

Dynamics of development of economic crime and combating crime in different regions of the world

*Dinámica de desarrollo de la delincuencia económica y lucha contra la delincuencia en diferentes
regiones del mundo*

Authors

Nataliia Nestor¹, Nataliia Lytvyn², Anna Yarosh², Stanislav Denysyuk³, Lyudmila Rozhkova⁴

¹Kyiv Scientific Research Institute of Forensic Expertise, Kyiv, Ukraine (judah15@i.ua)

²Department of Administrative Law and Process and Customs Security, Faculty of the Tax Militia's Training, Retraining and Professional Development, University of the State Fiscal Service of Ukraine, Irpin, Ukraine

³Department of Public Law, Scientific Institute of Public and Space Law, Kyiv, Ukraine

⁴State and Legal Disciplines Department and Ukrainian Studies, Faculty of Law, Sumy National Agrarian University, Sumy, Ukraine

Fecha de recibido: 2020-11-07

Fecha de aceptado para publicación: 2020-12-10

Fecha de publicación: 2020-12-15



Abstract

The globalization of economic relations and the computerization of all spheres of life create favorable conditions for the commission of economic crimes, which is a problem not only of a national level but also an international one. The aim of the scientific article is to establish the level of economic crime in the world and certain countries, to determine its dynamics, to establish the causes of economic crimes in international relations, their consequences and to suggest ways to combat economic crime. Achieving this goal was carried out using the elemental and theoretical method, as well as using methods of comparison, analysis, generalization and analogy. The dynamics of economic crime at the international level is determined, which shows an increase in the commission of these crimes. The reasons for the growth of economic crimes at the international level have been identified: insufficient level of security of organizations, which allows cyber-attacks without any problems; inefficiency of the law enforcement system that does not meet the modern challenges of economic crime; informatization of public spheres; lack of effective methods to combat economic crimes; technical progress; socio - economic inequality; access of market relations to the international level; Internet users are constantly increasing. The cause-effect relationship between the number of committed economic crimes and the level of economic development of the state is proved. In countries where the level of GDP per capita is low (South Africa, Kenya, Russia, Uganda, Zambia, excluding Belgium and France), there is a higher level of economic crime. Ways to combat economic crime at the national and international levels are proposed: improving legal regulation at the international level by adopting new conventions and legalizing them at the national level, strengthening the security of the companies, restarting the law enforcement system by reforming, increasing incomes.

Keywords: International Economic Crimes, Economic Crime, International Relations, Fraud, Combating Economic Crimes.



Resumen

La globalización de las relaciones económicas y la informatización de todos los ámbitos de la vida crean condiciones favorables para la comisión de delitos económicos, que es un problema no solo a nivel nacional sino también internacional. El artículo científico tiene como objetivo establecer el nivel de delincuencia económica en el mundo y en determinados países, determinar su dinámica, establecer las causas de la delincuencia económica en las relaciones internacionales, sus consecuencias y sugerir formas de combatir la delincuencia económica. La consecución de este objetivo se llevó a cabo mediante el método elemental y teórico, así como mediante métodos de comparación, análisis, generalización y analogía. Se determina la dinámica de los delitos económicos a nivel internacional, lo que evidencia un incremento en la comisión de estos delitos. Se han identificado las razones del crecimiento de los delitos económicos a nivel internacional: nivel insuficiente de seguridad de las organizaciones, que permite ciberataques sin ningún problema; ineficiencia del sistema de aplicación de la ley que no responde a los desafíos modernos del crimen económico; informatización de las esferas públicas; falta de métodos efectivos para combatir los delitos económicos; progreso técnico; desigualdad socioeconómica; acceso de las relaciones de mercado al nivel internacional; Los usuarios de Internet aumentan constantemente. Se comprueba la relación causa-efecto entre el número de delitos económicos cometidos y el nivel de desarrollo económico del estado. En países donde el nivel de PIB per cápita es bajo (Sudáfrica, Kenia, Rusia, Uganda, Zambia, excluyendo Bélgica y Francia), hay un nivel más alto de delincuencia económica. Se proponen formas de combatir la delincuencia económica a nivel nacional e internacional: mejorar la regulación legal a nivel internacional mediante la adopción de nuevos convenios y legalizarlos a nivel nacional, fortalecer la seguridad de las empresas, reiniciar el sistema de aplicación de la ley reformando, aumentando los ingresos .

