



Annex no. 1

NATIONAL ANTICORRUPTION STRATEGY FOR THE PERIOD 2012-2015



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ABBREVIATIONS

PEA – Permanent Electoral Authority
NAFA – National Agency for Fiscal Administration
NIA – National Integrity Agency
NACS – National Agency of Civil Servants
NARMPP – National Authority for Regulating and Monitoring Public Procurement
CARIN – Camden Assets Recovery Inter-Agency Network
CA – Court of Accounts
EC - European Commission
SCM - Superior Council of Magistracy
NCSC - National Council for Solving Complaints
GAD – General Anticorruption Directorate
GIRP - FID – General Inspectorate of Romanian Police - Fraud Investigations Directorate
DPRDM - Directorate for Persons Record and Databases Management
FFD – Fight against Fraud Department
NAD – National Anticorruption Directorate
GRECO – Group of States against Corruption – Council of Europe
GD – Government Decision
NIM – National Institute for Magistracy
JASPERS - Joint Assistance to Support Projects in European Regions
HCCJ - High Court of Cassation and Justice
MAI – Ministry of Administration and Interior
MCIS – Ministry of Communications and Informational Society
CVM – Cooperation and Verification Mechanism
MECBE – Ministry of Economy, Commerce and Business Environment
MEA – Ministry of European Affaires
MFA – Ministry of Foreign Affaires
MPF – Ministry of Public Finances
MERYS - Ministry of Education, Research, Youth and Sport
MJ – Ministry of Justice
PM – Public Ministry
OECD – Organisation for Economic Cooperation and Development
NOPCML - National Office for Preventing and Countering Money Laundering
NTRO - National Trade Register Office
UN – United Nations Organisation
GEO – Government Emergency Ordinance
OGP - Open Government Partnership
POHCCJ – Prosecutor’s Office attached to the High Court of Cassation and Justice
GSG - General Secretariat of the Government
NAS – National Anticorruption Strategy
CUPAR – Central Unit for Public Administration Reform
UCVPP - Unit for Coordination and Verification of Public Procurement
EU – European Union



NATIONAL ANTICORRUPTION STRATEGY

2012-2015

1. INTRODUCTION

1.1. About the strategy

Romania, as a European democratic state, promotes an integrated public policy in the area of enhancing institutional integrity, based on a proactive corruption cost reduction oriented attitude, the development of business environment based on competition, increasing public confidence in justice and administration, as well as the involvement of civil society in decision making processes.

The national anticorruption strategy is based on the politically assumed ideas of the importance of the anticorruption legal and institutional framework stability and appropriate resource allocation for an efficient operation of public institutions in the service of citizens.

The EC report on the progress registered by Romania within the CVM, published in July 2011, reiterates the recommendation of consolidating the general anticorruption policy, especially through improving the coordination of anticorruption policies at the highest-level and developing a new robust multi-annual strategy to prevent and sanction corruption following the recommendations of an independent impact assessment¹.

The present strategy ensures the implementation of EC recommendations, incorporating at the same time the specific recommendations issued by *The independent assessment on the implementation of the National Anticorruption Strategy 2005-2007 and the National Anticorruption Strategy on Vulnerable Sectors and Local Public Administration 2008-2010 in Romania*². This report emphasises the fact that the new anticorruption strategic document should be comprehensive and multidisciplinary and envisage the executive, legislative and judiciary, as well as local public authorities, the business environment and civil society.

The document incorporates the areas identified as priorities at EU level by the EC Anticorruption Communication³: recovery of proceeds of crime, whistleblower protection, public procurement, preventing and combating political corruption, protection of EU financial interests.

In addition, this strategic document aims at preparing GRECO's fourth evaluation round, on "Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors", which will focus on the following chapters: principles and ethical rules of conduct, conflicts of interest, prohibition or restriction of certain activities, declarations of assets and interests, implementation of rules on conflicts of interest, awareness.

The present strategy promotes the best anticorruption practices, such as the methodology to assess the corruption institutional risks and the implementation of sectorial plans.

Lastly, the strategy reflects Romania's commitment towards the values of the Open Government Partnership. In September 2011, our country joined the Partnership declaration, assuming as major priorities: increasing the availability of public data made available by public authorities, improving public services,

¹ Report from the European Commission COM(2011) 460 final on Progress in Romania under the Co-operation and Verification Mechanism, published on July 20, 2011.

² The independent assessment was performed between December 2010 and March 2011, within the project „Support to the Ministry of Justice to implement the recommendations of the EC under the CVM”, carried out by MoJ and United Nations Development Program. The evaluation report was published on MoJ website on April 14, 2011, marking at the same time the launch of the public consultation process for drafting the new National Anticorruption Strategy.

³ EU launched in June 2011 the anticorruption package, which contains: EC Communication on fighting corruption in EU; the decision on establishing an EU Anti-corruption reporting mechanism for periodic assessment; the second report on the implementation of the decision on combating corruption in the private sector; the report on the modalities of European Union participation in GRECO.



increasing public integrity, effective management of public funds, creating a safer community and strengthening corporate responsibility.

1.2. Corruption in Romania in the perception indexes and official statistics

In the public perception, corruption continues to be identified as a barrier to quality public services at central and local levels, as a phenomenon that undermines the effective administration of public funds and obstructing justice, also affecting business environment. Internal and external indicators specialised in assessing the impact of corruption perception, puts Romania under the EU member states average.

External indicator	Ascertains	Target to achieve by 2014
Corruption Perception Index 2011	Approximately 3 quarters of the 178 states that compose this index have a score under 5 (on a scale from 0 – high level of corruption, to 10 – high level of integrity) Romania is among these states, with a score of 3,6	6.37 – EU average
Global Corruption Barometer 2010	87% of Romanian respondents consider that corruption in Romania has increased over the last three years Political parties and the Parliament are considered the institutions the most affected by corruption (with a score of 4.5), closely followed by judiciary (4), police (3.9) and public officials (3.8). Only 7% of the respondents appreciate as efficient the Government's current efforts to combat corruption	73% - EU average EU average 4.4 (political parties), 3.5 (Parliament), 3.4 (judiciary), 3.1 (police), 3.5 (public officials). 26% - EU average
World Bank Study ⁴ on the Business Environment and Investment Performance 2005-2008	The business environment in Romania considers corruption as a major obstacle in doing business (the third as importance out of 14)	Corruption is no longer identified by the business environment in top 5
Global Integrity Report 2010	Red flag on the requests of governmental information Three orange flags on political financing transparency, oversight of state-owned enterprises and law enforcement: conflicts of interest safeguards and professionalism.	Green flag Green flag
Nations in Transit Report 2011	The evaluation stays at 4.00	3.27 – EU average for 2010.

