that under the present circumstances the economy and the global trade generate a remarkable impact on the states of the world, the participation of the national economies in the international economic and financial exchanges is a condition and an important source for the accomplishment of a durable economic growth. As such, the external economic exchanges acquired a remarkable importance for the balance and economic growth.

Unfortunately, like other branches and areas of activity, also within the department of international trade, certain manifestations of illicit character emerged that marked negatively, with the most extensive negative consequences, as we will thenceforth see.

The international trade could be defined as the whole trading of goods and services that takes place between at least two different countries.

1.2. Emerge and development of the international trade

1.2.1. On international level

At its beginning, the products exchange was represented by the payment in kind, based on goods in exchange of goods and it was called barter or swap. Shortly after, the barter didn't comply with the necessities of the developing trade, a certain good playing the role of a mean of exchange was needed, based on which anyone could sell their merchandise and then buying another one that they needed.

The emerge of money has naturally generated the intensification and the development of goods exchange, the direct exchange of goods in exchange for goods being replaced by the commerce of goods, by the exchange of the goods for money, generating the pecuniary form of the swap.

The development of the world market and of the international trade took place gradually, according to certain social-economic moments, such as the development of the manufacturing industry whose place was taken over by the machine industry, the transition from the industrial, commercial and colonial monopoly held by England for the development of the free competition, the intervention of the financial capital within the world commercial circuit, the two global deflagration with economic and politic consequences, the great depression, etc., which marked the international economic evolution leading to the development of the world economy globalization process.

1.2.2. On the Romanian territory

The emerge and development of the goods exchange on today's territory of our country generally have the same characteristics to the goods exchange that took place in other countries, to which some aspects specific to the area are added.

2. The smuggling

Taking into consideration the fundamental role that the global trade is playing within a national economy it is desirable that the state, through its institutions and its leverage, hold control over this, which should be exercised when situations of political, social, economic, administrative etc. nature require at a certain moment. As such, it is necessary that the trade actions take place visibly, legally, so that each state could know them in their thoroughness, with the purpose of being able to intervene based on full knowledge, in its economy.

Nevertheless, more and more segments of the global trade, by the types they cover, are not controlled by the state, producing consequences, sometimes irretrievable, for its

economy. Such type of trade is the *smuggling* which targets the ongoing of a hidden global trade, illicit, not apprehended by the states, but acknowledged and felt by these in their economic lives.

2.1. Conceptual and historic landmarks of the customs policy

2.1.1. Concept and terminology

Each state promotes internally and internationally its own *economic policy* which has the purpose of influencing the development or limitation of some economic branches with the purpose of obtaining an economic growth with powerful effects on the entire level of the social life.

Within the general economic policy it is found the *commercial policy*, considered as one of its basic components.

The commercial policy contains in itself the *customs policy* which represents the ensemble of the legal provisions which target the entering and exiting, in and out of a state, of the goods and includes customs formalities, customs procedures and the customs duty system which applies to those goods which make the object of exterior trade.

2.1.2. The emerge and development of the customs policy

2.1.2.1. On international level

Although the collecting of the customs duty took place from ancient times first being implemented at the transition of some “points” (gates, defiles, etc.) and targeted people, afterwards the means of transportation and only later the goods, this was not made with the purpose of promoting the customs-commercial policy as we know today, but with the purpose of obtaining some incomes for a certain area.

As the feudal system began to crumble and the international trade to have a significant development the first commercial policy measures emerged, having a highly protective character. Once the protection began to fade and the free- exchange to make its presence felt, laws that facilitated the development of the global trade emerged and its evolution towards the form and dimensions that we know today.

2.1.2.2. On the Romanian territory

At the beginning of the period when customs duty was applied on the Romanian territory, they served the fiscal needs, bringing by their collection important incomes to the treasury. Therefore, the customs duty was collected in different points (provinces borders,

entrance of cities, bridges, etc.) and was paid in money or in kind. It is important to specify that the first customs duties were “specific” (applied according to the quantity- the number, kilograms, etc., or to the objects – a person, carriage, wagon, bale etc.), for later, during the 14- 15th century, the customs duty for goods to be in reference to the value, worth 2%.

Today, on the Romanian territory the European Customs Code is applied because starting with 2007 Romania joined the European Union, thing which implies, as an essential condition of economic integration of all its component states, a customs unification characterised by the existence of a sole common market, where free circulation of goods targets, according to art. 23 (1) TCE, the existence of two dimensions: the internal one, in which goods coming from a member state of European Union transits freely between the member states, and the external one, in which the goods that were imported legally from a state outside the Union are subject to custom duties, according to the mutual tariff policy.

2.2. Concept and definition

The proliferation and development of its various forms placed the underground economy within the social-economic and political realities of today, bringing it to the centre of the researchers and practitioners from the economic field's concerns and discussions, who tried to assign it with some definitions.

One of these show that *the underground economy represents the ensemble of the economic activities which are performed at the limit of penal, social or fiscal laws or which eludes the inventory of the national accounts, regrouping in concealed activities, illegal or fraudulent and private.*

The activities related to the area of the underground economy were classified according to several criteria, but whichever of the classifications we would use, we notice that in the field of illicit activities we can find the drug trade, the arm trafficking, force labour trafficking, etc., which are none others but ways of smuggling emergence.

Smuggling would represent the clandestine border crossing of some forbidden goods or goods not paying custom duties, or of some goods whose entering or exiting to or from a country is prohibited, banned by law; or the avoidance of goods from being controlled or from the customs practice.

2.3. Causes which generate or encourage smuggling

Amongst the inherent effects that each type of duty can produce, there is another effect that each of them produces, together with other duties and contributions namely the *fiscal pressure*, smuggling being able to emerge under the circumstances of a fiscal pressure exerted through the means of an excessive customs practice, this representing a mean of eluding from an excessive fiscal pressure.

The existence of an abnormal tax pressure directs the economic agents to “*off shore*” areas, or “*tax havens*” which can ensure protection for the acquired money, avoidance of taxation and keeping privacy over the commercial operations.

Similar characteristics, but with a stronger focus on the movement of goods, are found in the “*free area*”, which forms a part of a state territory where the inlaid goods are considered not to be part of the customs territory and are not subject to customs control.

