

Effects and consequences of corruption in contemporary Romania

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Abstract: *Corruption is a deviation from normality and is an indissoluble part of the criminal phenomenon in any society, representing a very deviant and harmful behavioral model widespread among officials and representatives elected by the community. The corruption figures are colossal and unimaginable for someone uninformed. Thus, from the UN report of 2017 it results that annually, in the world, 2600 billion dollars are stolen through acts of corruption and another 1000 billion dollars are given as a bribe. In total, 3600 billion dollars. At EU level, according to statistics, corruption costs between 179 and 990 billion euros per year [1]. Also, as a confirmation, the World Bank states that around a thousand billion dollars are paid every year as a bribe worldwide, noting that total economic loss from corruption is estimated to be much higher than this figure. Moreover, due to corruption, the total cost of trade contracts increases by up to 20-25% [2]. In Romania, corruption is estimated to be between 8 and 11 billion dollars, meaning an average per year of 7% of GDP, more than the budget of any ministry in the Romanian Government, which is why, for the time being, the largest “ministry” in Romania is considered to be corruption [3]. Corruption is very dangerous for any society, since there are no casualties and it is difficult to spot, so by the passage of time it develops continuously as a result of “contamination” of other people in the work environment. With this study we wish to highlight the main effects and consequences of corruption in contemporary Romania, taking into account the various studies and specialized analyses carried out in this important area of criminology [4]. The aim of the study is to raise awareness of the effects and consequences of corruption throughout the population, with a positive role in the numerical increase of factors with great potential in reducing corruption.*

Keywords: *corruption; consequences of corruption; personal life; family life.*

Framing subdomain: *Criminal Law*

1. Introductory aspects of the corruption phenomenon

It is very important to understand and, in particular, to be aware, at the same time, that the phenomenon of corruption is extremely widespread in poor and less developed countries and it begins to consume extremely much of the resources and potential of those companies. Also, as the UN draws attention, we all need to realize that ***each of us is paying the costs of corruption both at the macro and micro levels of society***, through the lack of medical care at the highest level of quality in hospitals, through the lack of quality of services in the education system, through the lack of quality of transport infrastructures, through poverty and the low standard of living of the population compared to the EU average and the non-fulfillment of the real convergence criteria established at Maastricht, and examples can continue. To the extent that all these negative effects at macro and micro level are not aware, all that is said is only words... which are repeated endlessly, in relation to different types of interests, generally politicianists, only with different manipulative effects among the population, in order to resolve those interests.

And from all the messages of international bodies, it is concluded that the multiple effects of corruption are valid on the long term, because it leads to the establishment of weak governments which, in order to reach and main power, are allied with organized crime groups and close their eyes to various

offences such as abuse of service, organized crime represented by trafficking in human beings and drug trafficking, etc.

And in Romania, a developing country, but not poor, and a member of the select club called the EU, at the same time, the situation is not much different from the vision of international bodies. Thus, in Romania, in the EU accession process, after the year 2007, constant positive developments and progress in the fight against corruption were highlighted [5], but the momentum of all these reforms was lost on the whole in 2017, when the progress was reversed as a result of backward steps made with regard to the reform and independence of the judiciary, as well as the fight against high-level corruption [6].

The main message of the international bodies, in this context, is that the political and state people of Romania, in disagreement with the population and the EU's requirements, are still showing corrupt and unethical behaviors, which leads to a decrease in the trust and respect of citizens towards the legitimate institutions of the state, as well as, consequently, the erosion of democracy and the rule of law in Romania.

2. Effects of corruption in post-revolutionary Romania

Important negative effects of corruption, which are valid and especially demonstrated in Romania, are highlighted by the United Nations Development Programme (UNDP). Thus, according to UNDP [7], “corruption steals resources and undermines human development by preventing access to public services, hinders economic development by distorting markets and damaging the integrity of the private sector, undermines democratic institutions, slows down economic development and contributes to governmental instability”. Also, according to the UNDP, “corruption attacks the foundation of democratic institutions of the state by distorting electoral processes, the perversion of the rule of law and the creation of bureaucratic structures, whose only reason for existence is the request for bribe”.