In terms of judicial statistics, 2010 and 2011 continued to mark a positive trend of the performance indicators specific to DNA's activity in fighting corruption. This shows consistency in the investigation and prosecution of complex cases of serious corruption acts committed by officials, magistrates or persons with leading positions in central and local government.

Thus, in 2010, 11 dignitaries were sent to trial, including one Prime Minister, 3 ministers, 2 senators, one deputy, 2 state secretaries, 2 sub-prefects, and one senator received a final conviction. In 2011, 6 dignitaries were sent to trial (one deputy, one minister deputy, one secretary general within Ministry of Health, one sub-prefect, one president of the National Labour Agency, ranked as secretary of state, one vicepresident of the

⁴ Study „Trends in Corruption and Regulatory Burden in Eastern Europe and Central Asia” was published in 2011 and offers comparative data for 2005 and 2008.



National Agency for Property Restitution, ranked as under-secretary of state) and 4 received final convictions (2 deputies, one former deputy, one sub-prefect).

In the judiciary, for corruption acts, in 2010, 147 defendants were sent to trial, out of which 7 judges, 6 prosecutors, one public notary, one bailiff, 19 lawyers and 34 police officers. 37 defendants received final convictions, including 2 prosecutors, 10 lawyers, 24 police officers and agents and one chief of escort from the prison. In 2011, 263 defendants were sent to trial (2 judges, 3 prosecutors, out of which 2 chief-prosecutors, 27 lawyers, 231 police officers) and 43 received final convictions (2 judges, 2 prosecutors – one chief prosecutor of a prosecutor's office attached to a first court instance, 5 lawyers, 26 police officers – 7 sub-officers and 19 officers, out of which 4 having management positions, 3 judicial liquidators, one sub-officer and 3 officers having management positions within the Emergency Situations Inspectorate, one person from gendarmerie with management position).

Regarding corruption in financial institutions and other control institutions, in 2010 53 defendants were sent to trial, including 8 Financial Guard commissioners, one Commissioner from the Environment Guard, 5 customs officers, 12 inspectors or tax representative, one financial controller from the Court of Accounts, one inspector from the State Construction Inspectorate and 3 inspectors from the Labour Inspectorate. In addition, in 2010, 3 customs officers, one commissioner from the Financial Guard, 6 inspectors and one inspector from the Labour Inspectorate received final convictions. In 2011, 91 defendants were sent to trial (63 customs employees and one director of the Department of Excise and Customs Operations, 11 Financial Guard commissioners, out of which 3 chief commissioners, 2 directors and 4 inspectors, out of which one chief inspector of the Public Finance General Directorate, one counsellor of the National Agency for Fiscal Administration, 5 employees of the Payments and Intervention for Agriculture Agency, one chief inspector of the Territorial Labour Inspectorate, 3 commissioners from the National Authority for Consumers' Protection) and 30 received final convictions (8 customs employees, 4 Financial Guard commissioners, 3 Environment Guard commissioners, 10 fiscal inspectors, 2 inspectors and one counsellor within the Consumer Protection, 2 inspectors from Territorial Labour Inspectorate).

In addition, in 2010, 194 persons from the private sector were sent to trial, and in 2011, 238 natural persons and 41 legal persons. In 2010, 34 persons received final convictions for corruption offences and 90 in 2011.

Since the adoption of Law no. 176/2010 on the integrity in the exercise of public offices and dignities, on amending and completing Law no. 144/2007 on the setting up, organization and functioning of the National Integrity Agency, as well as for amending other normative acts, NIA's operational activity was resumed. In January 2012, the Agency had 4294 pending files. Moreover, between April 2008 and January 2012, the results of the Agency's operational activity are the following: 2800 closed files; 4900 contravention sanctions applied; 229 files of possible criminal acts (conflicts of interests, false statements, suspicions on offences assimilated to corruption offences or offences against the EU financial interests); 232 cases of identified incompatibilities; 31 cases of administrative conflicts of interests identified; 27 cases where the Agency requested the courts/commissions for wealth investigations attached to the Courts of Appeal the confiscation of unjustified amounts – the total amount representing unjustified differences – approximately 42.5 million lei (12.2 million euro) – 3 final confiscation decisions; 2.660.250 declarations of assets and interests published on the declarations' of assets and interests portal between 2008 and 2012.

1.3. Existing public policies and legal framework

NAS is a document of a medium-term strategic vision which provides the major coordinates of action in the support of promoting the integrity and the good governance at all the public institutions level.

The document represents the starting point in the development and adoption/adaptation by the institutions and the public authorities of their own sectorial plans. So, NAS contains the principles of action, the general and specific objectives relevant at national level. Also, the document includes practical aspects and concrete tools useful for developing the sectorial action plans such as: the inventory of the mandatory preventive measures, associated performance indicators, the standard structure of the action plan, the coordination and monitoring mechanism.



This strategy provides the action directions development assumed by the Government Program for the period 2009 - 2012, Chapter 4, "Justice and Anti-Corruption Policy".

Moreover, in order to ensure the coherence and the coordination of all the relevant national level initiatives, NAS includes the 2nd, the 3rd and the 4th benchmark of the Cooperation and Verification Mechanism. The document will lead to the optimization of the inter-institutional coordination structure, established by the Government Decision no. 79/2010 on setting up the Commission for monitoring the progress made by Romania in the field of judicial reform and fight against corruption.

Based on the inter-institutional consultation organised for drafting this strategy, the complementarity of the already adopted initiatives at national level shall be ensured. We take into consideration especially the National Integrity Agency's Strategy 2011-2014, for fighting and preventing the acquiring of unjustified assets, conflicts of interests and incompatibilities, as well as the institutional steps taken by the Superior Council of Magistracy for enhancing the justice credibility and the accountability of the judicial.

The Romanian anticorruption legal framework is constantly appreciated within the GRECO and the CVM evaluation reports as a developed one. The independent evaluators of the anticorruption strategies implemented between 2005 and 2010 reached the same conclusions. As a consequence, this strategy focuses on the implementation and the ensuring the stability, the predictability and the legislation coherence and the anticorruption institutional framework.