If, to those mentioned, we also add the *development of the technology* which facilitated the access to the off shore territories and beyond, with everything that they imply, it is explainable why they have emerged as a real industry which has seized half of the financial transactions of the world, where we find more than \$3000 billion of personal wealth, which represents 19% of the gross world product.

The emergence and occurrence of the smuggling phenomenon are facilitated by the “*quality of the legal environment*” defined either by the lack of regulations concerning the proper running of economic activities, or by the existence of laws that create ambiguities in their proper infliction.

Given these regulatory circumstances, certain individuals with a particular *disposition to crime*, antisocial behavior and adherence to economic crime, make their presence felt.

In the same train of thoughts, we can demonstrate that smuggling is facilitated by another illicit phenomenon, alike or maybe much more serious, which is *corruption*, considered as being the authority’s abuse for acquiring individual profit.

As if the negative effects of *globalization* were not enough, we are nowadays witnessing the emergence of a modern economic system, as a result of the development of a new technology. In other words, a new economy is emerging (*the electronic economy*), and its foundation is represented by computer science and computer networks.

2.4.Main forms of occurrence

To give the best possible form to the approached theme, we mention some of the representative cases uncovered by state authorities while taking into account the types of smuggled goods.

2.4.1.Cigarette smuggling

One of the cases concerns the fact that in July 2003 customs inspectors from the city of Burgas, Bulgaria, lain on the coast of the Black Sea, have detained 20 million contraband cigarettes, with a total value of 1.4 million leva, representing the biggest smuggled cigarettes capture in recent years. The cigarettes were intended for the United Kingdom, where they would have been sold for 4 million pounds. The four containers, filled with Winston and Superking cigarettes have reached the port of Burgas in Dubai (United Arab Emirates). The shipper was a company from the United Arab Emirates. The customs documents indicated that in the containers there were electric furnaces.

2.4.2.Smuggling of animals or animal products

In January 1993, as a result of some information provided by the Secretariat of the Convention on International Trade in Endangered Species (CITES), customs officers in Montevideo, Uruguay, managed to seize a shipment of 29,000 caiman skins that were loaded into a container in Columbia. These skins were to be sent to Singapore, via Curacao and Aruba (Netherlands dependent territories, but not covered by the Convention).

2.4.3.Smuggling of radioactive products

A famous case shows that in August 1994, in Germany, police detained a steel suitcase that contained 560 grams of dark-grey radioactive powder, after a Lufthansa flight from Moscow landed on the Munich airport. The powder contained 363 grams of plutonium, of which 87% was plutonium 239 – weapons grade chemical and it originated from Russia, but for legal reasons the identity of the laboratory could not be disclosed.

2.4.4.Smuggling of petroleum products

Regarding the smuggled petroleum products share in the total petroleum products marketed in the Republic of Moldova it was established that they represent between 10% and 30-40%. Even if we would evaluate the smuggled petroleum products at 10% from the legal imports, this would represent quantities worth around \$16 million for the year 2003 (customs

value). For example it was established that for quantities of approximately 22,5 thousand tones of gasoline and 31,6 thousand tons of diesel, illicitly imported (assuming that these represent 10% of the total imported quantity – legal and illegal), only for excise taxes and VAT, RON 88 million could have been cashed for the state budget (without taking into account income tax revenues and other fees and payments).

2.4.5.Smuggling of various products

In the year 2000, in Colombia, smuggled goods were part of many markets; illegal trade included everything, starting with liquor and foreign label cigarettes to television sets, computers, stereo equipment and large appliances such as refrigerators. The Columbian National Customs valued the smuggled goods at \$1 billion, but other sources estimate that the total figure is closer to \$5 billion.

2.5.The effects of smuggling

Certainly the first and most important effect is, as we can determine, the erosion of budget revenues, but serious consequences are also produced on the economy, social life, politics, deepening the inefficiency of many tax systems and jeopardizing the stability of those that still work properly. For a representation of these consequences we will disclose that it was assessed that, overall, the criminal gross product reaches about \$800 billion per year, *worldwide*, which would represent about 15% of the global trade of goods and services value.

In particular, taking into account the amounts of money that the cigarette producers were paying, for example, to the *Romanian State* as excise taxes in the year 2007 were about EUR 600 million per year, the increase of smuggling with just 1% meaning EUR 6 million less to the budget. Likewise, customs officials and police from *Georgia* disclosed that, as long as smuggling in this country will remain at the same level, the state will lose millions of dollars. Although exact figures were not disclosed, Georgian officials claimed losses of \$150 million in 2004, meaning 3% of Georgia's total budget. Also, according to ETCO, in *Brazil*, smuggling materialized in losses of \$10 billion per year for the government and for the private sector.

2.6.Measures to combat smuggling

2.6.1.On national level

Since smuggling is essentially a fraud that seriously affects social relations in the field of customs or which, in this field, makes the subject of states' legislatures, *it is a punishable criminal offense*, consequently a first aspect to be taken into account by each state refers to the overall *optimization of legislation* and improvement of that which aims particularly the smuggling, respectively smuggling from the customs field.

Economically it would be required to take measures for stopping the inflation, ensuring the monetary and exchange rate stability, reducing the fiscal pressure, the unemployment rate and performing of thematic controls.

From an administrative point of view it would be useful to improve the agencies responsible for combating these phenomena, to boost the prestige and skill level of clerks, to extend the social control mechanisms by involving all those interested in actions of prevention and combating smuggling through national programs during which to explained the nationals the extensive consequences that may occur by committing these acts, likely to induce a negative attitude towards them.

2.6.2.On international level

2.6.2.1.In Europe

Following the signing of the 1992 Maastricht Treaty and of the 1997 Amsterdam Treaty, the European Union aims a cooperation in the justice and internal affairs fields, which implies the maintaining and expanding the area of freedom, security and justice issues related to border control, migration, combating traffic of any kind, prevent fraud, money laundering, organized crime and corruption, etc. To give impact to these guidelines, an increased attention was paid to *fraud to the injury of communitarian financial interests, which was implead*, becoming a crime. Concurrently, through Recommendation R (81) 12/25.062982 of the European Council *a list of illicit activities circumscribed to the business crime phenomenon was conceived*, where customs offenses were included.

These European regulations are performed by certain institutions and authorities which have been created for this purpose, among which *FATF, OLAF, Europol*, etc.