Palabras clave: Delitos Económicos Internacionales, Delitos Económicos, Relaciones Internacionales, Fraude, Lucha Contra los Delitos Económicos.



Introduction

Global economic development and rapid technological progress create favorable conditions for the development and transformation of existing types of economic crimes, which has a direct impact on the sphere of economic relations at the internal and external levels.

Computerization of all spheres of relations brings them to the international level. Technical progress, information development and development of IP technologies create conditions that are favorable for committing economic crimes (customer fraud, cybercrime, IP theft with intellectual property, etc.).

The extent of economic crimes complicates the whole process of investigating crimes, bringing the accused to justice, compensating for the damage caused by the criminals. This situation is due to the backlog in the development of the law enforcement system in comparison with the mechanism and scale of economic crimes. So, the issue of economic crimes in international relations is relevant and requires serious research in order to identify the causes of these crimes and methods of combating.

Literature review

Analysis of the issue of economic crimes in international relations shows that it is one of the most studied topics in the scientific literature

Kravchuk (2009) argues that economic crime is a crime committed in the economic sphere with the usage of legitimate technical, accounting, financial and controlling and administrative rights and powers. Signs of economic crimes are: ongoing; high latency; impede the order of economic management; consists of criminally punishable acts of business entities; the subjects are individuals who are related to corruption, organized crime and shadow economic activity; forms the semi-criminal mentality of the citizens of the country; the result is significant harm to the state, society or certain citizens.

Nesimko (2016) interprets economic crime as a set of mercenary crimes committed in the economic sphere by certain people during their professional activity, in connection with this activity and those that encroach on the property or interests of consumers, partners, competitors and the state, and also on the order of economic management in various sectors of this economy.

The types of economic crimes include:

- fraud - the intentional usage of cheating to deprive other property, money or rights to own something;

- misappropriation of property (theft, deception of employees);
- theft of company assets by company executives, other persons holding managerial positions, or by an employee for personal gain;
- accounting fraud - change or entry of false information in the company's accounts;
- corruption and bribery (including racketeering and extortion) - using one's official position for one's own gain. This can be seen in the promise of economic gain or other benefit, through blackmail or intimidation.
- money laundering - actions aimed at legitimizing the proceeds of crime, hiding their true origin.
- Infringement of intellectual property rights (including patents, trademarks, industrial espionage, counterfeit goods and services) - illegal copying, distribution of counterfeit goods with infringement of a patent or copyright and creation of counterfeit banknotes, coins with the intention of selling them as genuine. This also includes the illegal acquisition of trade secrets or company information (PricewaterhouseCoopers, 2007).

Kharko (2010) notes that in the forensic literature there are the following illegal acts, which are economic crimes: fraud, production of low-quality products (crimes that violate the rights of consumers); violation of anti-dumping legislation (indicating crimes related to violation of the rules of free competition); securities fraud, accounting documentation; forgery of bank documents; fictitious bankruptcy, (crimes based on abuse of investment, deposit capital, which cause significant losses to shareholders, creditors, etc.).

Korzh (2013) argues that today the reasons for the shadowing of the economy are inadequate economic conditions, the inability of the state to implement properly social functions, insufficiently established system of management of international relations, high levels of corruption in some parts of it. These factors are favorable for the development of organized crime in enterprises, institutions and organizations working in priority sectors of the economy: agro-industrial, fuel and energy complex, industry (metallurgy, engineering, chemical and others), foreign economic sphere, financial and credit, budget activities, banking, privatization, transport, construction, domestic trade. There is an increase in crime in other areas of the economy: IT, consumer market and in the field of intellectual property.

Romano (2015) notes that at the present stage, policy to combat economic crimes at the international level have had shortcomings in national and international criminal law. An important step in combating economic crime at the international level is an innovative approach to



combating both money laundering and its predicate offenses. Today, criminal, precautionary and regulatory approaches are used worldwide to anti-money laundering and trade finance. The scientist notes the necessity to develop and implement a new method that would specify the *corpus delicti* – money laundering, establish a direct link between this crime and human rights violations, ensuring the right to be protected from money laundering, and considers it necessary to establish an international tribunal of money laundering.

