

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ROMANIA

ARTICLE 13 UNCAC

PARTICIPATION OF SOCIETY

ROMANIA (SEVENTH MEETING)

In relation to participation of society (article 13), Romania adopted the following measures:

A. To create awareness of the OGP project in Romania, the government has committed to carry out an information campaign targeting public institutions and civil society. The government held information sessions with various stakeholders. The OGP Club has started in 2014 convening on a monthly basis and serves as a communication bridge between government and civil society. The OGP Romania website (ogp.gov.ro), which serves as the information platform on all action plan-related activities, is constantly updated.

- transparenta.gov.ro: The commitment aims to clarify the procedure for the identification of information subject to public disclosure and to publish data from government institutions on a centralized portal.
- consultare.gov.ro will collect all legislative projects initiated by public institutions, including all the stages of the project: public consultation, institutional opinions, approval and official publishing of the final version. The portal will facilitate the implementation of Law 52/2003 on the transparency of the decision making process in public administration. The portal will also be used for consultation on other matters of public interest and, depending on the result of this process, new legislative documents may be initiated.
- Law no. 299/2015 on the Re-use of Public Sector Information - by implementing the provisions of Directive 2013/37/EU, amending the Directive 2003/98/CE on the Re-use of Public Sector Information, to create the direct conditions necessary to facilitate access to documents available for re-use, particularly by creating electronic lists and directories with the most relevant documents.
- legislatie.just.ro - free online access to national legislation: The portal provides free access to national legislation, which was previously only possible upon payment to the Official Gazette. The electronic application for the database has been developed and successfully tested. The portal was also connected to the European N-Lex legislative portal, improving the interaction between European citizens and the Romanian national legislation.

B. The Ministry for Public Consultation and Civil Dialogue, together with the Chancellery of the Prime Minister, developed the platform *simpler.gov.ro*, an online tool to reduce bureaucracy in the public administration.

This platform had thousands of citizens that claimed different public procedures to be simplified or transformed into online e-government procedures. In the next month, the Government will adopt both a Government Ordinance and a Government Decisions

to simplify an important set of procedures and set the use of ICT as a main channel of interaction between the public administration and the civil society.

Another direction was to build capacity at the level of public authorities to develop effective public consultation processes and ensure participatory mechanisms in creating public policies.

1. In order to set a standard and to uniform the practices in the matter of public consultation, the Ministry for Public Consultation and Civil Dialogue and the Ministry for Regional Development and Public Administration submitted to public consultation a guide for all the public institutions. This guide will be sent to all the public authorities;
2. At the same time, the Ministry for Public Consultation and Civil Dialogue assisted several institutions in organizing a series of debates on topics such as:
 - the first debate on the national budget;
 - the new curriculum for the secondary education level (Ministry of Education);
 - the new law for public procurement (The National Agency for Public Procurement);
 - the project for the cyber-security law (The Ministry of Communications and Informational Society)
 - the project related to declaring the Natural Park „Văcărești” a protected areas -Ministry of Environment.

Most of the debates were live broadcasted, allowing a significant number of participants to be involved in the process and to express their opinions.

3. The Ministry for Public Consultation and Civil Dialogue developed several tools such as:
 - E-Consultation, a weekly collection of all the projects that are under public consultation sent to all the interested parts, NGOs, citizens, private companies;
 - E-Debate, a calendar of all the public debates organized by the central authorities, a tool that informs and facilitates the participation of the civil society in governmental debates;
 - Online Library, a collection of case law (over 600 decisions), guides and studies (over 70 materials) on the topics of good governance and access to information, will increase the level of knowledge in these areas and facilitate a greater involvement of the nongovernmental organizations and citizens in the life of their communities.
 - Weekly monitoring the compliance with the procedure of public consultation provided by law, for all the projects from the agenda of the Government's meetings. This constant action helped the executive body to increase the predictability of the governmental decision, and, as a direct consequence, this measure facilitated the access of the civil society in the decision making process.
 - Weekly online talks with your Minister - online sessions organized with different members of the Cabinet, where every citizen can address in real time questions about the Minister's activity.