2.6.2.2. At a worldwide level

Treaties were concluded among many states, such as the *Hague Convention of 1912*, or the three international protocols on combating arms trafficking, human trafficking, and alien smuggling, the last being adopted within the Tenth UN Congress, held in Vienna in 2001, which aimed to prevent and combat organized crime, but it seems that these are insufficient or not comprehensive enough in reference to the problems that the combating of this phenomena raise, thus it would be necessary that the national administrations, but also the banks, to keep *a rigorous inventory of the international movement of cash* in any currency, to have a situation of the sources from abroad, agencies such as Interpol and the World Customs Organization, which should have *attributions in collecting information, processing and spreading it* to the authorities of the states, conceiving and strengthening of the *bilateral assistance* between different states, *appointing of some or one multinational authority*, harmonizing the laws of the states in the matter of extradition and developing of a technical cooperation.

3. The trade in counterfeit products

3.1. Intellectual Property

When a trader will manufacture a product or sell it, he will disclose at the same time a series of activities that relate to that product, all the intellectual creation which took place for that product to come to the light, to have a certain shape, certain qualities, to be presented in a certain way, to be well known on the market, etc. Furthermore, these distinctive marks that are presented in a product not only have the meaning to identify the producer, but also to identify the good's provenience, to guarantee its quality and to ensure its advertising.

Among the elements of intellectual creation (intellectual property) we mention some closely linked to the related topic, namely: *inventions, product or service marks, industrial designs or patterns, geographical indications and designation of origin*. All these are meant to individualize an existent product on the market from similar products, but as we shall see below they are not limited to this aspect.

In order to represent the real dimension of *brand* today, it should be noted that, if in 1967 the number of trademarks which were registered in 1520 countries was of 400,000, in 1992 it reached 1,2 million and it is estimated that in 2017 it will reach 3,6 million trademarks. Moreover, the value incorporated by a brand can sometimes reach huge amounts, for example in 1905 the American brand "Royal Banking Powder" was estimated at \$5

million, and in the year 1924, when the Dodge plant was sold for \$146 million, 74 million represented just the trademark value.

3.2. Definition of the concept and historical aspects

In commerce, the trademark figures as a complex symbol, an immaterial sum of the product's attributes, of its name, packaging, history, reputation, the way it has been advertised, consumers' impressions regarding the product, so it is very important to keep these characteristics inherently and to develop actions on all levels to stop trading products that appear identical but in reality they are not. The phenomenon by which this is accomplished is called counterfeiting, and its definitions and explanations are quite diverse.

Before defining counterfeiting, it should be noted that it is distinct from similar acts assimilated to counterfeiting, such as: *imitation, unlawful use of another trademark, unfair competition, confusion, denigration, plagiarism, piracy, etc.*

Therefore, counterfeiting means any fraudulent labor by which there are copied, counterfeited, distorted, reproduced, any identification element of any product that gives it's trader exclusive rights, in order to create an aspect of credibility, authenticity.

3.3. Dimension, types and modalities of counterfeiting

According to some ratings, at a worldwide level of counterfeit products, sales are situated at approximately \$650 billion per year, applicable to 2006; also the same source indicates that US Customs Service has calculated the loss of the enterprises' incomes thereof to \$250-300 billion in 2005, respectively \$200 billion in 2006.

These ratings are based on real data, respectively on the interceptions or seizures of counterfeit goods with reference to the internal market value, therefore, if in 2001 there were 3586 seizures in USA, in 2005 the number increased to 8022, and the US internal market value was of \$93 billion.

There are several authors, who, depending on various criteria, classify either counterfeiting, or counterfeit products under certain categories, but comparing a genuine product to a counterfeit one, in terms of quality we identify *three situations*: the first one is when the counterfeit product is inferior to the genuine one and is characteristic to those cases when the products counterfeiting occurs with the forger's lacking all the „know - how“; the second one when the quality of the counterfeit product may be equal to that of the genuine one, in case the counterfeiting is based on an illicit “extension” of the manufacturing rights; finally, there is also an extraordinary situation when the counterfeit product is superior to the

genuine one in terms of quality, and this is based on the genuine product's "theft" and its duplication with the help of a more advanced technology.

3.4. Main categories of products subject to counterfeiting

If, in the past, the counterfeit products targeted luxury goods such as watches or clothing items, nowadays counterfeiting targets various categories of products such as *pharmaceuticals, medical equipment, food, electrical and electro-technical components, motor vehicles and aircraft parts, films etc.*, respectively *any product bearing a name easy to be recognized by the consumers*. Thus, any company manufacturing a product bearing a well-known brand or mark may learn that there is also a counterfeit version of it.

3.5. Methods of identifying counterfeit products

In reference to the above examples related to some products' counterfeiting, with their varieties and the modalities in which they can be carried out, we can identify several methods through which we can determine if a certain product is a counterfeit or a genuine one. The first of such methods would be *the salesman location* (eg. at market stalls) then *the price* which must be correctly compared to the sold product and its quality, *the quality of the materials* used for its manufacturing, the product's *flaws*, and, nonetheless the product's *life*.

3.6. Circumstances that determine and facilitate counterfeiting

The counterfeit products' network has two parts, namely: *the manufacturer* and *the buyer*, thus, as long as there are buyers who purchase counterfeit products having, in most of the cases, a lower price than the genuine like products which, generally meet the quality requirements, the counterfeiters will sell their products and will record consistent incomes, therefore we could say that *counterfeiting exists because it is profitable*.

If we also add *the difficulty of certification of a counterfeit product, lack of cooperation between various affected companies, low motivation of the authorities, technological progress, the internet and ecommerce* to the issues related to manufacturer and buyer, we have the representation of open opportunities for the counterfeit-product trade.

3.7. Consequences of counterfeiting

A *foreground* where counterfeiting and trade in counterfeit goods is causing consequences is that of *human life and health, integrity of goods*, and the research undertaken by Food and Drugs Anti-counterfeiting (U.S. F.D.A.) during 2007, highlighted that, when

administering certain medication, there were 300 cases which presented side effects and four cases of death due to the counterfeit medication.

Economically, the effects the trade in counterfeit goods is causing, concerns both the consumer in good faith who purchases a counterfeit product assuming it is genuine, so he spends his incomes on goods that don't meet his requirements, which means a loss for his incomes; and also the genuine products' manufacturers, who are declining in terms of sales, losses, probably subject to bankruptcy.