Economic crime belongs to a broad category of activities related to money, finance and assets. Their purpose is to obtain profits illegally or benefits for the entity or to harm others. This situation poses a threat to the economy of the state and its institutions and causes significant harm to society and the people. Criminal activity lies in criminal benefit from the proceeds of crime; damage to the state financial system and legitimate business interests; poses a risk to national security, prosperity and reputation (Economic Crime Plan 2019-22, 2019).

Criminal organizations that commit economic crimes have the ability to quickly adapt to any means of security of financial institutions. Therefore, it is important to use the best advanced technologies in combating economic crime, to stay ahead of criminals and will help protect financial institutions and their clients from fraudulent activities and prevent money laundering.

Financial experts and governments agree that one of the main reasons why huge sums of money are stolen and laundered every year is the lack of information exchange between the relevant authorities.

A perfect financial management system is a powerful tool for preventing, detecting and revealing economic crimes. It involves consolidating the authority and responsibility for resource management, which facilitates the establishment of improper actions regarding finances and unauthorized expenditures, by conducting an audit and establishing a financial chain.

Materials and methods of research

The study of economic crime in international relations was carried out using a method of comparison, which consists in comparing indicators of economic crime in the world, the level of economic crime in the regions, the number of certain types of economic crimes and the level of economic development.

Thanks to the elemental and theoretical method, a causal relationship between the level of economic development and the level of economic crime has been established.

The scientific article analyzes the research from 1999 to 2020, which investigated economic crime in international relations, their concepts and types, transnational economic crime, statistics showing the level of economic crime in 2011-2020, the number of crimes by type and their level in individual states.

The method of generalization and analogy established the reasons for the growth of economic crime in the world and the relationship between the number of committed economic crimes and the level of economic development of countries.

The paper analyzes the indicators shown in:

- Statista – Types of economic crime reported worldwide 2016.
- PricewaterhouseCoopers – Fraud and economic crime rates over the last 10+ years, Crimes: frequency of overall experience 2018, 2020.
- The Southern Times – Economic crime in the regions in 2018.
- TradingEconomics – GDP per capita in 2018.

Research results

Legal regulation of combating economic crime at the international level is carried out by international legal acts: the United Nations Convention against Transnational Organized Crime of 2000, the United Nations Convention against Corruption of 2003 and the International Convention for the Suppression of the Financing of Terrorism of 1999, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. The conventions define specific areas of combating economic crime - the development, implementation and strengthening of measures to combat such crime, international cooperation and more.

There are international organizations in the world that have the main function of investigating and combating organized crime: the United Nations Asia and the Far East Institute for the Prevention of Crime and the Treatment of Offenders; United Nations Interregional Crime and Justice Research Institute; the Center for International Crime Prevention; the International Criminal Court; the Financial Action Task Force (FATF) and others.

PricewaterhouseCoopers conducts a statistical analysis of economic crime at the international level every two years by surveying organizations

around the world. So, over the past 11 years, there has been a steady increase in economic crime in the world, except in 2016. In 2016, the number of economic crimes decreased a little bit. In 2018, the

figures increased again from 36% to 49% of surveyed organizations. And 2020 showed a slight decrease in indicators to 47% (Figure 1).

