



# **The Romanian assets and interests disclosure system for public officials**

## **Experience of the National Integrity Agency**

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## **Topics:**

- 1. How ANI works**
- 2. Romanian assets and interests disclosure system**
- 3. Integrity incidents, explained**
- 4. Case study on unjustified assets**



# 1/5 How ANI works

*"ANI is the most detested institution by Romanian politicians,  
yet so very necessary,"*

**Sergiu Miscoiu (CESPRI political think tank),  
cited by Reuters**

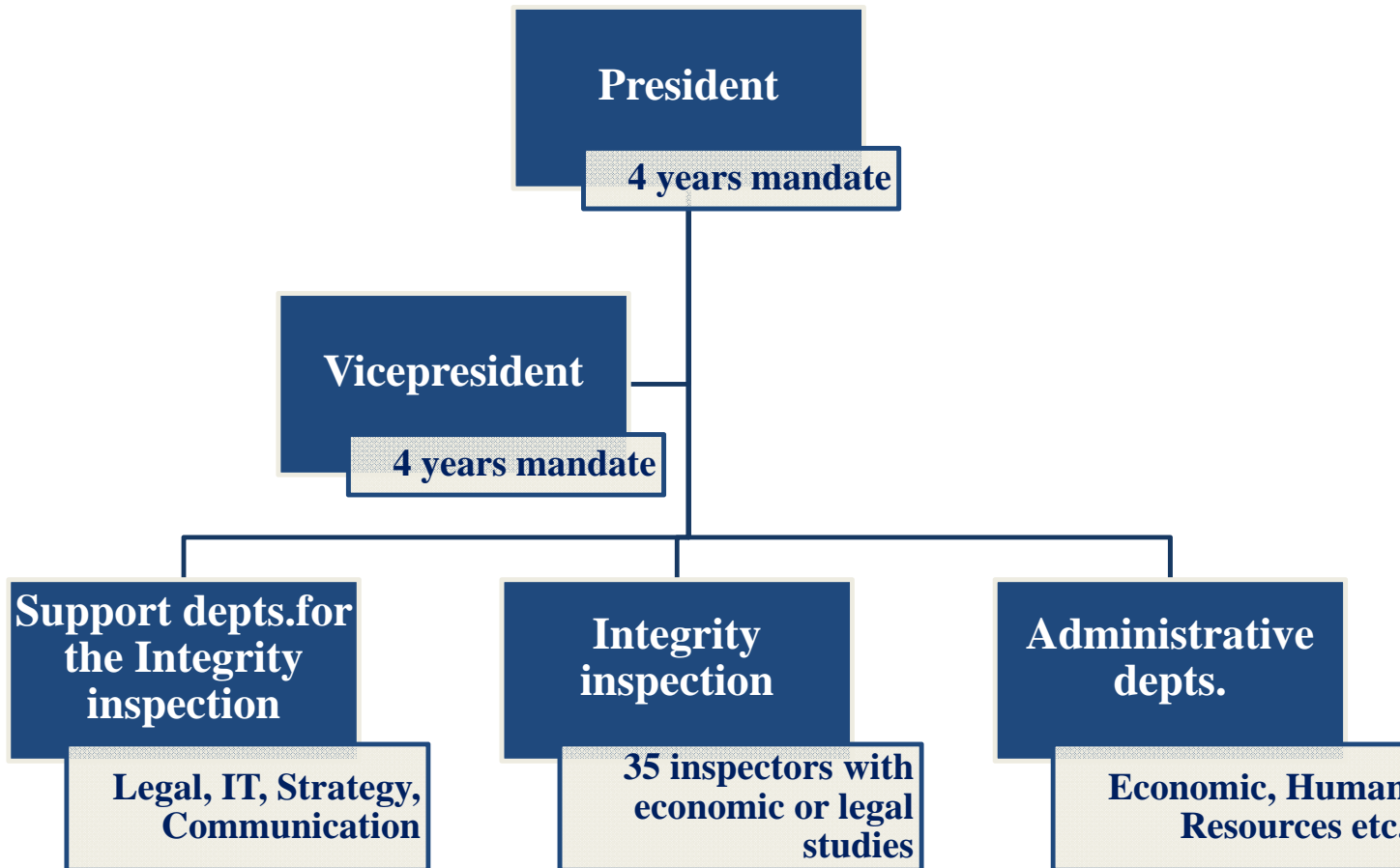
## ANI at a glance:

- ✓ Established in 2007, but operational from 2008;
- ✓ Under CVM monitoring;
- ✓ Investigation and prevention attributions;
- ✓ **Exclusive competence** - conflicts of interests, incompatibilities and unjustified assets;
- ✓ Main actor;
- ✓ Autonomous and independent body;
- ✓ External independent audit

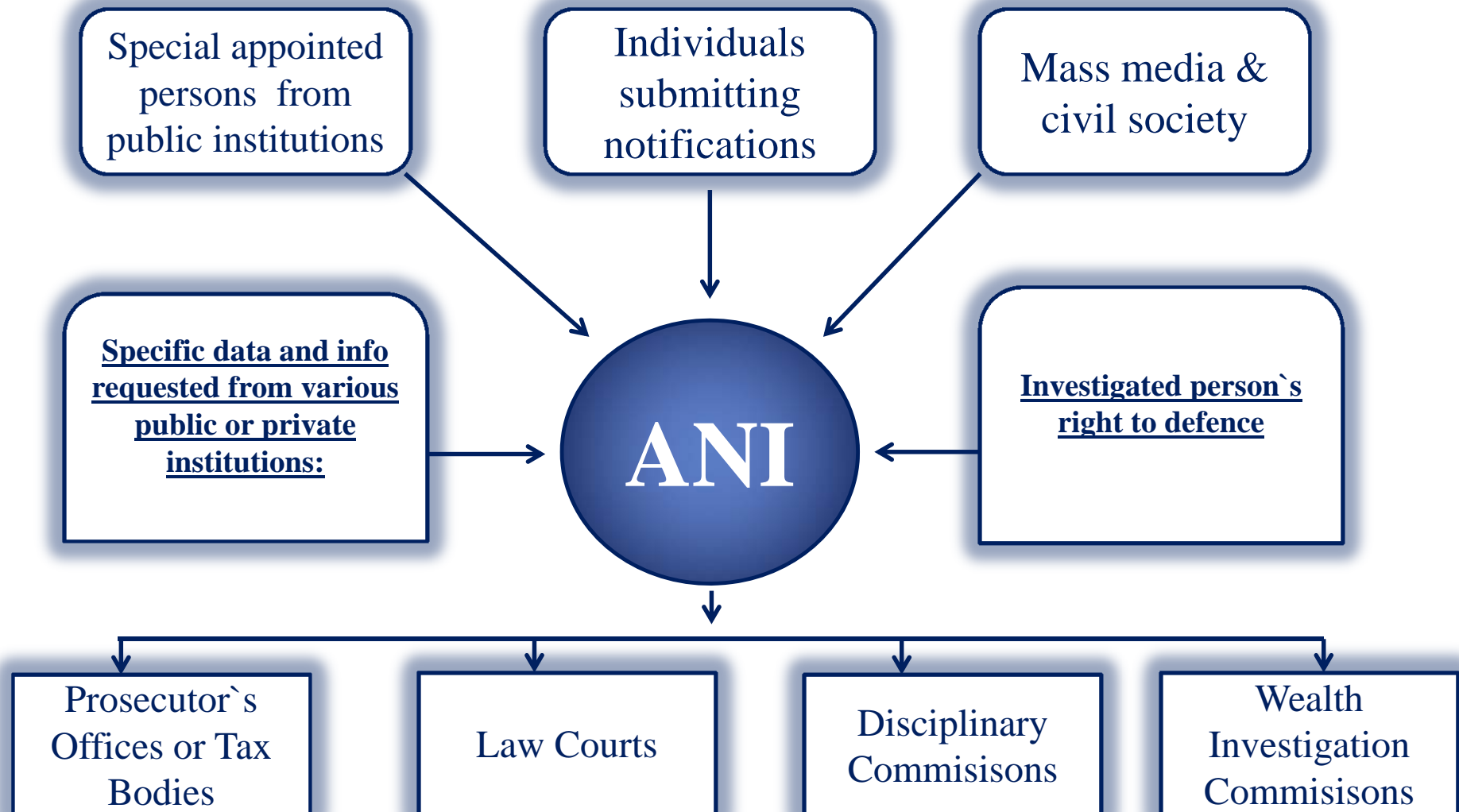




## Staff:



# ANI – the “engine” that runs a wider and complex process of implementing the integrity concept





# 2/5 Romanian assets and interests disclosure system

*“The Agency became an essential component of the anti-corruption institutional framework which can demonstrate significant results”*