A study undertaken in the USA on this matter pointed that, in 2005, due to the trade in counterfeit goods, 750.000 jobs were lost, and if, for example, counterfeiting in the field of software would be reduced by 10%, this would effect in 2.4 million new jobs and a worldwide economic increase of \$400 billion.

3.8.Measures and methods to combat counterfeiting and trade in counterfeit goods

Genuine manufacturers can take measures such as: supplying the consumers with samples of the product, providing the product for a short period of usage, lowering the price, offering the consumer something extra, targeting different fields of business, involving in programs meant to change the consumers' mentality, starting fighting against the manufacturers and traders of counterfeit goods, etc.

The measures to be taken by the states consist in: monitoring the phenomenon, coercion, criminal impunity, application of its economic leverage, applying tariff barriers, international cooperation, etc.

It is also to be noticed the effort of some researchers in finding those *technologies* that, once implemented, have provided tools to detect counterfeit products such as barcodes, labels based on radio waves, marks, fluorescent inks, holograms, etc.

4. Drug trade

4.1.Introductory notes

Etymologically, the term "drug" has a Dutch origin; we find it there as *droog*, and generally *the drug represents a solid, liquid or gaseous chemical that, when used, becomes an addiction, affecting directly the brain and the nervous system, changes feelings, mood and thinking, perception and / or consciousness, altering the view of the surrounding reality.*

The first, and apparently the oldest drug is *opium* with its derivatives: morphine, heroin, codeine, also *cocaine*, and *cannabis* with hashish and marijuana derivatives, plus synthetic drugs such as *amphetamine*, *methamphetamine*, *methadone*, etc.

4.2. Historical outlook

Drugs, the scourge of our times, did not appear all of a sudden in contemporary society, but have roots back in ancient times of history, as humanity had long ago been aware of the properties of drugs and toxins in certain plants and minerals. Thus, at the beginning, meaning more than 6000 years ago, drugs were used in Mesopotamia and Egypt for practicing some ceremonies, spells, but also for therapeutic purposes. Nowadays, worldwide, many people join the drug users, taking upon themselves the risks generated by those and, over time, changing into “parasites of society” and, in the end, into a tribute to death.

4.3. Characteristics of trade forms in the best-known drug categories

4.3.1. Trade in opium and its derivatives

On the world drugs market, in 2010, Afghanistan occupied the leading position among the opium-poppy growers, thus, out of the total area of 195,700 ha, Afghanistan cultivated the opium poppy over an area of 123,000 ha; followed by Myanmar (formerly Burma) with a cultivated area of over 21,000 ha; Mexico, about 19,000 ha, along with several other countries such as Laos, Pakistan, India, Colombia.

After its processing in clandestine labs, located mostly in the provinces claiming the supremacy as agricultural areas, opium is transported from Afghanistan, through the surrounding countries, to the consumers market, where it is being sold for \$3,815/ kg.

4.3.2. Cocaine trade

The main cultivation area is represented by the South American continent and here, Columbia is the leader with approximately 62,000 cultivated hectares, closely followed by Peru with 61,200 ha and Bolivia with about 30,900 ha, which totals a cultivated area of approximately 149,100 hectares, taking into consideration that, during 1996-2010, significant areas of coca tree crops had been destroyed.

From the Columbian land, the coca leaf production reaches 305,300 tons, which would mean 45% of world production, out of which, in 2010, aprox. 350 tons of pure cocaine were produced in clandestine laboratories.

The main sales area in this part of the world are undoubtedly the U.S., where in 2009, 109 tons of cocaine were seized, the point of entering the country being represented mainly by the coastal area, so shipping was being used, and 1 g of pure cocaine was sold for \$170.

4.3.3.Cannabis trade

Cannabis is produced in all countries, being the most popular drug and that, because it can be also acquired from very small crops, with domestic character. Nevertheless, there are some countries that stand out among the leading providers of cannabis, namely Afghanistan, Morocco, Lebanon and Nepal. During 2009, the whole cannabis production was rated at approximately 13,500- 16,600 tons, and the production of cannabis resin reached 2,200-9,900 tons out of a cultivated area estimated to 200,000- 641,800 ha. Of this area, Afghanistan was cultivating between 9,000- 29,000 ha; Morocco 47,500 ha; Mexico 17,500 ha; India 4,265 ha; Lebanon 1,310 ha; South Africa 880 ha; Sri Lanka 500 ha and Belarus 300 ha.

As a drug, cannabis is found on the market in various forms, from cannabis leaves, cannabis resin, even the plant itself or cannabis oil, cannabis seeds, but the largest amount trafficked worldwide is, of course, represented by the cannabis leaves, followed, we could say, by the cannabis resin.

Cannabis wholesale price varies from state to state. Thus, if in Portugal, the UK, Spain prices reach around \$2,500/ kg; in Romania, Czech Republic, Cyprus, the Russian Federation and Belarus they reach \$ 10,000/ kg, but in exceptional circumstances, they can reach to a maximum of \$30,000/ kg, according to data from the Russian Federation.

4.3.4.Amphetamine trade

This type of trade refers to such synthetic drugs, which would basically be divided into two classes: first – the amphetamine class, where we find the amphetamine, methamphetamine and methcathinone, second – the chemicals class from the ecstasy range. Because such drugs are chemical, their manufacturing and marketing was not limited to specific geographical areas, which in terms of climate or topography could facilitate the development of some crops that would provide raw materials for drugs, as end products. In 2010, this situation led to the discovery of 10,600 laboratories all over the world, which produced synthetic drugs, most of which were ATS and fewer were ecstasy. The work of these laboratories can be assessed as being intense, taking into consideration that, in 2009, the amount of 41,9 tons of ephedrine and 7,2 tons of pseudoephedrine was seized, both chemicals which are the main precursors for methamphetamine.

4.4.Circumstances which generate or encourage illegal drug trade

Among other factors, we can argue that the main cause determining and generating the trade or drug trafficking is represented by money, respectively the extremely easy way of getting sums of money which, very often, exceed our imagination. Within the drugs network we find, on the one hand, the *growers* of plants from which chemicals are extracted, on the other hand, *the dealers*, including here the chemicals manufacturers, and also those dealing with drugs' transportation, wholesale and retail, and thirdly, *the users*.