In consensus with those mentioned above, the most representative negative effects on corruption in Romania are the following: - *drastic polarization of Romanian society*, by the illicit and excessive enrichment of corrupt persons and bringing a large part of the country's population into a state of extreme poverty; *increase of the various phenomena of crime* in society and the *amplification of the underground economy* (corruption and corruption-related offences such as: financial fraud with national and European funds, embezzlement, tax evasion, smuggling, trafficking drugs and people, money laundering, organized crime, etc.) and *strengthening the lack of confidence* of the population in political leaders and state institutions.

Among the serious economic effects of corruption in Romania, we mention the following: - *inefficient use of resources*; - *discouragement of productive national investment*; - *discouragement of foreign investment*; - *distorting markets*; - *prevention of economic growth and erosion of living standards* [8], etc.

Likewise, no less dangerous we believe are also the political and social effects of corruption in Romania, among which we mention: - *undermining the rule of law and democracy*; - *endangering the indicators of good governance*; - *strengthening an ineffective and inefficient public administration*; - *negative damage to corporate governance*; - *threats regarding respect for fundamental human rights*; - *undermining the work of fundamental institutions guaranteeing stability, security and sustainable development of the country*, etc.

Ethically, we believe that corruption, which is a violation of the generally valid principles of political, economic and social life, or a rejection of the principles that have proved their viability over time, as the case may be, also has the effect of “negative learning” [9], regarding members of society and local communities, based on the example given by the members of society, in general, but especially of the negative example offered by the society's elites at central and local level, which makes the mission of preventing and combating corruption extremely difficult in Romania.

We believe that other important effects of generalized corruption are represented by the *threat of national security*, as well as *the reduction of Romania's chances of being received in the Schengen area*, as a result of the potential risks of exporting corruption and spreading its negative effects in EU countries.

3. Consequences of corruption

The most important negative consequences of corruption, which are manifested in Romania, in our view, are the following: - *the continued decline in the prestige of the law and the law enforcement authorities*; - *reducing the pace of development of the economy and convergence with the developed States of the EU*; - *increasing immorality in the urban and rural population*; - *demoralizing honest citizens*; - *lowering the quality of public services, increasing the distrust of citizens in public institutions, including justice and the accomplishment of justice, etc.*

In consonance with all the corruption-related consequences, mentioned during this work, other important consequences of corruption we consider to be those on the personal and professional lives of the persons involved in the acts of corruption, as well as the consequences regarding society and the community as a whole, which we present below.

3.1. Consequences for personal and family life. In general, personal life is complex and has several plans of manifestation [10], such as: a person's *physical and psychic plan*, *the affective plan* through which the person expresses his feelings and emotions, *the plan of individuality* that includes all the concerns and modalities specific to the intellectual personality, *the relational plan* of family, couple, friendship, with bosses and co-workers, professional relationships, accidental or incidental relationships, *the mental-relational plan* that reveals the philosophical thoughts of a person, *the spiritual plan* that focuses on self-knowledge and faith, *the plan of creativity and inspiration* in which each person manifest themselves as creative beings, etc., which are all affected in different proportions if a person is prosecuted, detained/arrested and convicted for acts of corruption.

Taking into account all these plans, first of all, it must be acknowledged and taken into account that the intervention of the judicial bodies for the establishment and sanctioning of the corruption offences with which they were seized, starting with the flagrant, continuing with the pursuit of criminal prosecution, detention/arrest and finally conviction, are likely to produce total changes in the natural evolution of these plans, as well as in the lives of prosecuted persons and family members, even consider life an ordeal. In this sense, emotional states and feelings may differ, starting with remorse and sorrow for the deed committed and the consequences that follow, up to frustration and anger determined by the fact that it is being investigated and is expected to endure the legal consequences, which in the case of people in the elite of society, with decision-making functions in the state, can become the desire for change and even the convenient change of laws and the fight between the powers of the state, unequal fighting in terms of justice, which cannot defend and strengthen its anti-corruption legislation.