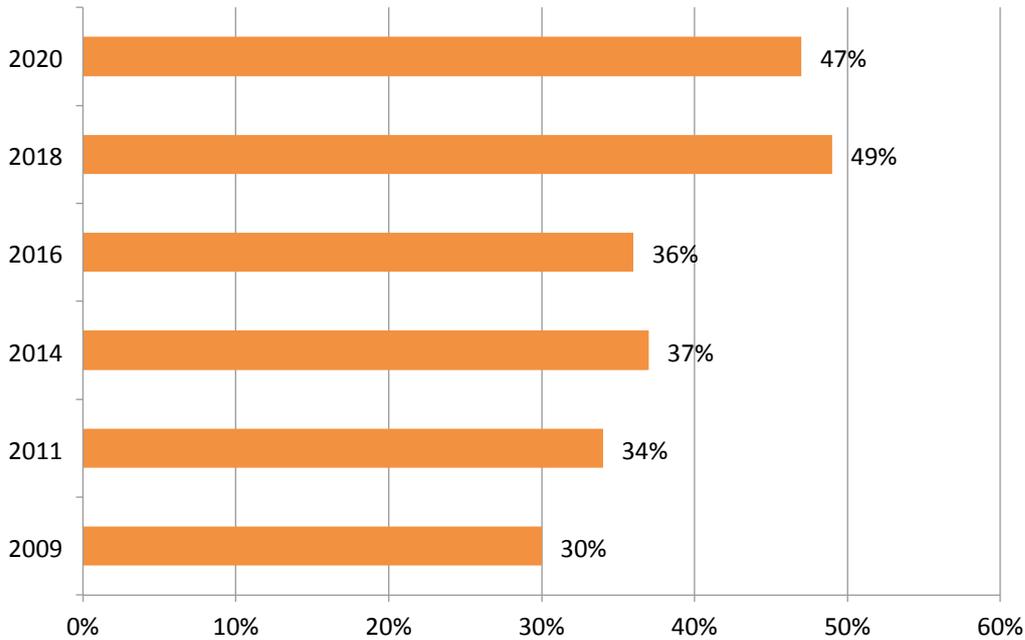


Figure 1. Fraud and economic crime rates over the last 10+ years

Source: PricewaterhouseCoopers (2020)

PricewaterhouseCoopers (PwC) is an international company that for a significant period of research into global economic crimes and fraud has divided them into types: antitrust, fraud in accounting and reporting, bribery and corruption, misappropriation

of assets, cybercrime, consumer fraud, money laundering, trade fraud, procurement fraud, insider (unauthorized trade), personnel fraud, intellectual property theft, tax fraud (PricewaterhouseCoopers, 2020a; 2020b) (Figure 2).

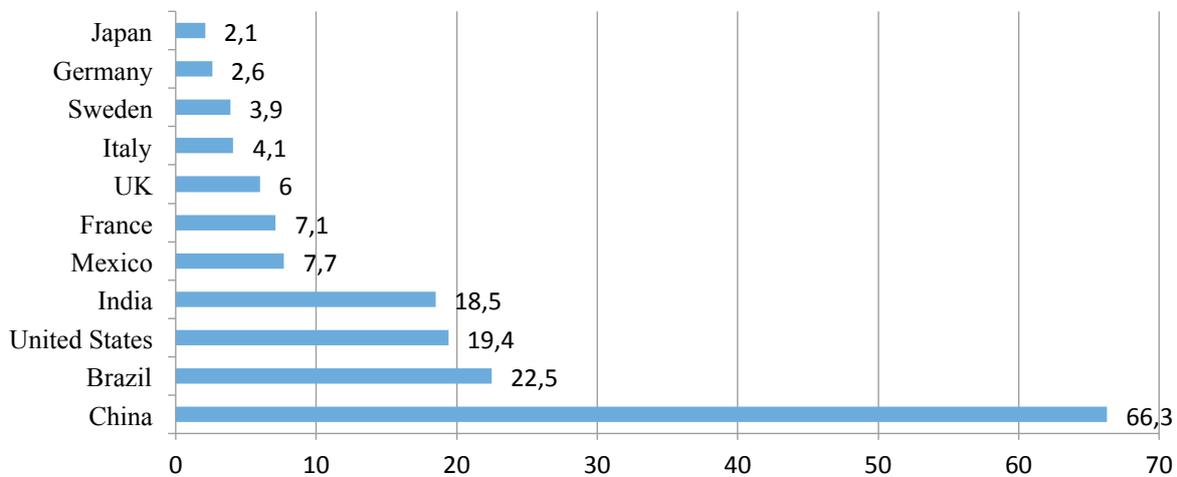


Figure 2. Consumer loss through cyber-crime worldwide in 2017, by victim country (in billion U.S. dollars)

Source: Statista (2016)

Economic crimes are dangerous because they undermining the economic stability of both enterprises and the country. In 2017, the damage caused by solely cybercrime amounted in China -

66, 3 billion USD, Brazil – 22, 5 billion USD, the USA – 19, 4 billion USD, India – 18, 5 billion USD. Also, among the 5,000 respondents surveyed in 2020 in 99 territories of the world, 47% of them



were victims of economic crimes within 24 months, the consequences of these crimes are damage in the amount of 42 billion US dollars

(PricewaterhouseCoopers, 2020a; 2020b) (Figure 3).