For example, in the Myanmar area, Thailand, Laos, where the northern parts are extremely poor areas, the only "opportunity" for the inhabitants is the cultivation of opium poppy, out of which a family can produce about 12 kg of opium per year, fact that generates a profit of about 30 pounds. The other part, in the sales area, street dealers can get about \$3,000 per day from selling certain drugs. Within this network the consumers play an important role, they represents the demand on the drugs market, and the drug dealers will always want to meet this demand.

4.5.Consequences caused by illegal drug trade

Significant profits obtained by drug dealers, estimated at around \$100 billion/ year (considering that the cocaine market in Europe is estimated at \$33 billion, and the North America at \$37 billion) turn the dealers into groups such as "state within a state", the most convincing example in this respect being the clans of Magdalena (Colombia) and the so-called "Medellin Cartel". Furthermore, in order to maximize profits, but also to give them a legal appearance, criminal groups resort to massive money laundering, with repercussions in terms of distortion of economic data necessary for the trade policy of the affected states. All these lead also to the formation of an additional impediment to the development of states, regions and continents, the best example here being the African continent and, of its states, especially Nigeria, where the standard of living is still low due to economic and social underdevelopment, affected by this scourge.

From the human point of view, drug use and death rate are the most serious consequences of the drug trade, reaching unprecedented levels, the signs of regression being almost invisible, given that the estimated number of drug users is between 149- 279 million of people, representing 6.1% of the population aged between 15 and 64 years, drawing in turn, unfortunately, many young people.

4.6.Measures to combat the illegal drug trade

Since the so-called war on drugs has resulted possibly in the insignificant decrease of the quantities of drugs cultivated and traded, we consider that the coercive measures based on the authorities' actions, starting with crop destruction, seizure of vehicles, laboratories destruction, seizure of large amounts of drugs as end product, but also as a raw material, imprisonment of drug dealers as a result of criminal proceedings; all these should not be stopped, rather continued on an even higher level, and necessarily supplemented by measures targeting *two directions*:

1. the poverty of the states cultivating or producing raw material;
2. users, who are mainly located in highly developed countries, with a high standard of living

Of these measures we mention: helping poor farmers from the poor countries, providing social and leisure alternatives, providing jobs and simultaneously reducing the unemployment, providing educational programs, limiting the production of raw materials, limiting drug use, an improved and rigorously applied legislation, etc.

5.Trade in human beings

5.1.General circumstances

The trade in human beings or, as it is known in everyday speech, the human trafficking, is a particular form of slavery in the third millennium, being a phenomenon that leads to dehumanization and to human transformation into a money and pleasure generating tool. Human trafficking represents a form of slavery closely linked to the other aspects of the world illegal trade, such as drug trafficking, arms and ammunition trafficking (gunrunning), smuggling; all these being found among all working activities. Given its characteristics in relation to the victim's consent, an explanation is to be made at this point, namely that a particular form of human trafficking is represented by the illicit migration.

5.2.Historical aspects

This part of the illegal trade is not characteristic only to our contemporary period, it is well known that, over time, human societies have always tended to dominate and exploit the weak ones. In this respect, the biblical account of Joseph, son of Jacob, who was sold by his brothers to the Ishmaelites for 20 silver coins is suggestive.

Although the society progressed, human exploitation continued to exist, human selling and buying developing even as a trade version, updating its forms especially regarding the

destination of people, such as prostitution, pornography, labor exploitation, using humans in armed conflicts, organs removal, so that, within the current train of events, the human beings market is one of the most globalized, all regions of the world, either poor or rich being inevitably part of the "commercial circuit" that cause huge funds for the simple reason that, unlike other goods, products or merchandise, *the human being may be subject to repeated sales, each sale causing profit.*

5.3.Stages of trade in human beings

The first stage involves *recruitment* of potential victims by the persons involved in trafficking, by seducing and presenting them with opportunities for a better life in a society with high social standards. *Transportation* is the next stage and, sometimes, depending on necessities, it consists in moving the victim from one place to another inside the country where the recruitment took place, after which the victim crosses the border of the country of origin. *Selling*, as stage of the trade in living beings involves "transfer of ownership", of the victims to other people in exchange for money, the sum varying according to age, physical appearance, girls' virginity. Thus, it can go from \$300 to \$4,000 or, in some cases, from \$400 up to \$4,500.

5.4.Causes of trade in human beings

Trade in human beings is generated by a variety of causes that interact and overlap, therefore a unique cause of this broad phenomenon had not been identified; but, by far the most important is *the economic situation, the poverty and the living standards* with all their aspects, as it was ascertained that the poor countries on every continent are exporting human beings due to the fact that there are people who live on less than \$1/ day, such as sub-Saharan African states, less than \$2/ day states as Albania and not very far there is the Republic of Moldova, those states trying to do their best to gain employment or means of earning, so that very easily, people from those states fall prey to human traffickers.

5.5.Consequences of trade in human beings

Human trafficking causes irretrievable consequences in several directions, such as victims, traffickers, service users and the entire society with its components - social and economic ones.

5.6.Measures to combat trade in human beings

No doubt that the measures to counter such a phenomenon can have as a starting point nothing but the causes that generate it, but above all, the entire society need to blame a trade with their own peers, where, wherever and whenever any of us can become the object of this, a cargo in the true sense of the word. It is true that great strides have been made in this regard; many states concluding *agreements and treaties* that stipulated ways to follow in fighting against the phenomenon. Equally, trade in human beings represents the concern of *international organizations and institutions with police character* such as Interpol, Europol, Eurojust, Secret Service and FBI.

Besides all these, *the economic development of poor countries, investments* that could offer well-paid jobs and that, in turn, would allow living a decent life, *compulsory training, launching information campaigns and economic policies for supporting commercial agents,* etc, are necessary.

6.The illegal arms trade

6.1.General circumstances

The arms (weapons) can be defined as objects, tools, instruments or machines that serve in fighting against the enemy, in hunting and in some sporting events. Arms are divided into three classes, namely *the white weapon* - meant for hand-to-hand combat or distance fighting, *the firearm* - that uses the explosive powder to launch a projectile (gun, cannon) and *weapons of mass destruction* – comprising the atomic, chemical and biological bomb. Within the class of mass destruction weapons, in addition to those mentioned above, we can also add the radiological weapons, somewhat like a subset of nuclear weapons (atomic) but also the explosive weapons or, more accurately said - the high explosive weapons.

6.2.Historical development of arms

After discovering or manufacturing the rudimentary weapons, along with the progress in people' s way of thinking , man has also developed these means necessary for his being.