4. Moreover, the Ministry for Public Consultation and Civil Dialogue will constantly monitor several fields related directly with the rule of law, such as:
 - Allocations from the reserve fund of the government
 - The way the normative acts are motivated and how the impact is taken into account
 - The responsible use of Emergency Ordinance, as a tool to legislate.

The mandate of the Ministry for Public Consultation and Civil Dialogue is to coordinate the national policy in the field of open governance and implement, together with the Prime Minister's Office the Open Government Partnership, setting new standards in the fields of access to information and participation to the decision making.

C. The Anti-corruption General Directorate (DGA) informs the public opinion and addresses the citizens with regards to the corruption cases instrumented and the results obtained via INTERNET, by posting relevant data on the institution's web page www.mai-dga.ro, or by using social-media instruments (Facebook, twitter, YouTube etc.).

DGA also uses online instruments to inform the citizens on anti-corruption legal provisions and legislation, on the channels to be used for reporting on corrupt practices, on the contacts of DGA's central and territorial units. Also, relevant documents and resources are available on line (such as studies, annual evaluations, assessments, strategies and policies).

DGA elaborated and disseminated the *Information Guide for citizens in relation to the structures of the Ministry of Internal Affairs* (in 6000 copies) addressed to the public, which comprises useful information for the citizens in relation with the structures of the Ministry of Internal Affairs (MoIA). The *Informing Guide for citizens in relation to the structures of the Ministry of Internal Affairs* teaches the citizens how to obtain certain documents (such as ID cards, driving licenses, criminal records, passports) or certificates while avoiding corruption and abuse. This Guide also promotes DGA's anti-corruption green line - 0800.806.806, where citizens may report on corruption cases. The *Guide* is also available on line, in Romanian and English.

DGA renewed the Agreement to the New National Action Plan on the Open Government Partnership, thus assuming the responsibility to post, both on DGA's and the Government's (ogp.gov.ro) web sites, certain sets of open data.

Measures taken by DGA in relation to article 13 para. (1) let. c):

As an important activity, DGA launched anti-corruption informing campaigns, out of which:

- The project entitled *Campaign for changing the culture of paying/receiving bribes for administrative service*, co-financed through the Swiss - Romanian cooperation Programme to reduce the economic and social disparities within the enlarged European Union. The project had 25 months duration, between 01.05.2012 - 15.06.2014, with a budget of 200.000 CHF (VAT included).
- The project's objective was to increase awareness of MoIA personnel and of the citizens (with special attention on social groups most prone to corruption) on the risks which occur when involving in corruption deeds and to change mentalities

regarding administrative service. Within the campaign an audio video spot was broadcasted, and anti-corruption and informing materials were produced and disseminated at national level.

- The project „Anti-corruption Film Festival” - in 2015, DGA, in collaboration with Pro-Democracy Association, implemented the project *Anti-corruption Film Festival 2015*, between February and June 2015. The project was associated to the International Film Festival Transilvania - TIFF and was the first initiative of this type and extension (aiming at educating citizens by means of films and video messages, at a national level). A video spot was elaborated in order to promote the film contest on anti-corruption subjects. All DGA prevention officers from our territorial units conducted 3 anti-corruption informing activities for young citizens from high schools and universities, urging them to take part to the film festival. The project was finalized in June and, on the 30th of May (the anniversary day of DGA) prizes were awarded at TIFF Headquarters located in Cluj.
- The project „Pay zero for what's yours”, in collaboration with Pro-Democracy Association and the Foundation Hanns Seidel Romania implemented the above mentioned project, with the aim of raising awareness among the citizens on corruption phenomenon, its risks and modalities of reaction.
- Messages launched by public persons - DGA has broadcasted a video spot presented by a Romanian pop artist concerning the nefarious consequences of corruption deeds. The material is used as a preventive activity within DGA, and the intention is to increase the visibility and raise awareness of young persons. The interview was uploaded on DGA Facebook official page and YouTube.