**European Commission**

## PREMISES:

- ✓ 1996 - a hesitating start;
- ✓ 2003 – new anticorruption measures;
- ✓ 2007 – a paradigm shift – the National Integrity Agency was established;
- ✓ 2008 – 2014: exponential track record of cases
- ✓ 2014: a solid and mature system





# Who? When? What?

*A general overview*

## WHO?

- More than **300.000 persons** every year;
- Electoral years – the number reaches **1 million** declarants

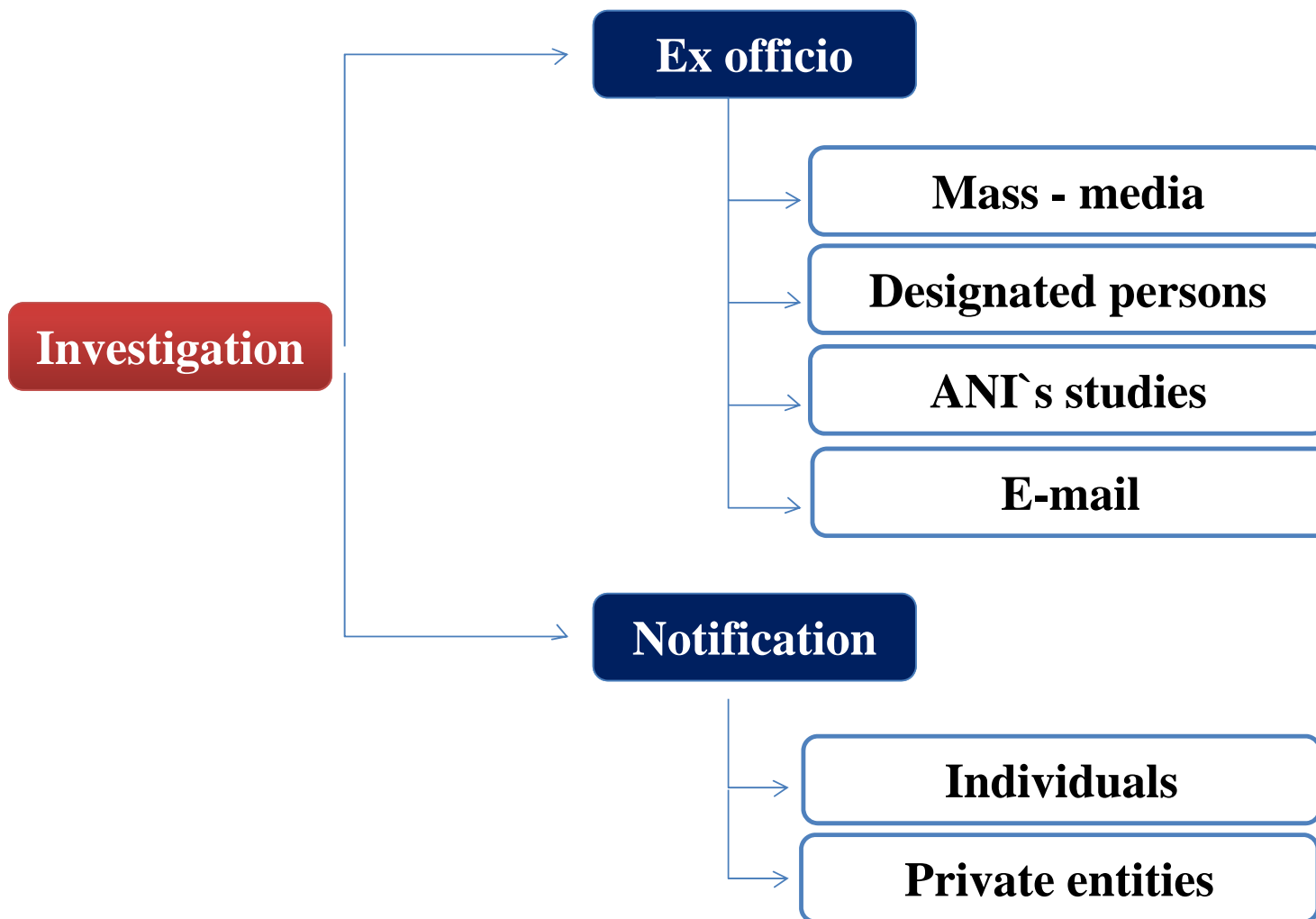
## WHEN?