Of the powerful destructive weapons, among the first to be used, we mention the chemical ones, chronicled by Demostene, who wrote that during the Peloponnese War (431-404 BC) the Spartans were using sulfur gases. What followed is known from past historic references that mention the use of mass destruction weapons, when people have witnessed their destructive power and the level of development they've reached, a notorious discovery being the use of nuclear weapons during the World War II, namely the bombing in 1945 of

the two Japanese cities, Hiroshima and Nagasaki, with catastrophic consequences due to the five effects it produces.

6.4.Arms trade

Over time, arms production and export were held by several major economic and military powers including the U.S. and the USSR, the import being achieved by emerging countries, which, for example during the 70s, absorbed 70% of global arms imports, totalizing \$47,8 billion. However, if imports initially targeted less sophisticated weapons, gradually the importing countries have acquired more and more sophisticated ones, some of the countries turning afterwards from buyers to producers of military equipment, in 1979 totaling \$5 billion.

We could say that usually, states or state entities resort to illicit acquisition of arms, but, in some circumstances, generated by various political and military events such as embargo, nothing prevents them from acquiring the arms they desire from the black market, given that, for example, in 2011, 13 embargos were imposed throughout the world by the UN, 19 by the EU, one by ECOWAS and one by the Arab League. Regarding the case of various military and paramilitary groups, the supply of illegal arms from the black market is a certainty.

Seizures of illegal arms or military equipment executed by various authorities come to strengthen this assertion, such as, for example, the case discovered in 2002 by the UN during a control over the embargo imposed on Liberia, that consisted of five arms deliveries by air, totaling 210 tons of ammunition, 5,000 automatic rifles and 3,787,270 cartridges. Later, in 2006, it was also ascertain that, on the black market in Liberia, a Kalashnikov was sold for sums varying between \$12 and 6,000. Noteworthy is also the fact that, after the situation in Liberia has been settled down, in 2005 military groups had been disarmed, totaling 102,000 people, from whom 27,000 weapons were seized.

6.3.Causes of illegal arms trade

With regard to weapons of mass destruction, a cause of their existence within the illegal trade is represented by *their extremely easy purchase and the ease of hiding the predecessors* that manufacture them or of the final weapon, compared to the effect they cause.

World's states participation in the so-called *arms race* led to the production of weapons and military equipment estimated in 2011 to \$411,1 billion, causing profits of up to

\$4,711 million, such as the case of the United Technologies company, that sold arms worth of \$11,410 million.

An important issue that determines a flourishing arms trade is *the global existence of armed conflicts*; and, from 2001 until 2010 there were about 30 conflicts per year, fact that represented the premises for the existence of profitable sales markets.

The economic disparities between one area and another, the states' attempts to secure energy resources and their priority in exploiting those situate the countries of the world on antagonistic positions and feed hostilities triggered between various groups at a worldwide level.

6.5. Consequences of the illegal arms trade

Regarding state entities, their armament, whether done legally or illegally, can not lead, in our opinion, to anything positive, because in case of military conflicts, even at a local level, the consequences of using arms in general, and of weapons of mass destruction, in particular, can cause *catastrophic effects on life – either human, animal or vegetal (plants)*. If, for some entities we trust that possible decisions in regard to using weapons are to be made only in certain circumstances, based on some national security and defense considerations, with rational arguments and justifications, for other entities possessing military arsenal, whether military or paramilitary groups, terrorist groups or not, organized crime groups, and so on, there are no such expectations, thus, the current state of affairs regarding the military potential of any individual, groups of individuals or entities may seriously pose into question the very fate of human civilization, of human life on this planet.

The best example on this matter is the reference to September 11, 2001, when 19 Al-Qaeda terrorists hijacked four passenger planes through which they struck the World Trade Center towers in New York and the Pentagon building in Washington, killing nearly 3,000 people, but the number of victims is increasing as the vast majority of those present in the area and the 40,000 workers who took part in removing the ruins have caught various respiratory diseases, such as lung cancer, due to the inhaled dust and pollutants.

6.6. Measures to prevent and combat the illegal trade in arms

These measures should primarily concern legitimate trade, wherefrom political, ideological and religious entities, whether we are discussing about states or terrorist groups, procure much of the illicit military arsenal they possess.

No doubt that an important role is played here by *the establishment of groups aiming the non-proliferation of weapons of mass destruction*, mentioning here the Nuclear Suppliers Group, the Zangger Committee, the Australia Group, their work focusing on controlling exports of nuclear, fissile, non-nuclear materials, but which are intended for nuclear, chemical purposes, through the implementation of a control leading to safety and physical protection. A consistent role is played by the UN Security Council that expresses concern about the terrorism' threat, about the risk of non-state entities developing or using weapons, especially weapons of mass destruction. In addition to these measures that aim the international cooperation, the regulation and restriction of operations with various types of weapons, weapons of mass destruction in particular, we consider that, *the economic measures* would be more effective, with the purpose of financing the activities of various countries interested in their proliferation as actually happened in 1995, when NASA awarded \$1.6 million to Russian institutions to carry out biological research in space, diverting in an elegant manner the original purpose - destructive and antihuman, changing it into a peaceful one.

7. Money laundering

7.1. General circumstances

After the completion of any illegal commercial activity, huge profit results, profit that the illicit traders try to pass from the illegal economy to the legal one. This process is known as "money laundering" and can be defined as *the placement of money from illicit activities on the legal market*.

A money laundering activity always involves creating a scenario that is based on false representation of facts, origin and of the real ownership, where we distinguish *several stages*, accepted in literature as three stages. The first one is the *placement*, which is based on the need for separation and removal of illicit funds from the source, also illegal, that generates it, and consists in the physical relocation of cash. The second stage shaped within the money laundering process is *layering*, which aims to further remove illegal money from its source, at the same time gradually losing the traces of the funds, in order to thwart any possibility of controlling them and determining their origin. Once they are sure that sufficient transactional layers interfered between the illicit source and the money, launderers then go through the third stage within the process of recycling illicit funds, called *integration*, whereby they intend to place the funds at their disposal, which now enjoys a legal appearance, into the real, legitimate economy.