2. FUNDAMENTAL VALUES AND PRINCIPLES PROMOTED BY NAS

2.1. Fundamental values

This strategy is built on the premise of assuming by all institutions and public authorities of the following fundamental values:

- **Political will** – all the three powers in the state, the executive, the judiciary and the legislative, understand the importance of a corruption free society and will work together to ensure the implementation of the present strategy;
- **Integrity** – the representatives of public institutions and authorities are bond to declare any personal interests which may be in conflict with the objective exercise of their duties. Also, they are required to take all the necessary measures to avoid conflicts of interest and incompatibilities;
- **Priority of public interest** – the representatives of public institutions and authorities have the duty to consider the public interest above any other interest in fulfilling their attributions. They must not use their public attributions in order to obtain undeserved pecuniary or non-pecuniary benefits for themselves, their families or their acquaintances;
- **Transparency** – the representatives of public institutions and authorities will provide free access to information of public interest, transparency of decision making process and consultation of civil society in this process.

2.2. Principles

Each measure covered by the strategy and the action plan summarizes the following principles, which are essential to achieve a modern and efficient public administration:

- **The principle of rule of law** under which the supremacy of law is established, all citizens being equal before the law. It is based on respect for human rights and requires the separation of powers;
- **The principle of responsibility** according to which the state authorities are responsible for fulfilling their duties for the implementation and for the effectiveness of the action strategies agreed;
- **The principle of assessing and managing corruption risks** should be an integrated part of the managerial process carried out by each organisation;
- **The principle of proportionality in drafting and implementing anticorruption procedures:** Public institutions should draft, implement and maintain strong procedures, proportional with the institutional risks and vulnerabilities and dimensioned according to the resources and complexity of the organisation;



- **The principle of accountability at the highest level of commitment:** The antibribery policies will not be effective if there is no clear message delivered by the administration at the highest level, that bribery is not tolerated. The superior rank in the management of each administration level has to initiate, supervise and lead, by the power of example, the application of a rejection policy towards corruption, acknowledging the fact that bribery is contrary to the fundamental values of integrity, transparency and accountability and that it undermines the organizational efficiency;
- **The principle of preventing corruption cases and integrity incidents** according to which early identification and timely elimination of the premises for the emergence of corruption cases are priority and imperative. Both public and private institutions must show diligence in assessing partners, agents and contractors. Each entity should assess the risks of bribery associated with entering a partnership or contracting agreements with other entities and are then obliged to make regular assessments of risk. When concluding the partnerships or contractual arrangements, they must verify that these organizations have policies and procedures that are consistent with these principles and guidelines;
- **The principle of efficacy in fighting corruption** which is based on continuous evaluation of the activity of the institutions having attributions in this field, both from the point of view of a complete achievement of the objectives assumed for producing the positive effects expected by the society, as well as of the organizational management;
- **The principle of cooperation and coherence**, according to which the institutions involved in prevention and fighting corruption should cooperate closely, ensuring a uniform definition of the objectives to be accomplished and the measures to be taken;
- **The principle of public – private partnerships**, which recognizes the importance of involving civil society and business environment in concrete activities for implementing preventive measures against corruption.

3. AIM OF NAS, PROPOSED INSTRUMENTS AND TYPES OF INTERVENTIONS

3.1. Aim of NAS and the multidisciplinary character

The purpose of the strategy is to reduce and to prevent the corruption phenomena through rigorous application of legal and institutional framework in order to maximize the impact of anti-corruption measures.

The document has a multidisciplinary character and it is addressed to all the public institutions which are representing the executive, legislative and judiciary powers, the local public authorities, the business environment and the civil society.

3.2. Proposed instruments and types of interventions

The periodical assessment reports on the efficacy of the anticorruption steps taken by Romania indicate the fact that the moment of adopting new anticorruption laws has been surpassed a long time ago. It is the moment that each public institution, as well as the private ones, focuses on the efficient implementation of internal and international anticorruption standards.

Also, a change of approach is required on promoting the institutional integrity. In fact, any new ANI or DNA case constitutes a failure of the institutions' management to prevent incidents of integrity in the broadest sense of the word. The solution can only be the assuming by the leaders of public institutions of integrity issue within the organization. This attitude needs to go beyond the level of assuming only publicly the "zero tolerance" principle, it needs to show concrete measures to discourage corruption acts.

In sustaining a changed approach of management on corruption, NAS highlights the measures for promoting institutional integrity, having as main benchmarks the following: the implementation of ethical standards, efficacy of administrative mechanisms of control and enforcement, the protection of the integrity counsellor and the risks management specific to each institution.

NAS is proposing the implementation of some new instruments already recognized as best European practices, as for example the methodology for the assessment of corruption risks and introducing sectorial plans. Such type of methodology has already been successfully tested by the GAD within the NAS 2008 - 2010. The



implementation of this new strategy also aims at testing the application of this instrument in other public institutions. According to the results, the elaboration of a unitary methodology which is to be implemented by all the public institutions shall be decided.

In addition, starting from the experience of the NAS implemented between 2008 and 2011 in vulnerable sectors, each institution has the obligation to elaborate and implement its own action plan to follow how the specific vulnerabilities were remedied.

This strategy also meets the recommendations on strengthening the coordination and monitoring mechanism implementing the anticorruption measures.

Through the cooperation with the agencies having attributions in preventing and combating corruption, the technical secretariat is aiming at rendering functional a mechanism for the using the NAD, POHCCJ, NAI, GAD and GIRP - FID jurisprudence, and also the jurisprudence of other institutions with control attributions. This mechanism is going to facilitate the periodical assessment of the institutional reaction efficiency, as well as of the measures adopted by the leading boards of the public institutions on the identified risks and vulnerabilities and disseminate the best anticorruption practices. Besides it, with NIA's support, the risk factors and vulnerable sectors shall be identified according to the provisions of Law no. 176/2010.

Last but not least, the inventory of the anticorruption preventive measures and the associated assessment indicators (annex no. 2 to the decision) aims at achieving a periodical (biannual) assessment of the application and efficiency of anticorruption measures at the level of each public institution/ authority. The auto – evaluation shall include measures as assets statements, compliance with the rules on presents, the conflicts of interests management, incompatibilities, ethical and deontological codes, decisional transparency, access to information of public interest, administration of public funds, public procurement, random distribution of cases or of tasks, personnel selection and promoting procedures, etc.