Public education programs, including school and university curricula

- Anti-corruption training within the ministry educational institutions. The Anti-corruption General Directorate organizes, every year, anti-corruption informing activities for all students attending „Alexandru Ioan Cuza” Police Academy. These activities are conducted all four years of studies.
- As regards to anti-corruption continuous professional training, DGA organizes training activities and specialized courses for all levels of employees, managers or execution functions etc. Out of these, as an example, the course *Expert in preventing and countering corruption*, organized by the Institute of Studies for Public Order, in collaboration with DGA, is designed for integrity advisors within the ministry.
- Ethics courses attended by young employees of the ministry. The Anti-corruption General Directorate and the Institute for Public Order Studies from the Ministry of Internal Affairs, with the support of the Hanns Seidel Foundation implement the project „*Institutional Ethics and Integrity within the MoIA*”. The aim of the project is to develop an integrity oriented professional environment within the MoIA through educating young officers with regards to ethical and deontological behaviour, as well as methods and solutions for strengthen organizational integrity, communication and managerial ethics, etc.;
- Training programs for students and pupils. DGA projected several programs for young citizens and students, with the aim of increase the level of public informing on the relation with the personnel of the MoIA. Out of these, as an example, the project „*Young citizens against corruption*”, conducted by the Association Pro Democracy and the Education Inspectorate for Bucharest, in partnership with DGA, included 24 high schools from Bucharest. Thus, pupils and teachers attended the informing sessions on corruption phenomenon in Romania and its negative

consequences, as well as DGA encouraged the citizens to demonstrate a proactive attitude and intolerance to corruption.

Measures taken by DGA in relation to article 13 para. (2):

Since 31st of October 2005, DGA established Terverde green line, thus offering the citizens the opportunity to report on corruption deeds committed by MoIA civil servants and also to receive information on the legislation in force and on anti-corruption institutions and their competences.

Terverde green line may be called from any type of phone line, including mobile ones, on Romanian territory, being available 24/7. Terverde is managed by an operator and also has voice mail. All costs afferent to Terverde green line are paid by DGA.

Statistics on the calls received (November 2005 - April 2016):

a. Number of calls: 94.231

b. Number of criminal files initiated due to Terverde calls: 501

Catching in the act initiated due to Terverde calls: 71

period solutions	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016 (4 months)
Number of calls	14088	7911	4900	4258	9136	8617	12872	7974	8801	12197	3477
Criminal files	22	44	28	16	71	50	69	77	46	68	10
Catching in the act	3	3	2	0	8	8	9	8	12	15	3

The citizens reported on corruption deeds, but also on other criminal offences, such as abuse of office (25), forgery and use of forgery (22), embezzlement (63), theft (14), fraud (16), smuggling (11) and other (these data are afferent to 2015).

DGA intends to extend the Terverde system and turn it into an anti-corruption call - center, but this depends on the access to budgetary or EU funds.

In order to facilitate the citizens to notify DGA, our web page has an on line application (e - petition), which enables easy and direct notification on corruption deeds.

Romanian and foreign citizens may address DGA thus:

- a. At DGA's Headquarters;
- b. By accessing DGA's web page - www.mai-dga.ro and formulating online petitions;
- c. Notifying DGA by email at petitii.dga@mai.gov.ro, relpub.dga@mai.gov.ro or dga_interne@yahoo.com.
- d. Using Terverde anti-corruption green line.

According to article 7 of the *Government Ordinance no. 27/2002 which regulates the solving of citizens' petitions*, anonymous petitions are not taken into consideration and are closed.

D. Measures taken by the Ministry of National Education and Scientific Research (MNESR)

In 2015, 440 guides on preventing and combating corruption were developed and distributed, along with flyers, course support handouts, documents presented at the meetings with directors, as well as PowerPoint presentations.