Irrespective of the social position of the persons involved in the acts of corruption, depending on the status obtained during the prosecution (suspect, defendant, detained, arrested at home or in prison, convicted, imprisoned in prison, etc.), *the main consequences of personal and family life*, refer to:

- to incurring any punishment legally applied, inevitable consequence to which anyone is exposed if violate the criminal law;

- drastic reduction of the close circle of friends, for different reasons, including for not affecting their personal image, but especially because of the lack of interest of the people investigated and convicted for corruption, in relation to the realization of interests, and aspirations that were possible with their support up to that date;

- public disapproval of the facts and serious damage to their own personal image, as well as that of family members, who may be in a position to bear various manifestations of public oppression [11], a situation which may have unthinkable psychological effects, particularly as regards children in the family;

- withdrawal from social media, lack of relationships and accentuation of some psychic disorders, caused by the manifestation of feelings of shame towards the family, the known persons and the members of the community;

- their own psychiatric sufferings, inherent of the period of conducting the activities of criminal prosecution by the judicial bodies and the moments of the sentence and execution of the sentence, which may lead to the emergence of diseases of an irreparable psychic nature (depression, anxiety disorders, psychopathic, etc.), which are viewed by society as a shameful, even reprehensible;

- loss of self-esteem, respect and dignity, with potential serious consequences in terms of meeting the specific needs of Maslow's Pyramid, respectively of need for updating from the top of this pyramid, the needs of esteem, belonging, and, as the case, most powerful and indispensable of needs, those physiological and security, which are at the base of the pyramid;

- their own physical suffering, inherent in the execution of prison sentences, in particular due to conditions in Romanian prisons, which have also resulted in severe convictions of the ECHR as regards Romania for the conditions found in prisons, including their treatments, being considered inhuman and degrading in the numerous cases with which the ECHR was notified;

- serious suffering brought to family and children as a result of loss of jobs and income underlying their maintenance, as a result of the lack of the family following detention, arrest and conviction with the execution of the sentence in the penitentiary, etc., all of which can generate, where appropriate, serious remorse and other psychological distress to the person involved in the acts of corruption;

- loss of connection with the family (spouse, children, parents) and thereby lack of family support in terms of comfort and comfort of suffering, lack of possibility to share good and evil, joy and sorrow, which is one of the main purposes of marriage and family relationships, which cannot be replaced by other environments;

- the conclusion of family relationships through divorce or separation, with all the legal, moral and social consequences deriving therefrom;

- remorse combined with different types of personal trauma, with loss of self-confidence and esteem, which may have many other adverse consequences, including in the area of suicidal tendencies;

- the public blame, through which people who have become aware of the ongoing investigation and who consider you a criminal and guilty, who pursue you your whole life, including in any other circumstances when you want to reaffirm yourself and honestly build a new career;

- the major lack of credibility, both in the public and private system, which is transformed into the most important brake for the needs of development and consolidation of a new successful professional career, etc.;

3.2. Consequences for professional life. In parallel with personal life each person also has their own professional life which, normally are both essential to the balance of each person. Imbalances in personal life usually lead to imbalances in professional life, and vice versa.

In conjunction with the consequences and imbalances in personal life, *the main consequences of professional life* relate to:

- loss of efficiency and yield in the workplace, which affects organization and at the same time makes it impossible to achieve personal and family goals;

- loss of employment and revenues, with consequences for the amount of the pension on the date of retirement, depending on the conditions which it fulfils at that date;

- interruption and destruction of professional career, which could prove to be a successful one until the time the prosecution begins investigating;

- loss of customers and business closure and, with this, loss of important sources of income for themselves and for the family;

3.3. Consequences for society and the community. Finally, in view of the multiple consequences of corruption set out above, in so far as they occur, amid the generalization of corruption, we consider that they are fit to seriously affect all balances of society, including the balance of the three powers of the state, which, in my view, are the most serious consequences of corruption, which underpin the continued perpetuation of corruption and its consequences.

We appreciate that *the main consequences of generalized corruption affecting society and the community* are the following:

a. Endemic corruption is linked, systematically and in the long run, by the waste of public money in all areas of economic and social life and the escalation of organized crime of white collars, which constitutes an extremely serious problem in many countries, with multiple cross-border dimensions; it is likely to affect national security;

b. Corruption in the educational system, affects the performances of pupils and students, leading to the perpetuation of unethical behaviors and corruption, as a result of reproducing the unpunished attitude and behaviors of the teachers and elites of the society; causes disrespect for teachers, school and education in general; sophisticated forms of school corruption determine the continuation of such manifestations in all spheres of society; determines the questionable quality of the decisions and activity of the future politicians, teachers, doctors, magistrates, ministers, parliamentarians and officials, etc.; determines the poor performance of the Romanian society, as a whole;