This auto – evaluation shall be backed by a mechanism consisting of specific assessment missions made by joint teams, made of experts from various public institutions or NGOs. Such type of evaluation shall focus also on the concrete modality of the application of the preventive measures stipulated in annex no. 2 to the decision – as for example protection of the public institutions/ authorities personnel as well as of the ethics/integrity advisor signaling breakings of law, and when necessary, formulating proposals for strengthening their juridical statute. This mechanism shall take over the best practices in this field at GRECO, UN and OECD level.

For each type of intervention, NAS identifies general and specific objectives. All these are developed starting from the classical approach, trichotomous of strategic intervention in the anticorruption field, respectively: **prevention, education and fighting.**

4. GENERAL OBJECTIVES

4.1 Preventing corruption in public institutions

The national anticorruption legislation developed along the last decade includes a complex set of preventive measures ensuring a high level of integrity in the Romanian public administration.

Law no. 78/2000 for preventing, discovering and sanctioning the corruption deeds, with the subsequent amendments and completions, sets up an obligation for the persons exercising public functions to fulfil their duties coming from exercising their functions, attributions or given tasks with the strict compliance of professional behaviour laws and provisions, as well as of ensuring the protection and achieving of citizens' rights and legitimate interests, without using their functions, attributions or given tasks for obtaining, for themselves or any other persons, money, assets or undue benefits. This general obligation is subsequently regulated in special laws – as ethical codes and internal regulations including provisions regarding the behaviour of the persons in the public and private sector, according to international standards in this field.



Individual liability should be backed by ensuring the necessary conditions for the application of the existent normative framework, for the periodical monitoring and assessment of the efficiency of the adopted measures. These are responsibilities belonging to the leading boards of the public institutions and imply assuming the anticorruption agenda at the highest possible level. This is one of the major objectives of this section, which is to be implemented at the level of all public institutions.

Apart from the measures mandatory for all public authorities, the strategy comprises specific measures for increasing the degree of integrity and transparency in priority fields/ sectors as: the judiciary, financing the political parties and the electoral campaigns, public procurement and local public administration.

One of Romania's major objectives is the accession to OECD. To this end, obtaining the statute of full membership within the OECD Working Group on Combating Bribery of Foreign Public Officials in International Business Transactions is a priority of the national anticorruption agenda. Along with this objective, NAS will envisage the periodical assessment of the implementation of the specific legislation provided by the Framework Decision on combating corruption in the private sector, as well as the standards set out in the UN Convention against Corruption.

Specific objective 1: Addressing the public institutions' specific vulnerabilities by systematic implementation of preventive measures

Measures:

1. carrying out the periodical self-assessment of the degree of implementation of the mandatory preventive measures (stipulated in Annex no. 2 to the decision);
2. enhancing the activities of implementing internal/managerial control systems at the main credits chief accountants of the state budget, social securities budget and any special fund budget, including the subordinated public institutions⁵;
3. gradually introducing a unitary methodology for the assessment of the corruption risks at the level of public institutions, as a premise for developing the internal integrity plans;
4. implementing the Code of conduct for avoiding incompatibility and conflicts of interests situations by the personnel involved in the management of programs financed through post accession non-refundable funds;
5. enhancing the statute and the role of the ethical counsellor;
6. making call-centre systems operational, in order to facilitate the notification of irregularities and of possible corruption acts;
7. implementing international standards and promoting an active role of Romania within the regional and international anticorruption initiatives.

Responsible institutions: the leaders of all the institutions and authorities of the central and local public administration, those within the judiciary (courts, prosecutors' offices) and the Parliament

Specific objective 2: Increasing the institutional transparency by increasing the availability of public open data⁶ made available by public authorities

⁵ The management/ internal control standards are elaborated on the basis of the Government Ordinance no. 119/1999 on the internal/managerial control and the preventive financial control, republished, with further amendments, approved through the Order of the Minister of Public finances no. 1649/ 2011 on amending the Order of the Minister of Public Finances no. 946/ 2005 for approving the Code of internal control, including the management/ internal control standards at the public entities, as well as the standards for developing the managerial control systems, republished.

⁶ Open public data are those data made available by public authorities and are free to access, reuse and redistribute. As main features, open data are processable (can be processed by automated means) and are provided in an open format (over which no entity has exclusive control) and under an open license (which allows free use of data without them being limited by intellectual property rights - copyright, sui generis right on databases, trademarks or trade secrets). At European level, the principle of reuse of public data is addressed in Directive 2003/98/EC which was transposed into Romanian legislation by Law no. 109/2007 on the reuse of information from public institutions, with subsequent amendments. The law provides that the reuse of documents held by public institutions is free for all potential market participants and that public



Measures:

1. carrying out the procedures to join the Open Government Partnership;
2. ensuring the compliance with the provisions on access to public information and transparency of decision-making process;
3. developing the e-governance, e-administration and e-justice solutions as platforms for citizens' accessing the public services;
4. implementing projects for promoting integrity and good governance in partnership with the civil society;
5. improving the communication strategy on anticorruption topics – with special focus on managing the relations with the public and mass media.

Responsible institutions: the leaders of all the institutions and authorities of the central and local public administration, those within the judiciary (courts, prosecutors' offices) and the Parliament

Specific objective 3: Strengthening the integrity and transparency of the judiciary by promoting anticorruption measures and professional ethical standards

Measures:

1. implementing the strategy on the integrity within the judiciary;
2. reforming the disciplinary judiciary system by strengthening the role and the statute of the Judicial Inspection;
3. cooperating in the integrity field with the representative institutions and organizations of the legal and related professions;
4. drafting, approving and implementing a unitary action plan for promoting the integrity at the level of the public institutions involved in the good functioning of the justice as a public service.

Responsible institutions: SCM, HCCJ, PM, MJ and subordinated structures, courts and prosecutor's offices

Specific objective 4: Increasing the transparency of financing political parties and electoral campaigns

Measures:

1. completing the legislative framework on the financing of the political parties and electoral campaigns, according to GRECO recommendations⁷;
2. increasing the administrative control capacity of the PEA by ensuring the necessary resources;
3. PEA periodically organizing training sessions for the representatives of the political parties.
4. ensuring the publicity of the sources of funding of political parties and the electoral campaigns;
5. establishing and implementing maximal norms for electoral street display;
6. enforcing dissuasive sanctions for offering gifts/ material advantages in exchange of votes.

Responsible institutions: PEA, NIA, CA, NAFA, PM, HCCJ, MPF

Specific objective 5: Strengthening the integrity of the members of Parliament

Measures:

1. amending the regulations of the Chamber of Deputies and the Senate and other legislation in this field, in order to put on the agenda of the first plenary session the requests for lifting immunity of Parliamentarians and solve these requests in 72 hours maximum;

institutions should ensure conditions for access to documents for reuse, in particular by setting up lists and directories, in case of electronic means are used, with the most important documents for reuse. This objective translates into SNA concept of open data, to which Romania has committed itself through the procedures to join the Open Government Partnership.