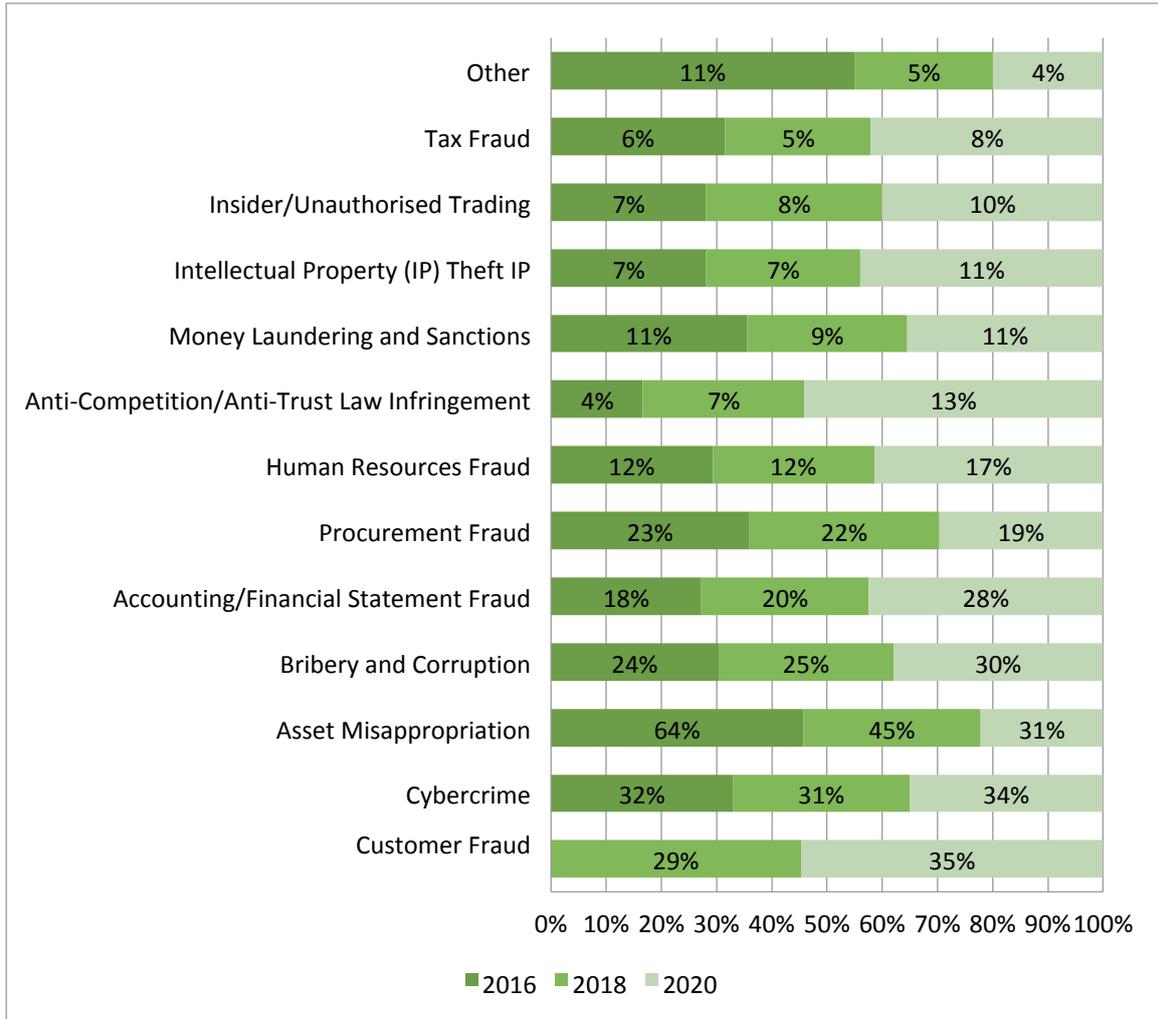


Figure 3. Crimes: frequency of overall experience

Source: Statista (2016), PricewaterhouseCoopers (2018; 2020a; 2020b)

So, the most common for four years are: misappropriation of property, cybercrime, bribery and corruption.

It should be noted that economic crimes have acquired more specific forms, so the crimes that are more common in the world have become much more. Since 2016, there has been an increase in customer fraud, accounting and financial reporting fraud, personnel fraud, bribery and corruption, antitrust violations, IP theft of intellectual property, and insider trading.