- **Yearly**, no later than June 15;
- Upon **entering / leaving the office**;
- When running for public offices;

## WHAT?

- Declarant must submit 2 forms:
  - ✓ **Asset disclosure** (real estate, financial assets, debts, incomes, movables, gifts)
  - ✓ **Interest disclosures** (positions held within public or private environment, contracts signed with the state)

## Starting the investigation (I)



## Performing the investigation (I)

- The investigation of *conflicts of interests*, *unjustified assets* or cases of *incompatibility* start with the process of assets and interests disclosures analysis
- One important step in the evaluation procedure is requesting data and information from public or private entities



Every public or private entity is obliged to share information with ANI within the evaluation procedure

### DATA & INFO REQUESTED:

Incomes	Real estates	Accounts
Loans	Debts	Utilities
Shares	Movables	Contracts
Art objects	Jewelry	Investments

## **Performing the investigation (II)**

### **THESE REQUESTS ARE REFERRED TO :**

Tax administrations	Land Registrar	Trade Registrar
Banks	Credit Bureau	Utility operators
Official Gazette	Police authorities	Electoral Authority
Private companies	Other private / public entities	

**ANI signed cooperation protocols with many of these institutions, but most important are those concluded with:**

- ✓ General Prosecutor`s Office;
  - ✓ Trade Registrar
  - ✓ Tax administration

## Performing the investigation (III)

### ➤ PUBLIC INFORMATION

through the Open Source Module;

### ➤ DATABASES:

- ❖ Population records;
- ❖ Trade Registrar;
- ❖ Vehicle Registrar;
- ❖ Land Registrar
- ❖ *Tax administration (to be implemented)*





# 3/5 Integrity incidents, explained

*“Romania already has seven ministers dismissed following ANI’s investigations. For once, the black sheep of the EU lead by example.”*

**Le Monde**



## 1. INVESTIGATING UNJUSTIFIED ASSETS

- **significant difference** (at least 10.000 euro) between incomes and wealth
- unjustified is **NOT** illicit
- the most **complex** investigation

## 2. CONFLICTS OF INTERESTS

- taking a decision or participating in a decision-taking process that generates a patrimonial advantage for himself or his first degree relatives (administrative) or second degree relatives (criminal)
- **administrative** conflict of interests
- **criminal** conflict of interests

## 3. INCOMPATIBILITIES

- **simultaneously** holding **two or more public offices** of which at least one exclude the other;
- explicit situations provided by various laws