⁷ The recommendations were formulated in the evaluation reports for Romania, within GRECO third evaluation round, on the incrimination of corruption deeds and the transparency of party funding and electoral campaigns. The two reports have been adopted within the 49th plenary GRECO reunion, which took place between 9 November and 3 December 2010.



2. regulating the interdiction for MP lawyers to offer consultancy or to represent in any kind public authorities or state owed economic/financial entities;
3. preparing the evaluation of Romania within the GRECO's IV evaluation round – "Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors";
4. adopting the ethical code of the members of Parliament;
5. organizing periodical seminars, consultations and public debates for disseminating the best practices on integrity among members of Parliament and increasing the citizens' confidence.

Responsible institutions: Romanian Parliament, Romanian Government – through MJ

Specific objective 6: Increasing the efficiency of preventing corruption mechanisms in the field of public procurement

Measures:

1. preventing conflicts of interest in managing public funds;
2. extending the verification and control attributions of NARMPP;
3. substantial reducing of the number of irregularities and contestations, fluidization of the European Funds absorption ratio and efficient using of public funds;
4. identifying the weak points of SEAP and addressing them;
5. systematization of legislation, procedures and guidance materials in public procurement and the broad dissemination to public institutions and companies;
6. establishing a database of companies that have executed inappropriately contracts with public funds;
7. organizing regular multidisciplinary training courses to promote national and international best practices in public procurement;
8. performing an analysis of judicial practice in public procurement and tax evasion, for the unification practice, including by promoting the appeals in the interest of the law.

Responsible institutions: NARMPP, NIA, NTRO, DPRDM, Competition Council, JASPERS, MCIS, NCSC, UCVP, NAD, POHCCJ, HCCJ, MJ, SCM-NIM

Specific objective 7: Promoting a competitive, fair and integer business environment

Measures:

1. implementing OECD, EU, UN standards in preventing corruption in the private sector;
2. promoting loyal competition and antitrust policies by identifying, discouraging and sanctioning anti-competition agreements;
3. achieving the exchange of best practices in implementing the conformity programmes between the private and the public sectors;
4. organizing regular public consultations between the representatives of the public sector and of the business environment on the national anticorruption agenda and on the public policies having impact on the economic activities;
5. disseminating the antibribery policies and programs developed at the level of the companies, including making them available to the possible contractors and suppliers and requesting them to comply to equivalent standards.

Responsible institutions: representatives of the business environment, MJ, MECBE, Competition Council

Specific objective 8: Strengthening the integrity, efficiency and transparency at the level of public local administration

Measures:

1. simplifying the administrative procedures for issuing certificates and authorizations;
2. setting up cost standards and best practices on the main working procedures specific to the local public administration;



3. adjusting organisational structures in relation to the standards of cost and population served;
4. organizing periodical consultations/ public debates at local level for promoting the best anticorruption practices within the local public administration and increasing the citizens' confidence;
5. elaborating and disseminating a diagnostic study on the corruption phenomenon within the local public administration⁸;
6. developing the networks for the elaboration and assessment of public policies at territorial/ local level, after the model of Anticorruption Action Groups⁹.

Responsible institutions: Mayors, presidents of county councils, prefects, the associative structures of the local public administration in Romania, PM, MAI, MJ

4.2 Increasing the level of anticorruption education

Employees' knowing the ethical norms governing the exercising of a public function or dignity, the service attributions, the mission and mandate of various public institutions, working procedures and applicable sanctions are essential pre-conditions for the institutional integrity. Besides the guiding component fulfilled through the ethics or integrity advisors – which becomes applicable in individual case, in the most cases at the request of the employee – the leading boards of the institutions should adopt a proactive role and ensure, on a regular basis, the participation of their own personnel at specialized anticorruption training courses. These training courses should be adapted to the type of carried out public service and the professional background of the employee and, they should offer solid knowledge for reducing the “grey zones” which – by not knowing or misunderstanding – may lead to corruption.

On the other hand, promoting integrity and ethics within the public life cannot be made without the contribution and the active role of the beneficiaries of the public services. The rejection of corruption by citizens, reporting the irregularities or abuses are manifestations of the civic spirit and of the respect for the state governed by the rule of law. These values should be promoted beginning from school and backed by a facile access to the information of public interest. Thus, a fundamental component of the strategy shall consist of the activity of informing citizens both on the legal obligations of public institutions and public servants, as well as on the modalities of fighting the corruption phenomenon, through the legal and civic means at the disposal of each citizen.

Specific objective 1: Developing the anticorruption component of the continuous training curricula for the personnel of the public institutions

Measures:

1. ensuring the participation of the employees at periodical training courses on the ethical and behaviour norms;
2. introducing within the professional training topics modules on integrity;
3. elaborating and disseminating informative guides and materials on the risks and consequences of the corruption deeds or of the integrity incidents.

Responsible institutions: the leaders of all the institutions and authorities of the central and local public administration, those within the judiciary (courts, prosecutors' offices) and the Parliament

Specific objective 2: Increasing the degree of public awareness on the impact of the corruption phenomenon

⁸ Objectives which are included within the Diagnostic study on the corruption phenomenon within the public local administration co-financed by the European Social Fund through the Operational Programme Strengthening the Administrative capacity – priority Axis 1, major field of intervention 1.2 – Increasing the liability of the public administration. The project is implemented by MAI, through the CUPAR and GAD.

⁹ Within the National Anticorruption Strategy 2008 – 2010, through the cooperation between MAI and the National Centre for Integrity the Anticorruption Action Groups have been set up, including representatives of the local public administration authorities and of the decentralized services.



Measures:

1. organizing anticorruption public debates at national and local level;
2. introducing the anticorruption theme within the extracurricular activities and the school programs (promoting an optional course within the CDS - Curricula upon the school's decision – out of “Human Being and Society” and “Counselling and Orientation”);
3. carrying out a national and local campaign to promote a recognition and rejection of corruption behaviour, including through partnerships school - community - family;
4. initiating and carrying out common projects with NGO s specialized in the anticorruption field;
5. drafting methodological guides on prevention of corruption in education;
6. setting up a portal and a database for online notifications and institutional mechanisms for verification;
7. training teachers and public administration personnel on anticorruption in education.