7.2. Consequences of money laundering

Apart from money laundering being an endpoint within the trade network with illicit goods, whatever they may be, trade that enable all those involved to freely use the money obtained not only through illicit means, but also by producing other dramatic consequences over the socio-human life, it also causes significant injuries over the economy as a whole, resulting in *financial losses, loosing the credibility in the financial and economic systems, their falling into disrepute, etc.*

At a national level, by bringing and then extracting funds that are not the result of a legal trade, anchored within the economic- financial reality, but not sustained by this, and which, as we already know, has certain abilities of self-adjustment, *a destabilization of the financial market* occurs, increasing or decreasing the money supply with no reasonable explanations, this situation being able to affect the national currency value against the international currencies, the credibility of the national economy at international level, affecting the trade and economic policies promoted by a particular state.

In order to shape financial transactions in a country the size of Romania, and what can inflowing of illegal funds into the legal ones mean within the money laundering stages, we mention that in 2011 there were a total of 5,639,158 transactions, out of which 4,377,983 were cash deposit transactions within the Romanian banking system, amounting to Euro 26,752,182,161 and 1,261,175 cash withdrawal transactions amounting to Euro 16,820,870,564. External money transfers accounted for a total of 1,728,748 transactions, whereby individuals have transferred inside the country Euro 1,753,629,279 through 40,121 transactions; from Romania, the total amount of Euro 1,704,983,319 was transferred abroad through 33,323 transactions. Legal entities transferred in the country a total of Euro 67,096,456,641 through 592,752 transactions; and from Romania Euro 65,652,029,442 were transferred abroad through 1,095,875 transactions.

7.3. Measures to combat money laundering

Although at a first view, the easiest measure seems to be *carrying out a fiscal, financial and currency control* (on this matter already existing regulations that target especially the banking system) accompanied by coercion, respectively by the *incrimination of money laundering* and the implementation of criminal penalties for committing them, they are not the most effective measures as they are not based on a thoroughness of the problem's essence. These must be supplemented with *a consistent legislation of several states or of all states; with ban for any retailer from selling to a third party or entity luxury, expensive goods,*

if the payment is made in cash; with a scrupulous execution of the duties by those officials responsible for monitoring bank transfers and their careful selection and, not least, with the attempt to abolish tax havens, offshore areas and companies, even the free zones, if they facilitate this phenomenon.

8. Influences of illegal forms of foreign trade on the Romanian economy

As long as the international illegal trade is kept within limits which only disturb the proper functioning of the economy as a whole, the effects are tolerable and absorbed into the legal economy. But if this reaches a high scale, absorbing a significant part of the legal trade and economy, blocking fields of activity, causing friction and economic imbalances, its existence threatens the proper function of the market economy and of the whole society.

8.1. Influences of international illegal trade seen in the light of statistic data

To have a representation of the international illegal trade with its components, we must study some of the data provided by the institutions engaged in the effort of finding and stopping the effects this type of trade produces, such as the Border Police and the National Customs Authority. In order to have a more complete picture, given Romania's political and economic situation, as a consequence of the integration in the European Union with everything this entails, the data provided by the European institutions and organizations in the field of commercial fraud such as the European Anti-Fraud Office, and the European Commission must be taken into consideration.

8.2. Influences on private economic agents

The economic agents are the ones that must generate income intended for those who have financed the business; for employees, seen as salary compensation; for other economic agents with whom they are involved in commercial relations for providing everything necessary to carry out the activity; and not least, for the state in a considerable share as fees and taxes.

In addition the economic agents must also face the illegal forms of trade in general and of international trade in particular, such as smuggling and trade in counterfeit goods.

In other words the economic agent operating within the legal economy, must cope a competition based on illicit means, respectively to sell products at prices resulted from covering all costs, products that would be superior to those of the same kind placed on the market by a "nonexistent" trader or even by a real one, except that this evades the customs

procedure; or by a trader who does not pay fees and taxes, he only pays for production costs, the production activity usually taking place in areas not subject to any control, which does not register any research, promotion or guarantee expenses, therefore the selling price is much lower, tempting the buyer who must choose between two apparently similar products, which in reality are different in terms of quality, and who, most often will choose the lower priced product.

The immediate consequence will be to reduce activity, the economic agent trying to produce at levels the sales are situated, with all chain effects that it causes.

8.3.Influences on the state budget

8.3.1.The state and the economy

Over time, economic exchanges have taken various forms, eventually reaching as they are known today, the form of the market economy – a complex and supporting mechanism of perpetuation of the whole society, noting that its emergence was not easy at all. Within such an economy, the state must be a permanent and active presence, as, although the idea of a completely free economic life is being promoted, reality shows that the economic liberalism has its own limits and shortcomings, furthermore, the very ensuring of economic freedom requires the presence of the state in economy.

8.3.2.Public finance

8.3.2.1.General concepts

For the state to perform its powers and duties by operating the available economic leverage system, it undoubtedly needs pecuniary resources, and the totality of all pecuniary resources available for the state is called public finance. In other words, public finance represents those financial relationships that help to the creation, distribution and use of funds necessary to meet the needs of the whole society.

8.3.2.2.Public finance responsibilities

Public finances have a dual role within the economic life of the modern state, namely to ensure the supply of financial resources intended for achieving the economic policy objectives, to guarantee the fulfillment in good conditions of state duties, and to meet the public needs of each individual, respectively to create an environment favourable to the development of the whole society. Within this role, the public finances fulfil the following responsibilities: distribution, control, transfer of capital, assessment of investment project,

protection of investors, redistribution of funds, self-regulation and intervention of the state in the economy.

8.3.2.3.Financial leverage

Financial leverage represents an economic relationship that meets certain conditions and has specific characteristics; it must be designed in such a way that, with its help, to be achieved the objectives of economic policy.

Of leverages rated as the most important ones, situated within the sector of public finance distribution, namely within the stage of collecting resources available for the state, we find the *tax*, the most important aspect of state revenue centralization, that has evolved from its function of providing revenue only to cover the state' expenditure, to how the state "interfere" in the economic and social life, being a real tool of guiding and influencing. Besides tax, at an equally important level, we find the *grant* through which resources are assigned towards those economic agents engaged in activities that are considered to be of national interest, due to the branches where they are operating, to the employment provided, to the national security implications, etc.

8.3.2.4.Public budgets

Everything involving the settlement of public budgets has a direct connection with the substantiation of revenue and expenditure indicators, characterized by annual estimation of the economic performance based on actions, costs, objectives aimed, results obtained, etc. In other words, everyone involved in this process will proceed to the calculation of the financial indicators, with effects in determining the budget' revenue and expenditure.