Since 2016, there has been a decrease in the number of such economic crimes: procurement fraud, misappropriation of property.

Such a statistical analysis of economic crimes will provide an opportunity to conduct research and to determine the dynamics of economic crime, the

regions in which economic crimes are committed, to establish a cause-effect link between the commission of these crimes and the consequences.

Among the countries with the highest number of economic crimes are South Africa, where 77% of surveyed organizations have been victims of economic crimes, Kenya - 76%, France - 71%, Russia - 66%, Uganda - 66%, Zambia - 65%, Belgium - 65 % and other (Figure 4).

Among the reasons for the negative statistics of economic crimes in the countries analyzed above are the economic instability and underdevelopment of countries. So, GDP per capita in 2018 in South Africa amounted to 7433 USD. Kenya - 1201 USD. China - 7807 USD. Russia - 11844 USD. Zambia - 1678 USD. Tanzania - 959 USD and others (Figure 5).

Africa's economic crime is directly linked to the structure of political economy. An inefficient system of political economy leads to crime and delinquency. This situation is due to the unemployment of young people in Africa

(Omoleye, 2017). Economic factors are usually transformed into social ones.

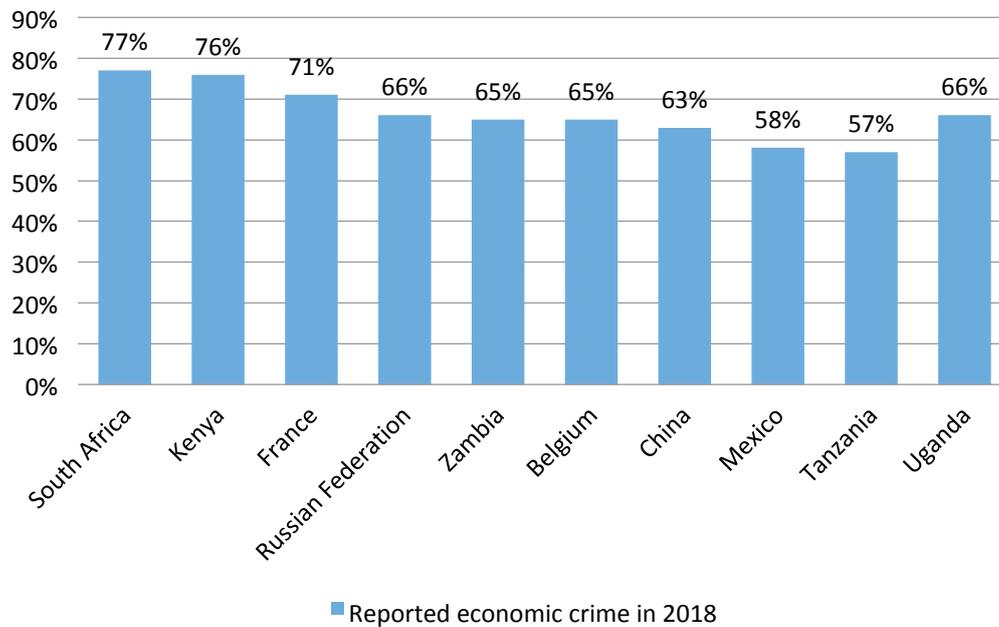


Figure 4. Economic crime in the regions in 2018

Source: The Southern Times (2018)