Responsible institutions: MERYs in cooperation with the institutions with attributions in preventing and combating corruption, leaders of institutions and authorities of the central and local public administration, leaders of the judiciary and of the Parliament

4.3 Combating corruption through administrative and criminal measures

The NAD results regarding the investigation and prosecution of high level corruption cases, including cases involving current or former members of Parliament or Government, are still compelling and have seen a growing number of convictions. However, the results on the courts level still paint a mixed picture. Although most high-level corruption cases are resolved within three years, a significant number of cases involving important officials are pending for over three years. In some of these cases it has already been reached the prescription date, total or partially, while several more are close to this limit. For those cases in which final decisions were issued, the statistics indicate that the trend of tightening the sanctions imposed in corruption cases observed in 2010, with fewer suspended decisions, was not maintained in 2011.

The prosecutor general steps to strengthen the county prosecutor's approach in fighting corruption at small and medium level provide further improvements. County strategies to combat corruption are implemented and their results are reviewed biannually. The number of indictments in such cases, continued to grow (up 14% in 2010), with a higher proportion of investigations that led to indictments. A positive trend in terms of complexity of cases and range of investigation techniques used also was maintained. Moreover, the cooperation with the Ministry of Interior structures GAD and FID had as a result an increase in performance indicators. However, there was a significant decrease in the number of investigations initiated on its own, something that could be reviewed.

Although NIA improved its methodology and its conducted investigations are more efficient, tracking by the competent judicial and administrative bodies should be improved significantly. Sanctions imposed as a result of NIA's findings are few, and those applied are rarely deterrent¹⁰.

In addition to further concrete measures to combat corruption by judicial authorities and NIA through specific means, NAS focuses on increasing the efficiency of administrative control activities. Measures to protect EU¹¹ financial interests are considered by FFD activity. The internal control, audit and disciplinary misconduct penalty mechanisms can contribute substantially to the strengthening of institutional integrity.

Finally, NAS aims to produce a fundamental change in the approach of the fight against organized crime and corruption, by paying close attention to the process of confiscation and recovery of proceeds of crime. In this

¹⁰ For example, out of a total of 82 incompatibility decision confirmed by the courts, the disciplinary committees applied sanctions only in 14 cases, of which 5 were dismissals, and 5 simple warnings.

¹¹ The EU reaffirmed its priorities on protecting the European taxpayers' money, by constantly adopting measures in this regard: Joint Strategy OLAF, DG Regio, DG EMPL and DG Great fraud prevention 2010-2011, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and Committee of the Regions COM (2011) 293 final from May 26, 2011



respect, NAS ensures the complementarity of the national approaches in the fight against fraud, tax evasion and money laundering.

Specific objective 1: Continue the already made progress in the process of impartially investigation and the indictments of the courts of high and local corruption (BM 3 and 4)

Measures:

1. ensuring the stability and predictability of the material and procedural criminal anticorruption legal framework;
2. carrying on the professional and impartial investigations in cases of NAD jurisdiction;
3. adopting managerial measures allowing for the trial within a reasonable timeframe of high-level corruption cases in all competent courts;
4. continue to implement strategies to combat local corruption developed by POHCCJ;
5. transmission by the courts in electronic format the final court decision rendered in the files under NAD jurisdiction and post them on NAD site, respecting the legal framework for the protection of personal data;
6. making analysis on the corruption phenomenon by using the annual statistical data of NAD, POHCCJ, GAD and FID;
7. strengthening transparency, inter-institutional and international cooperation.

Responsible institutions: NAD, POHCCJ, local prosecutor's offices, HCCJ, courts, MJ, GAD and FID

Specific objective 2: Improving the quality and quantity of the monitoring activity and evaluation of assets and interests, in order to achieve dissuasive effects, which will permit reducing the number of cases of acquiring unjustified assets, conflicts of interest or incompatibilities (BM 2)

Measures:

1. monitoring (follow-up) the NIA cases forwarded to the competent institutions/authorities (prosecutors offices, courts, the assets investigation commission from the courts of appeal, the disciplinary committees);
2. strengthening and improving the legal framework regarding the sanctions in ensuring the integrity in the exercise of public functions;
3. developing orientation guides on prosecuting procedures of cases of confiscation of assets, for the judges and prosecutors from the assets investigations commissions attached to the courts of appeal;
4. developing, strengthening and implementing the activities included in the cooperation protocols (with optimal operational value) with institutions and public authorities, periodic monitoring of their fulfilment;
5. evidence of a history of prompt and dissuasive sanctions from administrative and judicial authorities regarding incompatibilities, conflicts of interest and confiscation of assets whose origin cannot be justified as a result of findings of NIA;
6. reducing the period in which a case is solved by using IT solutions.

Responsible institutions: NIA, SCM, the assets investigation commission from the courts of appeal, the courts, public institutions

Specific objective 3: Ensuring the effective protection of EU financial interests in Romania, by specific legislative, operational and informational means (BM 4)

Measures:

1. increasing the transparency regarding the beneficiaries of EU funds and the actions taken by institutions with operational attributions in protecting the EU's financial interests in Romania;
2. protecting the EU financial interests through means specific to the legislative and judicial powers and familiarizing the representatives thereof with the European initiatives in this field.



Responsible institutions: FFD.

Specific objective 4: Strengthening the mechanisms for administrative control

Measures:

1. assessing the system of administrative sanctions and their implementation;
2. carrying out an analysis at national level on the performance of the evaluation system in central and local public administration;
3. strengthening the operational autonomy of the internal control and audit structures and raising the awareness among the decision-making factors from the level of the involved institutions on the role of the internal control / managerial systems;
4. intensifying cooperation with the judiciary bodies by using the results of auditing and internal control activities;
5. introduction in public institutions, on an experimental basis, the integrity tests as an exclusively administrative measure to assess the compliance with the ethical standards;
6. applying dissuasive disciplinary sanctions for violation of ethical and anticorruption conduct standards at the level of all public functions and dignities;
7. publishing a periodical report on disciplinary sanctions;
8. introducing under the competence of the control bodies the obligation to respond more elaborately to questions raised by citizens and provide appropriate guidance to overcome the stereotype answers or template phrases.

