

## THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ROMANIA

### ARTICLE 5 UNCAC

#### PREVENTIVE ANTI-CORRUPTION POLICIES AND PRACTICES

##### ROMANIA (TENTH MEETING)

#### I. 1. a) Developing and implementing the process

- Within the Ministry of Internal Affairs (MoIA), the Anti-corruption General Directorate (DGA) is the structure specialized in preventing and countering corruption within the ministry's personnel, according to the Government's Emergency Ordinance (GEO) no. 30/2007 on organizing and functioning of the MoIA, with ulterior modifications and completions;
- In this context, the preventive activity conducted by DGA is based on the **National Anti-corruption Strategy for 2016-2020 (SNA)**, adopted by the Decision no. 583/10.08.2016 and is also based on the *principle of preventing the committing of corruption deeds and integrity incidents*;
- DGA was assigned, by the MoIA Minister's Order no. 72/15.06.2017, as **the structure responsible for the management of anti-corruption issues within the MoIA**, with attributions to coordinate, monitor, collect relevant data and report them to the Technical Secretariat within the Ministry of Justice (in Romania, anti-corruption policies are coordinated by the Ministry of Justice);
- A *key – element* for the implementation of SNA measures within the MoIA was **turning decision - making factors accountable**. In this sense, in order to prevent corruption deeds, the MoIA Minister's Order provides responsibilities and tasks for managers, who are held liable if the measures are not implemented or if the status of their implementation is not reported;
- DGA conducts its specific activity on 3 lines of duty: prevention, education and countering corruption;
- in 2018, the legal framework on preventing corruption was consolidated in accordance with the SNA, with emphasis on **educational activities for promoting integrity**. In this sense, academic environment was extended (universities, high schools etc.), as well as the types of activities (essays contests, seminars, workshops, camps etc.). Thus, in 2018, **117 preventive activities** were conducted in collaboration with NGOs, attended by **6.565 persons**. Also, **777 preventive activities** were conducted with other public institutions, attended by **39.918 persons**;
- for the academic year 2016 – 2017 a **new study subject** was introduced into the current curricula of the students from Police Academy, entitled „*Integrity*

*and prevention of corruption*” and 6 themes were elaborated for the group of students who will be specialized in „anti-corruption”;

- We mention DGA’s involvement, for the third time in a row, in the educational program „*A different kind of school*”, initiated by the Ministry of National Education. 9 anti-corruption informing sessions were held at DGA’s Headquarters, with pupils from 10 schools and high schools (attended by **287 pupils and teachers**);
- As regards anti-corruption activities conducted for MoIA personnel, **4.424 training and informing activities** were conducted, attended by **68.109 employees** (10.626 managers and 57.483 in executive positions);
- Annually, DGA conducts anti-corruption trainings in the *priority fields of activity*. In 2018, 3 such domains were identified (traffic police, human resources and certain specific areas). **2.302 activities were conducted**, attended by **27.568 MoIA employees**;
- For MoIA personnel recently employed within the ministry, 10 internships were organized together with the Schengen Multifunctional Training, under the title „*Institutional ethics and integrity*”, in the framework of the project „*Institutional ethics and integrity within the MoIA*”. To the present, the internships were attended by **809 employees**;
- DGA organizes and implements the project „*Effective mechanisms for preventing and countering corruption in public administration, including public procurement and management of projects with EU funding*”, with funds from the Fund for Internal Security. The target group includes, besides DGA officers, MoIA personnel from the units specialized in public procurement, logistics, project implementation, financial, legal matters and other experts who take part to public procurements. By the end of 2019, 300 MoIA employees involved, directly or indirectly, in public procurements will be trained with regards to preventing corruption and fraud in public procurements, especially with EU funds;
- We mention that anti-corruption activities mostly target MoIA personnel;
- Issues related to SNA are currently approached within preventive activities organized by DGA officers for MoIA personnel, with debates on topics such as: conflicts of interests/incompatibilities, whistleblowers, declaration of gifts etc.
- As regards collaboration with similar institutions, we mention that, based on the „*Plan of common measures for preventing corruption in the context of illegal migration 2018*”, concluded by DGA, the General Border Inspectorate and the General Inspectorate for Immigration, since 20.07.2018, **regional anti-corruption meetings** were organized with partners from anti-corruption units from Serbia, Hungary, Ukraine, Republic of Moldova and Bulgaria. On 5.12.2018, DGA organized, in Bucharest, the regional Conference entitled