The Platform <http://www.educatiepentruviitor.edu.ro/web/men/> enables any person to notify cases of corruption in education. Also, the platform includes the current legislation in the field of anti-corruption and the course support provided at the teacher trainings on this topic.

1,032 programmes and awareness campaigns to inform pupils and students about the risks and negative consequences of corruption were disseminated in schools and universities, resulting in the implementation of a total of 1,783 such programmes and campaigns.

Based on the Memorandum on *Increasing transparency and standardizing the display of public information*, the National Action Plan 2016-2018 was put into practice, to implement the commitments under the Open Government Partnership, requiring the publication of open data by MNESR and the institutions subordinated to or coordinated by it.

The platforms www.educatiepentruviitor.edu.ro/web/, date.edu.ro, the website of the Ministry of Education (MENCS) and of its subordinated/ coordinated institutions were created and are now fully functional, while the entire school system network was connected to the internet.

Measures taken by MNESR in relation to art. 13, paragraph 1, letter c)

In order to raise public awareness about the impact of corruption and of the level of involvement of stakeholders and civil society in the measures to prevent and combat corruption, 1238 public debates / events about corruption were organized at both national and local levels, involving 37 784 participants and stakeholders from the education sector, ultimately resulting in 901 proposals for improving the anti-corruption campaign.

- Initiating and developing joint projects with NGOs specialized in anti-corruption.
- Introducing the topic of anti-corruption within the 2,768 extracurricular activities, benefiting 104 243 pupils and school syllabi/ curricula (promoting an optional class in the 605 CDS 1st semester, respectively 522 CDS - school curriculum - in the curriculum areas "Man and Society" and "Counselling and orientation").
- Developing e-government and e-management solutions as platforms for the citizens to access public services. There are about 1,300 platforms / websites working at the level of school inspectorates / ISMB and schools that were

accessed by 21 699 users (teachers), 26 470 users (pupils) and the 19 639 users (parents). At the levels of school inspectorates / ISMB, information about exams (methodologies and results), legislation and other public information were published. There were 5.356 requests.

E. The National Integrity Agency publishes information regarding its activity on combating and preventing corruption through administrative means, mostly on its website (www.integritate.eu).

ANI publishes on a daily basis, press releases regarding all of its findings on incompatibilities, conflicts of interests, unjustified wealth, as well as on other criminal deeds, stating that all the results of ANI investigations can be challenged in Court, therefore the evaluated persons are presumed innocent until legally proven guilty.



Figure 1. Press releases Section

With the aim of ensuring the transparency of the asset and interest disclosures, ANI developed an integrated information system for the management of the documents received in printed form. The disclosures are scanned and introduced in the portal on the Agency's website, available to all public persons. Searches (available in both Romanian and English) can be performed according to the following criteria: the dignitary's name, the public institution, the dignitary's office, the year when the disclosure was filed and the type of statement (of assets or of interests). At the moment, the portal encloses almost 6.000.000 asset and interest disclosures sent and filed to the National Integrity Agency between 2008 and 2016.



Figure 2. Assets and Interests Portal

Furthermore, ANI has provided both email addresses and distinct sections on the website, so that the public may either solicit public information, viewpoints in regard to the declaration of assets and interests, incompatibilities and conflicts of interest, or report possible integrity incidents.

ADRESA:
 Agenția Națională de Integritate, Bulevardul Lascar Catargiu nr. 15, cod poștal: 010661, sector 1,
 București - România
 Telefon: +40-37-206 99 69; Fax: +40-37-206 99 88; E-mail: ani@integritate.eu; Website:
 www.integritate.eu

Nume

Prenume

Telefon

Adresa

Email

Ocupatie

Mesaj

Figure 3. Section with ANI's information and the online request form

INCOMPATIBILITATI DEFINITIVE
 ● INTERDICTIE 3 ANI

Figure 4. Interdictions Section

Also, the Agency publishes on its website the interdictions of the right to occupy a public position or dignity for a 3-year period of the evaluated persons in whose case the evaluation reports remained definitive and irrevocable through Court decisions or through not challenging the evaluation reports.