Responsible institutions: public institutions (at management level), CA, the authorities (units) of audit and internal control

Specific objective 5: Increasing the degree of the recovery of proceeds of crime following the best practices from other EU Member States and strengthening legal practice

Measures:

1. supporting the revision process of the Constitution with a view to amend art. 44 para. (8);
2. adoption by Parliament of the two draft normative acts promoted by the Ministry of Justice on the extended confiscation and valorification of seized assets before a criminal decision is final;
3. starting a greater number of investigations in cases of money laundering as a stand-alone crime;
4. strengthening cooperation in identifying the proceeds of crime with similar institutions from EU and the specialized networks CARIN and UNO through the specialized structure in the MJ designated as an Asset Recovery Office;
5. developing an integrated mechanism to monitor the interim measures and the confiscations ordered in cases related to serious crimes, including corruption, as well as the state of play of the valorification of assets deriving from offences;
6. amending the normative acts and procedures in force so that the MPF can intervene as a civil part in the criminal cases, when the passivity of the public institutions concerned affects the public budget;
7. adopting legislative and institutional measures to allow a better management of seized and confiscated assets, as well as the reuse of these in social or crime prevention programs;
8. disseminating the best practice in the field of identifying, confiscating and valorification of the proceeds of corruption and other crimes.

Responsible institutions: POHCCJ, MoJ, MAI, MPF, NAFA, the courts, NOPCML, NIM, SCM

4.4. Approving the sectorial plans and developing the national system to monitor NAS

The strategy shall be completed with the National Action Plan (Annex no. 3 to the decision) and the sectorial plans.

The national action plan focuses on the institutional measures with general impact, oriented towards priority objectives and areas, as well as on the implementation of the different international bodies recommendations



(see the specific objectives 3, 4, 5, 6, 7 and 8 from the general objective 1 and specific objectives 1, 2, 3 and 5 from the general objective 3).

The sectorial plans are to be adopted **not only in the vulnerable sectors**, but also at the level of all the public institutions in a term of 90 days since the adoption of NAS, including those in the judiciary (courts, prosecutors' offices) and the Parliament. They shall mandatorily include the minimal standards stipulated within this strategy:

- standard format for the national action plan (the format of the plan in the annex no. 3 to the decision shall be used);
- the trichotomous approach: prevention, education, fighting;
- the inventory of the preventive measures (annex no. 2 to the decision);
- specific objectives and measures stipulated at point 4 of NAS (see the specific objectives 1, 2 from the general objective 1, the specific objectives 1 and 2 from the general objective 2 and specific objective 4 from the general objective 3).

Besides it, the public institutions are encouraged to identify their own institutional vulnerabilities and risks associated to the main working processes, as well as the measures for strengthening the already existent preventive mechanisms. The Technical Secretariat of the NAS may offer, at the request of the public institutions, assistance for the elaboration of the sectorial plans.

The public institutions are encouraged to publish their own web page and communicate to the technical secretariat, in a term of three months since the adoption of the NAS, information on:

- Adoption by the leading board of the public institutions of the statement regarding the adhesion to the fundamental values, principles, objectives and the monitoring mechanism of the NAS;
- Appointing the coordinator at the level of the management of the institution and the contact persons at expert level. The job description of the appointed contact person shall include as a distinct attribution the cooperation with the technical Secretariat of the NAS as well as the obligation to transmit the periodical progress reports, including the half-yearly self evaluation report on the using of preventive measures on corruption. Not transmitting the reports according to the monitoring methodology may be deemed disciplinary misbehaviour, according to the law.
- Approving and disseminating the sectorial plan.

Specific objective 1: Adopting the sectorial plan and periodical self-assessment of the degree of implementation of the national anticorruption legislation, especially of the preventive measures

Measures:

1. informing the employees about the process of developing the integrity sectorial plan;
2. identifying the institution's specific risks and vulnerabilities;
3. identifying the measures to address the specific vulnerabilities of an institution;
4. approving and disseminating the sectorial plan and the accession declaration to NAS.

Responsible institutions: public institutions (at management level), evaluation teams composed of the leaders of the main departments within institutions

Specific objective 2: Monitoring the implementation of the sectorial plan and the participation in the NAS's national monitoring system

Measures:

1. adopting the declaration of accession to the values, principles, objectives and monitoring mechanism of NAS and communication to NAS technical secretariat;
2. making the NAS technical secretariat operational;
3. data collecting for establishing the necessary guideline for the self-evaluation;
4. drafting, testing and approving the methodology for carrying out the activities of monitoring and the NAS portal;



5. contribution to the elaboration to the National Anticorruption Report;
6. participation to the NAS's monitoring activities.

Responsible institutions: public institutions (at management level), evaluation teams composed of the leaders of the main departments within institutions

5. LEGAL IMPLICATIONS

The strategy starts from the premise that the current anticorruption normative framework is enough developed, especially as far as the organization and functioning of NAD is concerned.

Still, certain interventions on the legislative framework and amendments of the institutional framework are necessary, especially in the field of financing of political parties and electoral campaigns.

The main normative act which are viewed to be amended:

- Law no. 334/2006 on financing the activity of political parties and electoral campaigns, republished, with the subsequent completions,
- Government Decision no. 749/2007 for approving the methodological norms for the application of the Law no. 334/2006 on financing the activity of political parties and electoral campaigns, with the subsequent amendments,
- Government Emergency Ordinance no. 34/2009 on the budgetary rectification on 2009 and regulating some financial-fiscal measures, with the subsequent amendments and completions, if Competition Council, NARMPP and PEA do not meet the requirements provided by art. 22 para. (2).

Other normative acts likely to be amended during NAS implementation:

- Law no. 303/2004 on the statute of judges and prosecutors, republished, with the subsequent amendments and completions,
- Law no. 317/2004 on the Superior Council of Magistracy, republished, with the subsequent amendments and completions,
- Regulation of the Chamber of Deputies and the Senate,
- Law no. 161/2003 on certain measures to ensure transparency in the exercise of public dignities, public office and in the business environment and for preventing and sanctioning corruption, with the subsequent amendments and completions,
- Law no. 11/1991 on combating unfair competition, with the subsequent amendments and completions,
- Government Ordinance no. 14/2007 on setting up the modalities and conditions to use the assets entered, according to the law, in the state's private property, republished, with the subsequent completions,
- Criminal and Criminal Procedure codes.

For ensuring the coherence of the NAS coordination and monitoring process, the Romanian Government shall promote drafts for amending/completing the following legislative acts:

- Government Decision no. 79/2010 on the Commission for monitoring Romania's progress in the field of the reform of judiciary and fight against corruption.
- Government Decision no. 1346/2007 on approving the action plan for meeting the benchmarks within the cooperation and verification mechanism on progress in Romania in the field of the judiciary and fight against corruption.