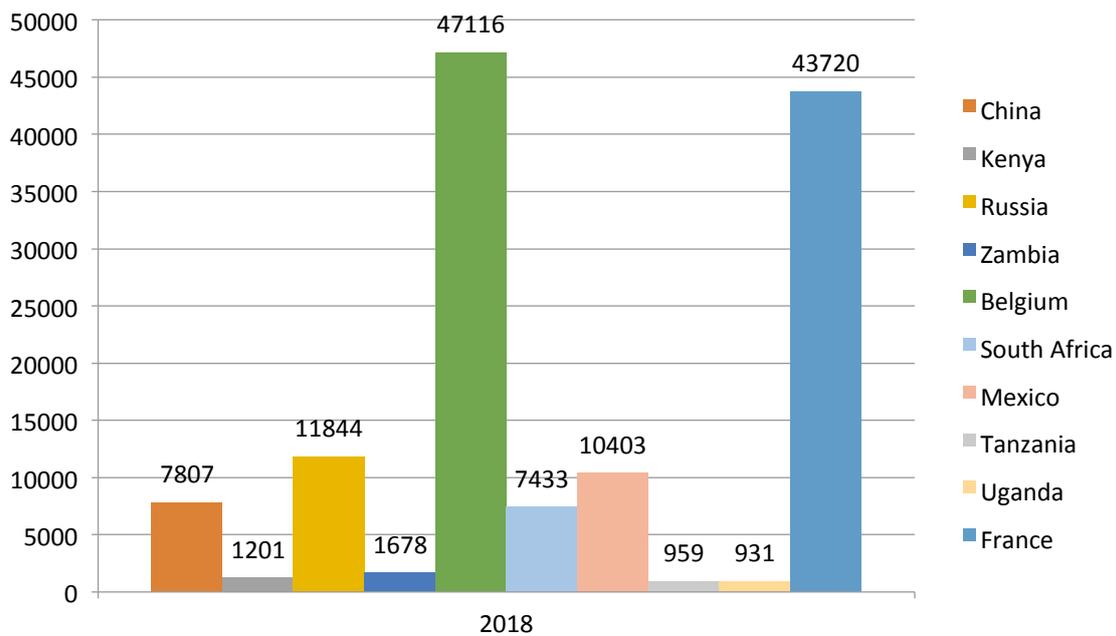


Figure 5. GDP per capita in 2018

Source: Trading Economics (2018)

The rate of the economy in the country has an impact on human socialization, as the economic crisis reduces the economic standard of living of all society and increases the number of people living below the poverty line (Somyk, 2011). In order to overcome this issue, it is proposed to restructure the

political economy to create public welfare that will improve the socio-economic conditions of the population (Omoleye, 2017).

Another reason for the high level of economic crime in South Africa is distrust of law



enforcement. So, 70% of organizations believe that law enforcement agencies are ineffective and unable to fully detect and combat crime (PricewaterhouseCoopers, 2014a).

Statistics show that the level of economic crime in Africa increased internationally to 46% and nationally to 45% in 2009 (PricewaterhouseCoopers, 2014b).

Among the analyzed countries, the exceptions are France, where GDP per capita in 2018 was 43,720 USD and Belgium - 47116 USD (Figure 3).

Belgium, as an economically highly developed country, has a quite high rate of economic crime. Scholars note that certain types of crimes are clearly distinguished in the state, among others - bribery and corruption, antitrust and money laundering. These crimes arise as a result of non-compliance by enterprises with the rules of doing business established by other countries.

For example, the United States and the United Kingdom operate within established rules with even stricter standards and higher fines. These types of crimes pose a high threat to global organizations at the international level. Also, among the reasons for the large number of economic crimes among highly developed countries is the problem of public administration - violation of internal control, lack of appropriate culture or efficiency of performance of functions by heads of public authorities. This situation leads to a loss of reputation at the international level, and as a consequence, adverse reactions in the stock market, economic losses, instability in business (PricewaterhouseCoopers, 2014a; 2014b).

The reasons for these statistics of economic crimes are the low level of protection of organizations that are inferior to modern mechanisms for committing these crimes. Also, countermeasures are insufficient and ineffective and the fight against economic crime is insufficient. There is also unsatisfactory work of law enforcement agencies, which is seen in the small number of detection and investigation of economic crimes and a high level of bribery.

The main factors in increasing economic crime are the imbalance of interests: institutional, public and personal. Monopoly in various spheres of life, including economic, group interests of society and the concentration of fixed assets in the hands of a small number of people forms a mass sense of injustice. These are the reasons that give rise to crime and opposition to current criminal law (Petrasheva et al., 2017).

The misappropriation of property is a leader in the

world among all types of economic crimes, which directly negatively affects market relations at the international level.

The economic development of the state depends on the conclusion of profitable investment agreements at the international level. However, investors, before concluding an investment agreement, assess the risks and threats of being a victim of fraud. So, states with a high level of economic crime deprive citizens and legal entities of the opportunity to be a party to international economic agreements.

Global economic crime is caused by the following main reasons: informatization of social spheres, socio-economic inequality, technological progress, lack of organizational balance in the law enforcement system, market relations at the international level, the number of Internet users are constantly increasing (Holin & Kolodyazhnyy, 2015).