*„Ethics and integrity at Romanian Borders – international institutional dialogue”.*

### **I. 1. b) Monitoring and evaluation**

- In January 2018, DGA sent the documents mentioned below to the Ministry of Justice, as a result of monitoring the implementation of the National Anti-corruption Strategy 2016-2020, within the Ministry of Internal Affairs.
  1. Narrative report on the status of the implementation of measures foreseen by the National Anti-corruption Strategy 2016-2020, within MoIA, in 2018;
  2. Inventory of the measures of institutional transparency and corruption prevention, as well as evaluation indicators within MoIA, for 2018;
  3. The list of integrity incidents and of the measures taken to remediate the situation that allowed the integrity incidents to occur;
  4. DGA also assesses on an annual basis the measures stipulated by the Integrity Plan of MoIA.

### **2. a) Development and implementation of the process**

- Currently, DGA is conducting meetings with MoIA structures mentioned in the Integrity Plan of the ministry, in order to analyze the status of measures that are being implemented or partially implemented, as a prerequisite for the updating every two years of the integrity plans;

### **2. b) Monitoring and assessment**

- A mission of internal public audit on *“Improving systems, politics and proceedings created to develop prevention activities within MoIA”* was conducted. The period evaluated was 23.08.2016-31.01.2019.

### **3. Lessons learned**

- The thematic assessments visits conducted by various national experts to verify the implementation of SNA in public institutions, organized by the Ministry of Justice, represent an important element for putting into practice

the principles and the objectives from the Strategy. DGA provided experts that participated in the evaluation of public institutions in Romania.

- The participation of DGA in cooperation platforms established by the Ministry of Justice provides the necessary framework to interact with other specialized anti-corruption institutions and exchange good practice.

### **5. The need of technical assistance for the implementation**

There is no need of technical assistance for the implementation of SNA within MoIA.

# **THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ARGENTINA**

## **ARTICLE 5 UNCAC**

### **PREVENTIVE ANTI-CORRUPTION POLICIES AND PRACTICES**

#### **ROMANIA (SECOND MEETING)**

The first anticorruption strategy was a three-year long national programme which was titled The National Corruption Prevention Programme 2001-2004 (PNPC 2001-2004). Elaborated on the basis of a Diagnosis Report of the World Bank released in 2000, the PNPC focused on four grand areas, identified in the Study as the most affected by corruption: the public administration, the judiciary, the private sector and the political arena. For each of these, objectives of limiting this phenomenon and preventing it were established.

At the same time, PNPC 2001-2004 was structured on three directions for action: research and assessment of corruption, limitation and building a prevention system. Two separate types of cooperation were envisaged: internal cooperation with the civil society and the media, and international cooperation.

The second National Anticorruption Strategy (SNA) for the subsequent three years was adopted in 2005 and had to be implemented up to 2007. SNA 2005-2007 was elaborated around ten objectives, structured on three priority domains, which were: a. prevention, transparency and education; b. combating corruption; and c. internal cooperation and international coordination.

In what may concern the first domain, increasing transparency and integrity in the public administration, preventing corruption in the private sector and raising awareness among the public were established as objectives. As for the last domain, the Romanian authorities set up two objectives: coordinating and monitoring the implementation of the SNA 2005-2007; and fully putting into practice the international anticorruption instruments of EU, UN, Council of Europe and OECD.

The third anticorruption strategy was established for the following three years and was titled Strategy on Fighting Corruption in Vulnerable Sectors and Local Public Administration 2008 – 2010. SNA 2008-2010 set up ten strategic objectives, split up on several domains for action: a. information, awareness and accountability; b. simplification of administrative procedures; c. corruption assessment through research; d. transparency and efficiency in the public sector; and e. preventing and combating corruption through communication and collaboration. Apart from the research cluster, all the other domains contained, explicitly or implicitly, the prevention component of fighting corruption. Two of these domains supposed the involvement of civil society.

Enhancing the dialogue with civil society organizations through promoting their involvement in projects and programmes of raising awareness on the costs of corruption was part of the framework for action under the first domain: information, awareness and accountability. Efforts for improving the information flow from public authorities and institutions towards the media and the public were also foreseen. Developing partnerships with civil society on the fight against corruption was embraced.