

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ROMANIA

ARTICLE 10 UNCAC

TRANSPARENCY AND INTEGRITY IN PUBLIC ADMINISTRATION

ROMANIA (SECOND MEETING)

Revisiting political parties financing and electoral campaigns funding legal framework were first set up as preventive measures in the PNPC 2001-2004. Thus, a new Act was adopted in 2003 introduced a system of public funding with a mechanism for monitoring political funding, under the responsibility of the Court of Accounts, with the competence of controlling the correct use of public subsidies by the beneficiary parties. Introducing transparency in the funding of political parties and candidates to elections kept representing a fundamental objective under SNA 2005-2007. It is during this time that a new law introduced important changes to the legal framework of that time. This Act from 2006 covered the various aspects of political financing and its supervision, from the accepted forms of funding of political parties (membership fees, donations, other sources of income) to public financing, financing during election campaigns of parties and candidates (contributions for election campaigns, appointment of a financial manager, limits on expenditure etc.). As well, it established the Permanent Electoral Authority as an independent administrative institution ensuring the application of the electoral legislation and with competence of control of political parties and election campaigns financing.

The same law introduced transparency requirements. Political parties are required to publish in the Official Journal, by the 31st of March of every year, the following information: the total amount of income from membership fees and the list of members who paid in one year fees whose total value exceeds 10 MGS (EUR 1400), including personal identification details; the list of natural and legal persons who made within one year donations whose total value exceeds 10 MGS (EUR 1400), including identification information, as well as the total amount of confidential donations; donations from abroad, which are authorized as far as they are material used for political activities; the total amount of income from other sources and the total amounts of financial contributions deriving from associations with non-political formations. Parties are further required to send the above information to the Permanent Electoral Authority and the latter to subsequently publish it on its own website. In terms of election campaigns, the Permanent Electoral Authority is required to publish in the Official Journal, within 30 days following the proclamation of election results, the financial reports pertaining to election campaigns after they have been received in electronic format from the financial managers of the political parties; besides, the Permanent Electoral Authority also publishes on-line the lists of all donors who must be reported (within 5 days of the donation) to the PEA after the opening of the official election campaign².

The above mechanism on the transparency of political life in Romania is complemented by a system of declaration of assets and interests of elected candidates, currently provided under a law adopted in 2010 and amending the 2007 Act regulating the system of declaring interests and assets.