Science identifies two problems in the fight against economic crime: organizations need protection from criminal encroachment and from the activities of state institutions; the state, society and its citizens have a necessity to protect themselves from business that is inefficient or criminalized (Olashyn, 2015).

The danger and stability of criminal groups is enhanced by the participation of bank employees, government officials, and legal companies (Hluschenko, 2004).

Analyzing the causes of economic crime at the international level, we believe that it is necessary to balance two systems: international and national. Interaction of all countries of the world in counteraction to economic crime will allow reducing its level.

So, the ways of combating economic crime at the international level are: existing international legal acts that contain provisions on combating economic crime are not fully effective. The commission of economic crimes at the global level is increasing and gaining momentum: bribery and corruption, defrauding clients, accounting fraud and false financial reporting, violation of antitrust law, IP-theft of intellectual property, fraud with staff, insider (unauthorized) trade.

It is necessary to adopt the Convention, which should establish norms that effectively regulate the fight against economic crime and correspond to its current forms. An effective way to combat economic crime in international relations is to ratify international law and incorporate it into national law. Also, the development and participation of

countries in a single strategy to combat international economic crimes is a solution. Such ways to combat economic crime would reduce them. Moreover, balancing the international and national systems would ensure an effective fight against economic crime at the international level.

Ways of overcoming international economic crime at the national level include: increasing incomes - this approach is due to the fact that economic crime is higher in those countries that are poorer; increasing the security of companies from cyberattacks and fraud; resetting the law enforcement system by reforming, including establishing an effective legal system, attracting qualified staff and increasing salaries; raising the professional level of law enforcement officers who fight economic crime (Kravchenko, 1999); modernization of all methods for combating economic crime by law enforcement agencies.

Discussion

An analysis of statistical data shows that economic crime at the global level was growing till 2018. The correlation between the low economic level of countries and the commission of economic crimes has been established, so one of the main factors influencing the growth of economic crime is the economic factor. Economic crime at the international level is more dangerous than at the national level. This situation is due to the territorial scale, organization of criminal groups and economic consequences. Also, Omoleye (2017) here includes anonymity, accessibility and accountability. Economic crime at the global level causes much more damage than at the national level, which has a negative impact on international market relations. It has been established that countries with a high level of economic crime fall into the risk group. This risk is formed by investors when they make decision on the conclusion of investment agreements. Investors do not want to be victims of economic crime and have financial losses.

Thus, states with a high level of economic crime reduce the chances for their citizens and legal entities to enter into international investment relations, and that is why, such countries are deprived of opportunities for high economic development and a stable economy.

We agree with Kharko (2010) that financial crime is a complex, multifaceted and ever-evolving global problem. At the same time, technologies that often contribute to crime can also be an extremely powerful means of combating them. Therefore, an important tool in economic crime control and combating it is the partnership between

government, law enforcement authorities and the private sector, which through coordinated actions, including the proper exchange of information and the use of high-tech means of detecting economic crimes, promotes the detection of illegal activities and subjects of such activities.

Petrasheva et al. (2017) also share opinion that coordinated cooperation with the private sector can improve and intensify combating economic crime, including: development of common goals between organizations; creation of global partnerships; joint decision-making.

A thorough analysis of the causes of economic crime in international relations makes it possible to develop effective ways to combat economic crime: commonly coordinated work to combat economic crime of all countries in the international arena, which means, in particular, improving international law. It is also advisable to develop a common strategy to combat economic crime at the international level and to reform some spheres that contribute to the commission of economic crimes at the national level.

Conclusions

So, as a result of research on economic crimes in international relations, it is established that the danger of these crimes is due to the scale and consequences of their commission. It is reflected in the economic losses of victims and disruption of economic relations in the international market. This situation destabilizes relations of international market, and therefore, countries with high levels of economic crime are deprived of the opportunity to attract large numbers of investors, which has a negative impact on the economic stability of the country.

A cause-effect relationship has been established between the high level of economic crime and consistently low economic development. Thus, countries with low GDP per capita are characterized by high levels of economic crime, which is one of the obstacles to the country's economic development. An example is Africa.

Current international legal instruments in the field of combating economic crime are ineffective. The global level of economic crime is growing steadily. Therefore, it is necessary to update the legal regulation. The legal regulation have to meet the current challenges of economic crime in the world and to be effective. This will help to reduce its level.

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