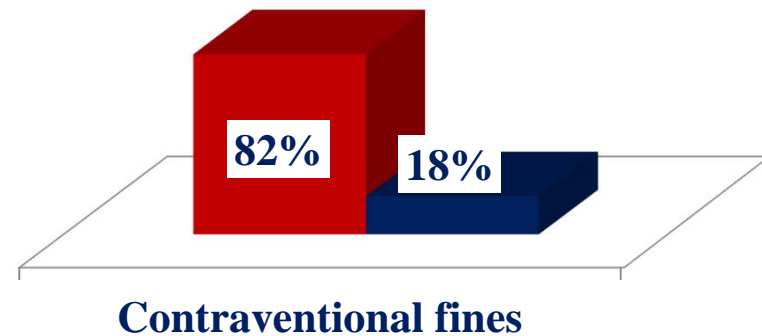
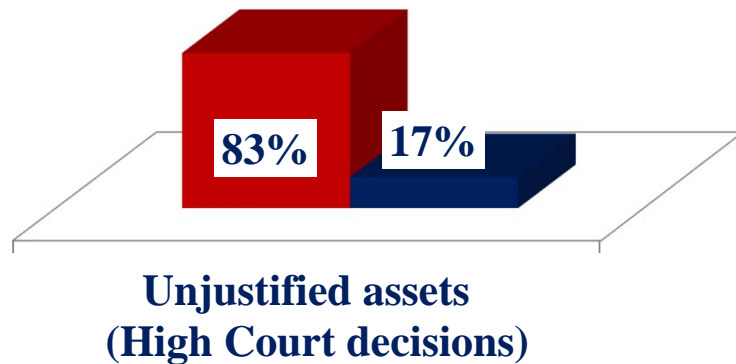
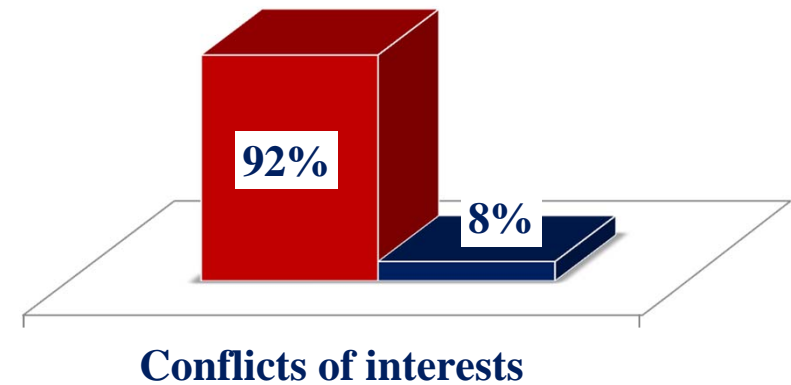
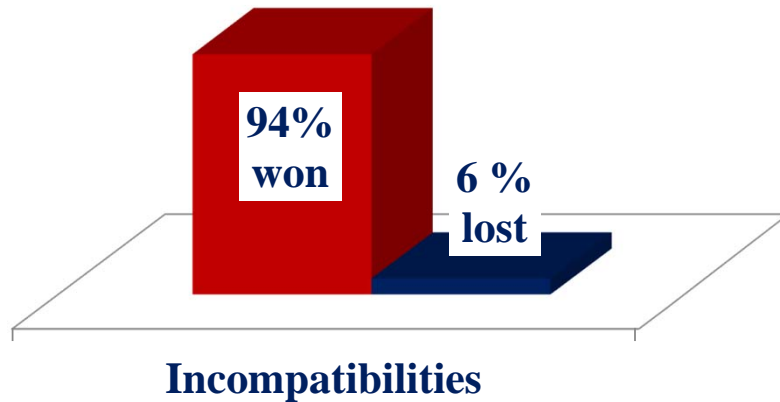
## Results. 2008 – today.