c. Corruption in the health system makes the difference between life and death, because a health system affected by corruption does not have the capacity to provide effective, efficient and quality medical care to the people who are most in need, namely children, the elderly and the poor suffering from chronic diseases; may, as the case may be, aggravate the health status of the population, with negative consequences in terms of labor productivity and the smooth running of the economy;

d. According to SNA 2016-2020, *“Corruption makes the state vulnerable, generates damage to the economy and affects the country's development potential, good governance, decision for the benefit of citizens and communities, as well as confidence in the act of Justice and State institutions. Externally, the persistence of corruption has a negative impact on the credibility and image of our country”* [12];

e. Corruption constitutes one of the important direct and indirect sources through which human rights are violated, being the greatest threat to democracy, the rule of law, the supremacy of law, social fairness and justice. It erodes the principles of an effective administration, leads to undermining the market economy and endangers the stability of the democratic institutions of the state [13];

f. Corruption, closely correlated with the shortcomings of the rule of law and good governance, undermines the effectiveness of institutions and entities with the task of ensuring the system of control and balance, as well as respecting democratic principles and human rights, such as Parliament, government, judicial authorities and civil society;

g. Corruption and human rights violations usually involve abuse of power, lack of liability, obstruction of justice, misuse of influence and institutionalization of various forms of discrimination, clientelism and distortion of market mechanisms;

h. As a source of human rights violations, the corruption of persons holding different levels of power entrusted by law (police, customs officers, border guards, etc.) facilitates trafficking in human beings by ignoring, tolerating, organizing and participation in human trafficking, as appropriate;

i. Moreover, if the rule of law is undermined by corruption, both implementation and consolidation of the judiciary are also prevented by lawyers, prosecutors, judges, policemen, lawyers and experts who are corrupt; this way the justice system is severely obstructed; in these circumstances, through corruption, it is also effectively undermined the effectiveness of all institutions and entities which have the task of ensuring

the system of control and balance in society, such as: Parliament, law enforcement authorities and civil society.

j. Corruption in the judiciary system violates the principle of equality, non-discrimination, access to justice, as well as the right to a fair trial and an effective remedy, which are essential for defending all other human rights and for the prevention of impunity;

k. Corruption is also an important systemic obstacle to the realization and consolidation of democracy, respect for the rule of law and political freedom, and to achieve sustainable development, as well as with regard to respect for all civil, political, economic, social and cultural rights, given that the phenomenon of corruption also leads to numerous and repeated violations of human rights; in this regard, it is to be noted that corruption fuels the lack of accountability, injustice and inequality, including in terms of financial and economic resources, encourages impunity, arbitrary actions, political and religious extremism, as well as conflicts;

l. By threatening to strengthen democracy and ensure respect for human rights, as well as by undermining state authorities, corruption can lead to social unrest, including acts of violence, civil protests and major political instability;

m. Corruption and illicit enrichment of persons found in managerial positions of the state, lead to seizure of power and perpetuation of kleptocrats [14] at the head of the state, on the one hand, and on the other hand, as regards the majority population of the country, attracts only poverty, inequality, damage to reputation, reduction of external investment and compromises the life opportunities of young people;

n. High levels of corruption lead to a low level of human, social and economic development at low levels of education, as well as to public services, limited civil and political rights, political competition and freedom of the weak or non-existent media, as well as many other shortcomings in relation to the rule of law;

o. Corruption has specific repercussions and disproportionately affects the most deprived, marginalized and vulnerable groups in society, such as women, children, people with disabilities, elderly people, poor, indigenous or belonging to minorities, depriving them of equal access to political participation, public and social programmes and services, justice, safety and natural resources, including employment, education, healthcare and appropriate housing;

p. Corruption distorts the size and composition of government expenditure, severely affecting the state's ability to exploit with maximum efficiency all available resources, to guarantee economic, social and cultural rights, the functioning of democracy and the rule of law, as well as the development of a common ethics;

q. Corruption determines the achievement of a low level of revenue collection to the state budget, as a percentage of the Gross Domestic Product (GDP), due to the negative example given by the state institutions that have a high level of debt, including due to the state companies to which the big debts are erased they have to the state budget;

r. The economic consequences of corruption are extremely negative, especially in terms of the impact on the growth of poverty and inequalities among the population, the quality of public services, in particular as regards security, equal access to full health care and a high standard of education, access to infrastructure, socio-economic opportunities for individual and collective empowerment, in particular economic growth, job creation and employment opportunities and discernment of entrepreneurship and loss of investment;

Finally, we appreciate that endemic corruption, generalized at the institutional level, is capable of generating and consolidating the great economic-financial crime, prostitution, trafficking and drug use, trafficking of weapons, as well as other crimes, which can have evil consequences through the loss of human lives, seriously affecting the economy and society.