Following the assessments on the efficiency of the anticorruption measures currently in force, it is possible that proposals are formulated for amending the legislation on some preventive measures/ concepts, such as the integrity whistleblower, the ethical counsellor, the access to information of public interest, transparency of the decision making process, etc. Also, within the implementation of NAS, ethical/deontological/conduct codes will be developed or, as the case may be, updated.



The application of the measures included within this strategy shall also imply the adoption of administrative acts with normative character by the involved institutions. Also, dispositions and interior orders shall be adopted for delegating at least 4 experts from the public institutions or NGO s within the technical secretariat of the NAS.

6. BUDGETARY IMPLICATIONS

The implementation of the NAS shall be achieved within the limits and coordinates approved through the Fiscal budgetary Strategy for 2012 – 2014. NAS and the national action plan within the annex are technical documents. Thus, through the minimal standards on format and content, both the national action plan and the sectorial ones shall exclude the measures which are not financially covered.

The financial resources shall be ensured through the budgets of the involved institutions, within the limits of the annual amounts established for this destination, according of the budget programmes approved in conformity with the law, **except for PEA, Competition Council and NARMPP.**

For ensuring the institutional and financial sustainability of the NAS results, the Commission for monitoring Romania's progress in the field of the reform of judiciary and fight against corruption shall take steps for including an objective on promoting the ethics and integrity at the level of public and private sector within the National Reference Strategic Framework for 2014 – 2020, as well as within the operational programme financed from the European Social Fund.

7. COORDINATION OF THE STRATEGY IMPLEMENTATION AND MONITORING

7.1. *Responsible bodies for the coordination and monitoring the implementation of the strategy*

The NAS implementation shall be achieved under the authority and coordination of the Minister of Justice, by reporting it to the Government.

For this purpose, the Minister of Justice shall organize coordination reunions at least every six months. A coordination reunion shall be organized in December, on the occasion of the global anticorruption day. The coordination reunions shall take place as part of the activity of the Commission for monitoring Romania's progress in the field of the reform of judiciary and fight against corruption. At the coordination reunions the representativeness of the three powers – the legislative, judiciary and executive power, as well as of the public local administration, business environment and civil society shall be ensured.

For supporting the monitoring process, at the MJ level an inter-institutional technical secretariat, with permanent activity, shall be set up. Within this secretariat, experts from other public institutions – as MAI, NACS, GSG, as well as from NGOs may be taken included.

For supporting the monitoring process, the cooperation platforms created during the consultations for the elaboration of the strategy shall be maintained and developed:

- a. the platform of independent authorities and anticorruption institutions;
- b. the platform of central public administration;
- c. the platform of the local public administration;
- d. the platform of the business environment;
- e. the platform of the civil society.

The platforms shall be convoked once at two months at least. At their reunions specialists and representatives of the civil society shall be invited.

7.2. *Periodical reports, monitoring methodology and publishing the annual report*

The objectives of the monitoring process are:

- Identifying the progress registered within the NAS implementation;



- Identifying and addressing the practical problems which came up during the application of the anticorruption policies and norms;
- Increasing the degree of awareness, understanding and implementation of anticorruption preventive measures in the public and private sector.

The stage of the strategy implementation shall be assessed on the basis of monitoring reports elaborated on a biannual and annual basis by the technical secretariat. The reports elaborated by the technical secretariat are presented at the level of the five platforms and submitted to approval to the Monitoring Commission within the half-yearly reunion organized under the coordination of the Minister of Justice.

The technical secretariat, with the support of the institutions represented at the level of the platforms, shall carry out monitoring activities including:

- periodical centralizing and updating of the stage of the implementation of the list of anticorruption preventive measures (annex no. 2 to the decision), on the basis of the self assessment reports;
- centralizing, in a term of three months since the adoption of strategy, the initial situation, corresponding to 2011, for all the indicators measured in annex no. 2 to the decision;
- biannual and annual monitoring report;
- documenting and disseminating the identified best anticorruption practices;
- surveys.

As a novelty for the NAS implementation monitoring mechanism, the following permanent mechanisms shall be introduced:

- A mechanism of assessment thematic missions at the level of public institutions. This mechanism shall imply elaborating some assessment thematic questionnaires, as well as carrying out assessment visits at the public institutions by expert teams made of representatives of the five cooperation platforms. The object of the assessment shall be the concrete modalities of the application of NAS, with focus on the efficiency of the preventive measures in the annex no. 2 to the decision. On the basis of the assessment visit, the expert teams may draw up assessments reports and recommendations, which will be subsequently presented to the evaluated institution.
- The periodical evaluation of the efficiency of the institutional reaction and of the measures adopted by the leading boards of the public institutions on the risks and vulnerabilities identified on the basis of the case law of NAD, POHCCJ, NIA, GAD, FID, as well as of the other institution having control attributions. Within this mechanism, within three months since an integrity incident (sending the case to court, NIA final decision, or final conviction decision), at the proposal of the institutions represented within the cooperation platforms, the respective institution shall be asked to present the adopted measures for addressing the aspects which favoured the commission of that deed.

The methodology of carrying out these monitoring activities shall be elaborated by the technical secretariat in a term of three months since the strategy adoption. The methodology shall be presented at the level of the five cooperation platforms and submitted to approval within the coordination reunion organized each semester under the coordination of the minister of justice. Monitoring through the above mentioned mechanisms and measures shall be completed with the conclusions of the periodical reports issued by the EC (within the CVM), GRECO and UN, as well as by other regional or international initiatives Romania is part of. Also, the assessment of the strategy impact shall be achieved through the correlation with external indicators of anticorruption performance and also on those envisaging the cost of corruption.

A monitoring report on the NAS implementation shall be published annually. The report shall include assessments of the stage of the strategy implementation, the found deficiencies and the recommendations for addressing thereof.

To facilitate the monitoring of the strategy, MJ will develop an integrated IT system – PORTAL format to ensure the transmission, processing and analysis of the reports, as well as the access of the institutions and public to relevant information and best practices identified in the strategy.



7.3. The ex – post assessment of the strategy impact.

The ex – post evaluation of the strategy impact shall aim at analysing the modality of using the resources, the achieving of the expected impact and the efficiency of the interventions. The success or failure factors, as well as the sustainability of the results and NAS impact shall be assessed. For a proper assessment of NAS results, the ex – post assessment has to be achieved after a certain period after the implementation. For this purpose, external evaluators may be contracted.