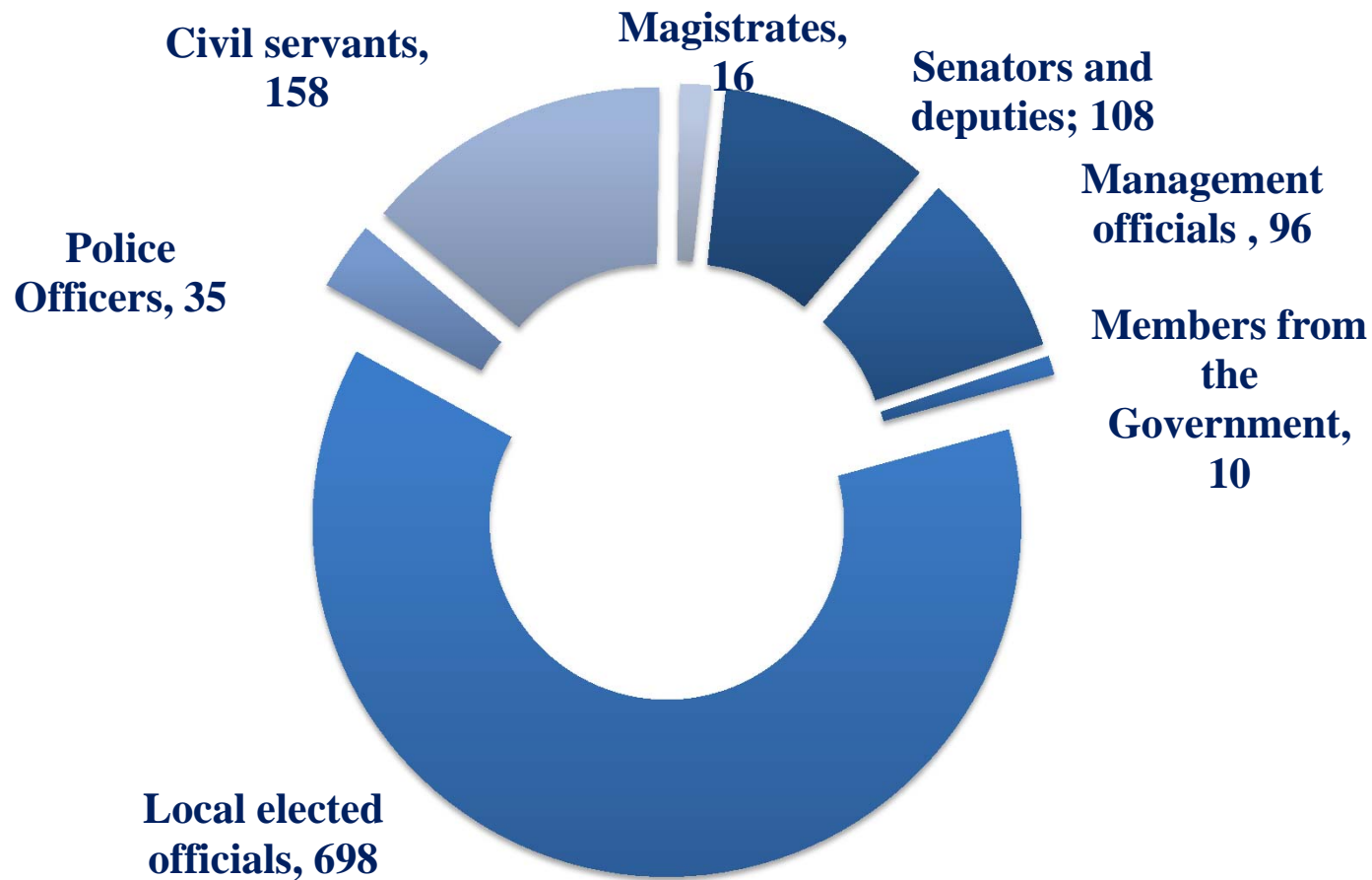


## Rate of success on cases

- ✓ Every case finalized by ANI can be challenged in Court;
- ✓ Rate of success – definitive cases:



## Quality of persons investigated by ANI *(high-profile cases)*



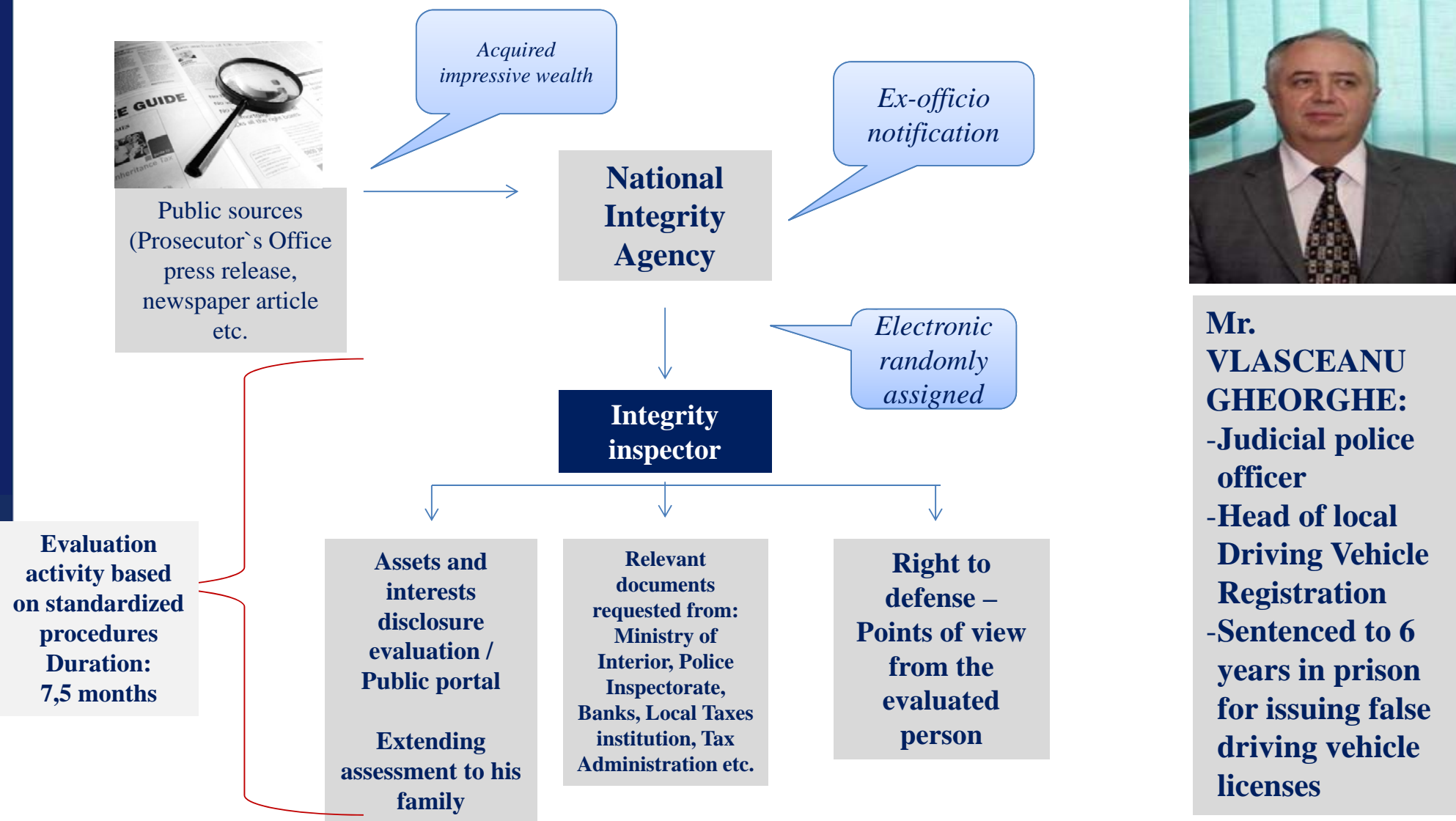


# 4/5 Case study on unjustified assets

*“ANI uses an integrated information system with a special design which allows for a strategic approach and a modern vision for the development and improvement of this institution’s activity. .”*

**Deloitte Audit**

# Corrupt police officer gains unjustified asset



## Findings:

- ✓ *The family members of Mr. VLĂSCEANU GHEORGHE CODRUȚ have acquired wealth that can not be justified by their income, given their age and occupation*
- ✓ After analyzing and comparing data provided by authorized institutions has resulted a significant difference of 2.171.109 RON (486.850 Euro)

UNJUSTIFIED  
WEALTH

486.850 €

VLASCEANU  
GHEORGHE

135.416 €

VLASCEANU  
SILVIU  
GABRIEL  
(son)

21.108 €

CIOLPAN  
CORNELIA  
(mother-in-law)

330.326 €

POPESCU  
ALINA  
(daughter)  
POPESCU  
CRISTIAN  
(son-in-law)

**The wealth was transferred to family members  
through various financial transactions**

## Follow - up

February 2009 – ANI notified 1<sup>st</sup> degree Court

October 2009 – After 12 hearings, 1<sup>st</sup> degree Court admitted, in part, ANI's request, ordering confiscation. The decision was appealed by Mr. Vlasceanu

March 2010 – High Court admits Mr. Vlasceanu's appeal and sends the file back to 1<sup>st</sup> degree Court

April 2011 – After 13 hearings, 1<sup>st</sup> degree Court, admits ANI's request, ordering confiscation. This decision was also challenged by Mr. Vlasceanu

March 2013 – Following several requests made by ANI, the fiscal administration transferred the sums into the state budget

# Thank you !



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