8.3.2.5.Public expenditure

The state provides significant financial resources and the use of these resources takes place through public expenditure, which, lately, had a significant increase. If before World War I public expenditure amounted to about 10% of GDP, between the two world wars these reached to 30% of GDP, reaching between 1998- 1999 to 50% of GDP, of which social security costs represent 25%, federal government expenditures 20% and local authorities expenditure 10%.

8.3.2.6.Financial resources

At national level, financial resources consist of public resources, the financial resources available to institutions and public authorities, the resources of public and private economic agents, as well as those of non-profit entities.

Of the total revenue of RON 66,546.5 million obtained by the Romanian state in 2010, tax revenue (fees and taxes) amounted to RON 56,304.7 million, of which social security contributions amounted to RON 395 million.

It is ascertained that, in general, *the main source of public funding consists of fees and taxes that are binding on private and public economic agents.*

8.3.3.Quantifying the influences

The economic agents' finances represent the core of the financial system and also the economic relationships of distribution, as cash, of the gross domestic product (GDP) created within these. Through these relationships, the state provides and redistributes resources. Thus, any economic problem arisen at an economic agent level produces significant disruptions in generating income and spending public expenditures. Therefore, if an economic agent reduces the activity or worse, in case of bankruptcy, the state automatically loses a part of the revenue in the form of taxes and fees, while increasing the costs generated by the increase of his responsibilities, such as for example providing unemployment benefits for unemployed, providing public health services for people who do not pay a contribution of this kind; moreover, the state budgets, in most cases, funds for retraining the unemployed, for creating new jobs and for granting tax incentives in this regard, subsidies, etc.

To strengthen our support, we mention for example that in 2010, taking into consideration the total revenue of RON 66,546.5 million obtained by the Romanian state and the total expenditure of RON 102,627.8 million, the state budget recorded a deficit of RON 36,081.3 million.

Conclusions

The entire contents of the paper follows a *first* and very important *conclusion*, namely that the illegal trade should be regarded as a phenomenon in its entirety, for only so, effective measures for keeping it under control could be taken. This is highlighted by the fact that each chain of the illegal trade has similar forms of expression, similar determining causes, identical effects, so that the measures to be taken are also similar and sometimes identical.

A second conclusion is that the illegal trade as a phenomenon has reached, with the emerge of other phenomena favourising it, such as globalization, technics and technology development, and so on, impressive levels, causing difficulties in keeping it under control. The main objective should concern reducing it, all of its components, and keeping them within certain limits with minor effects on society.

A third conclusion is represented by the poor efficiency of the undertaken measures, some of which rather than leading to a decrease of the illegal trade or to strengthening its control, seem to have determined an increase of it. We might mention here the famous war against drugs resulted in many people arrested, assets and vehicles seized, destroyed crops and labs, destroying drug cartels, measure based on the force of judicial authorities and on coercion, which, however, did not lead to the reduction of trade in such chemicals, on the contrary, with some annual oscilations, this increased over time. For example, the one time when it seems that there was a decrease in the drug trade was when the Afghan farmers were encouraged to deal with something else, something legal, respectively to cultivate, produce and sell other types of plants.

Therefore, the measures to be taken should target not only the coercive side, but also the economic, social, political and human one, and all these measures need to be corelatively implemented to substitute and supplement, where the case, thing which cannot be done by a fragmentary dealing of its parts, but of the whole unit.

Economically, if investment concerned the areas or countries holding the first places in charts made in connection to one or other of the components of illegal trade, this would create jobs, would raise the living standards and also the states revenue, which might then invest in various fields of activity, all residents being able to benefit from. For example, if Afghanistan continued in supplementing the economic measures, the positive effects would be multiple:

1. peasants would be turned to legal occupations;
2. they would not be part of certain criminal groups, so they would not need to buy weapons;
3. there would be an increase in the standard of living;
4. a better life would reduce the number of people targeted by the human trafficking for forced labor, sexual exploitation, organ transplants or armed forces purposes.

If, to the measures mentioned in the above paragraph we would also add a socio-human measure, targeting groups formed around an ideology or religion, we consider that important steps would be taken unto the right direction.

The social aspect is an important element in this issue as the existence of a better alternative for a person, whether trafficker or victim first generates the existence of an option and then it may determine the choice of a positive, legal one, beneficial for that person, for the community and for the society as a whole.

Solving economic and social issues would allow and determine the political class, the bodies in charge and the government administrations to adopt effective policies towards prosperity and emancipation. Basically it would be created a domino effect in the sense that a fair measure taken, which generates positive effects creates the base for taking further fair actions, while a bad state of affairs generates negative effects leading to its amplification.

Finally, the national laws should be seriously amended by aligning them to those whose progress in this field is substantial, strengthened by multilateral treaties and conventions establishing effective cooperation frameworks and joint combat of the illegal trade in its whole and not fragmented on its various components. Formation of institutions meant to collect all existing data and information at national and regional levels, then centralizing and analyzing them, all these giving the possibility of drawing some pertinent conclusions in terms of the factors relevant to determining each component of the world illegal trade, what influences them in positive and negative ways, the effects they produce, if, when and to what extent they require action, what are the costs, etc. Once we assess what is to be done, the suggested measures must be transmitted to all states that should implement them immediately and correctly in order to determine which of them had the desired effect and which didn't, which measures must be excluded, supplemented or substituted with more efficient ones.

Case study

From the analysis, according to some accounting data during 2005- 2010, on the work of the three largest cigarettes manufacturers in Romania, namely Philip Morris Romania, British American Tobacco and Japan Tobacco International, compared to the level of cigarette smuggling, as it is prevalingly determined by Novel Research, and at the level of excise tax on tobacco collected between 2008 and January 2010, it was determined that:

- smuggling values have not badly influenced the number of employees, except for the case when Philip Morris has fired more than 100 employees in 2007, during that time smuggling already registering slight increases;
- during 2008, 2009 and 2010 smuggling reached high levels
 - the turnover of Philip Morris and British American Tobacco fell sharply

- debts increased for Japan Tobacco International, and for the other companies, although the debts initially increased, they registered decreases afterwards;
- recorded profit also decreased, no difference being distinguished between a company and another at this level;
- the smuggling level influences also the state revenue, as the excise taxes, the main tax here, recorded equally decrease, same as the corporate tax.

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