Conclusions

In Romania, since the communist period, a specific custom of bribes has been created, perpetuated through the Kent cigarette package, the knowledge and relationships strictly necessary to solve various problems, from entering the service, obtaining the gas tank and even when purchasing different rationalized goods (bread, milk, meat, oil, etc.) and those with limited stock (color TVs, refrigerators, washing machines, etc.). In this way, in communism, the pattern of the skilful man was developed which through different networks of relations, interests and bargains, managed to obtain whatever he wanted, without obeying the rules of the political power at that time.

After 1989, the quality of the man of survival and the instinct of survival developed on a new and true turntable, so that corruption and its forms of manifestation knew the trajectories of the unknown before, being involved persons from the elite of the society, the amounts initially conveyed, on average, from several hundred and thousands of dollars, culminating in time with amounts of tens of millions of euros, related to percentages of 5, 10, 20 and even 30% of the value of the contracts concluded, in favor of the elites of the company, ephemerally, in power and in the management of society and communities.

Despite the activities of preventing and combating corruption acts carried out by the state judicial institutions, there are still many people who offer or, as the case may be, accept and receive, with nonchalantly, bribes. In most cases, the people involved in committing corruption offenses do not know, do not appreciate enough or, if appropriate, underestimate the consequences of corruption acts in which they participate as instigators, perpetrators, co-authors and accomplices. As a result, I appreciate that from the judicial institutions of the state, as well as in all public and private organizations, it is necessary to take active and continuous measures of anti-corruption education of the officials and employees, meaning that a special emphasis should be placed on presentation, analysis and awareness of all the consequences that such facts imply, not only in terms of society, but especially, the consequences from personal, family and professional level, which are extremely numerous, compared to their limiting enumeration in this communication.

But first, for the mass awareness action of the consequences of corruption, to have long-term positive effects in limiting and eradicating corruption in all public and private organizational structures, as President GRECO, Marin Mrčela appreciates, it is necessary that, "the political will is being the answer to combating corruption effectively", and in this respect, "all politicians, regardless of their political affiliation, must lead by example, without "but" and without "if" [15], being aware in their turn of all the serious consequences to which they are personally exposed and to which the country is exposed, if it is involved in committing corruption acts, regardless of the causes that determine them for such conduct, corrupt.

But, secondly, the renunciation of "but" and "if", two of the conjunctions of communication that underlie the initiation of acts of corruption, can only take place under the conditions of good faith and the general interest that must be at the basis to all the decisions of the elites in power.

Și, în al treilea rând, renunțarea la acte de corupție și abuz, ar trebui să conducă la consolidarea bunului simț din partea tuturor românilor, indiferent de poziția lor socială și oriunde s-ar afla, ceea ce ar fi baza construirii ordinii și a armoniei în România, așa cum este în Japonia și în orice alt stat civilizată și dezvoltat.

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[7] <https://www.undp.org/content/undp/en/home/ourwork/democratic-governance-and-peacebuilding/responsive-and-accountable-institutions/anti-corruption/>

[8] Due to the generalized phenomenon of corruption, there is unjustly redistribution of public wealth and revenues, to the detriment of the poor, public spending is inflated, the tax system is less efficient and increases the public deficit, which destabilizes the national budget and encourages the departure of foreign capital. In this way, as in a true perpetual motion mobile, perverse effects are created that stimulate the search for new income through non-productive activities, many of them linked by corruption acts.

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[13] See also documents of the Romanian Government since 2000, namely: the National Programme for the Prevention of corruption, approved by HG No. 1065/2001, published in Official Gazette no. 728 of 15 November 2011.

[14] Kleptocracy is a corrupt form of government, practiced by authoritarian governments, especially in dictatorships, oligarchic, military hunts or other forms of autocratic and non-government governance, in which no outside supervision is possible. Kleptocracy is the political person and/or member of the government, as the case may be, which seeks primarily to obtain personal, material, financial, political, social, etc. benefits, on account of those on whose behalf it governs, seriously affecting foreign investment and the economic stability of the country.

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