Moreover, in order to increase the level of prevention and awareness in relation to the 2016 elections, A.N.I. has identified a series of measures that have been grouped in a distinct section on ANI's website, that comprises all relevant information on the obligations that the candidates have in local elections, on assets and interests disclosures, on legislative references, as well as incompatibilities and conflicts of interest guides and guides for filling in assets and interests disclosures.

ALEGERI LOCALE 2016

Semnaleză o neregulă în declarațiile de avere sau de interese depuse 	Consulta aici declarațiile de avere și de interese 	
Ghiduri Utile 	Legislația de integritate 	
Incompatibilități și conflicte de interese recurente 	Persoane aflate sub interdicție 	
Linia telefonică 	Intrebări frecvente 	Descarcă aici formulare pentru declarații 

Figure 5. 2016 Local Elections Section

FORMULARE

Formulare electronice (e-Forms)
 Declarație de Avere
 Declarație de Interese

Figure 6. Electronic Forms (e-Forms)

In addition, the National Integrity Agency has implemented an objective aimed at facilitating the process of filling in assets and interest disclosures by the relevant categories, by introducing electronic intelligent forms that allow standardized filling in, either online with electronic signature, or offline with handwritten signature. These intelligent electronic forms are available for download on the Agency's website.

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ROMANIA

ARTICLE 13 UNCAC

PARTICIPATION OF SOCIETY

ROMANIA (SECOND MEETING)

Considering the cooperation with civil society, the authorities run several awareness campaigns regarding the causes and consequences of corruption. The later assessment report on the implementation of PNPC 2001-2004 will highlight that the collaboration of the Romanian authorities with civil society organizations were not numerous and fruitful enough so as to be a successfully implemented objective.

Cooperation with civil society considering the prevention and the fight against corruption was among the objectives of the first anti-corruption strategy 2001-2004. In this regard, the Government committed to run awareness campaigns, to work together with civil society organizations and mass-media, to make public the results of the actions against corruption and to include civic education aspects in the school curricula. However, results were modest: awareness campaigns were limited in number and in scope and had little impact. CSO-s were insufficiently supported financially in this sense. The dialogue with non-governmental organizations proved to be rather weak, but improving. For instance, some of their representatives were invited to take part to a governmental group that had to analyze and coordinate corruption prevention activities from the PNPC 2001-2004 (the majority of them withdrew soon after as the consultation became a formality). As well, CSO-s were involved in the elaboration of the 2001-2004 Strategy. As for their involvement in the implementation assessment, this was rather difficult due to the reluctance of the authorities. Considering the introduction in the school and university curricula of civic education programmes, this measure was undertaken for the primary (years I-IV) and secondary (years V-VIII) levels of education. In high school (IX-XII), this discipline was introduced as optional.

In line with the previous strategy, SNA 2005-2007 established awareness campaigns and educative measures in partnership with civil society organizations. As well, NGOs were to be consulted during the implementation of other measures from the Action Plan of SNA 2005-2007, as for instance: the amendment of the legal frameworks on public contracting, public funding, access to/ restricting access to information; the application of the Act on decision-making transparency and access to information; revisiting legislation regarding public officials.

The SNA 2008-2010 continued this approach by provisioning for the next three years the following directions for action: promoting dialogue with civil society actors by enhancing their involvement in projects of raising awareness with regard to risks associated to

corruption; improving the information flow towards the media and the public regarding prevention activities; continuing information campaigns of the public with regard to their rights and obligations in relation with public authorities so as to stimulate a civic anti-corruption attitude.

According to the assessment Report of the last two anti-corruption strategies (2005-2010), civil society organizations played an important role in assisting policymaking by commenting regulations, exerting pressure towards policy makers and providing expertise. NGOs focused on providing information, awareness raising and training to citizens and civil servants and contributed much more to the implementation of the strategies than, for instance, the legislative and the judiciary.