



I - Information requested from States parties in relation to mandates of anti-corruption body or bodies in respect of prevention (art. 6)

The Ministry of Justice is responsible for the overall anticorruption policy in terms of design, implementation and monitoring, while the National Integrity Agency is responsible for the verification of wealth, potential conflicts of interest and incompatibilities of public officials.

1. Please describe the measures you have taken to implement art. 6 of the Convention.

In particular, States parties may wish to cite and describe measures that:

- **Allocate responsibility to a specific body or bodies for the development and implementation of preventive anti-corruption policies;**

Since 2001, Romania implemented 3 national anticorruption strategies (2001-2004, 2005-2007 and 2008-2010) and it is currently implementing the newest public anticorruption policy. The National Anticorruption Strategy 2012-2015, the Inventory of anti-corruption preventive measures and evaluation indicators, as well as the National Action Plan for the implementation of the National Anti-corruption Strategy for 2012-2015 were approved through the Government Decision no. 215/20.03.2012 and published in the Official Journal no. 202/27.03.2012.

In order to draft this strategy, preliminary consultations were organized by the Ministry of Justice between April and July and continued between September and November 2011. Along 2011, over 20 meetings were organized, attended by over 500 persons, representing over 90 public and private entities. The civil society has been extremely active during the consultation stage.

The new strategic document is built on the premise of a well-developed legislative and institutional framework. The accent is therefore placed on the implementation and the stability of the legislative and anticorruption institutional framework. The NAS 2012 - 2015 has a holistic and multidisciplinary character and is addressed to all public institutions representing the executive, legislative and judiciary powers, local government, business environment and civil society.

The 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"*. The independent assessment was conducted between December 2010 and March 2011, within the project entitled Support for the Ministry of Justice for the implementing the recommendations of the European Commission in the framework of the Cooperation and Verification Mechanism. The Project was conducted by the Ministry of Justice and the UN Development Program. The evaluation Report was published on



14.04.2011 on the web site of the Ministry of Justice and public consultations were initiated, in order to elaborate the new national anti-corruption strategy.

The strategic document aims at preparing GRECO's fourth evaluation round, on "Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors".

In order to ensure the coherence and the coordination of all the relevant national level initiatives, the strategy includes the 2nd, the 3rd and the 4th benchmark of the Cooperation and Verification Mechanism (established by the European Commission). This document incorporates the areas identified as priorities at EU level by the EC Anticorruption Communication: recovery of proceeds of crime, whistleblower protection, public procurement, preventing and combating political corruption, protection of EU financial interests. The Strategy puts an accent on measures promoting the institutional integrity, but also proposes new instruments, known as European best practises, such as self-assessment methodology on corruption risks, the introduction of the integrity plans or, on an experimental basis, the introduction of the integrity test in public administration.

The inventory of preventive measures and associated assessment indicators aims at achieving a periodical (biannual) assessment of the application and efficiency of anticorruption measures. The self-assessment is backed by a mechanism consisting of specific assessment missions made by joint teams, made of experts from various public institutions and agencies or NGOs.

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

In Romania, the National Integrity Agency (ANI) has exclusive competences in preventing and combating conflicts of interests, unjustified wealth and incompatibilities. Also, the other fundamental attribution of ANI is the management of assets and interests disclosing process. Approx. 350.000 dignitaries and civil servants must submit, annually, assets and interests disclosures.

The Agency was established through law in 2007 and became fully operational in 2008.

Moreover, the Anti-corruption General Directorate (AGD) was set up as the specialized structure on preventing and countering corruption within the Ministry of Internal Affairs (MoIA) personnel, through Law no. 161/2005 on establishing certain measures to prevent and counter corruption.

- **Outline the institutional structure and approach in relation to the monitoring and evaluation of the national anti-corruption strategy or anti-corruption policies;**



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

For this purpose, the Minister of Justice organizes coordination reunions at least every six months. The coordination reunions 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 is ensured.

For supporting the monitoring process, at the Ministry of Justice level an inter-institutional technical secretariat, with permanent activity, was set up. Experts from other public institutions, such as the Ministry of Internal Affairs – General Anticorruption Directorate, Ministry of Regional Development and Public Administration are also working in the secretariat.

For supporting the monitoring process, the cooperation platforms created during the consultations for the elaboration of the strategy were maintained and further 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 are convoked once at two months at least. At their reunions specialists and representatives of the civil society are also invited.

The technical secretariat plays a pivotal role in the implementation of the strategy, carrying out monitoring activities that include: periodical centralizing and updating of the stage of the implementation of the list of anticorruption preventive measures, 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 anticorruption indicators; biannual and annual monitoring report; documenting and disseminating the identified best anticorruption practices; surveys.

The status of implementation of the strategy is 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.

ANI is part of the Cooperation and Verification Mechanism (Benchmark 2), an instrument instituted by the European Commission in 2006 in order to provide assistance in the justice reform field.

The agency was established in 2007 as an autonomous and independent administrative authority ran by a President and a Vice-president appointed by the National Integrity



Council (non-permanent, representative body, composed by special designated representatives from the categories of persons who must submit assets and interests declarations) after passing a written and oral examination.

The quality of management is evaluated annually through an independent external audit. For the period 2008 – 2013, the audit external audit report was drafted by Deloitte Audit Company.

ANI's personnel include integrity inspectors (employees with judicial or economic studies, tasked with the evaluation of assets and interests disclosures, incompatibilities, unjustified wealth or conflicts of interests), support-personnel for the integrity inspection (legal, communication, IT and registry departments) and administrative. Both management and integrity inspectors are fully autonomous in performing the tasks provided by the legislative framework.

The National Integrity Agency is part of the National Anticorruption Strategy 2012 - 2015. Up to this moment, ANI was involved in the process of evaluation mechanism instituted through the strategy, contributing also in the implementation of preventing and combating unjustified assets, conflicts of interests or incompatibilities.

- **Outline the scope of the mandate of preventive anti-corruption bodies;**

According to Government Decision no. 652/2009, with the subsequent amendments and completions, one of the main attributions of the Ministry of Justice is the development of strategies and programs for preventing crime and corruption, mainly through developing, coordinating and monitoring the implementation of strategies, programs and plans for the prevention of crime and corruption, analysing and evaluating the results, effects and impacts of strategies, programs and plans for the prevention of crime and corruption.

Romania has developed the requisite framework for independent verification of wealth, potential conflicts of interest and incompatibilities of public officials, all of which are key elements of anti - corruption policy. High - level officials and civil servants are subject to strict asset and interests' disclosure obligations and their declarations are publicly accessible.

The mission of the National Integrity Agency is to assure that public positions are exercised in an integrity environment. Also, ANI's mandate is to promote transparency on the assets and interests disclosures and to discourage any kind of integrity legislation breach.

AGD's objective is to prevent and counter corruption deeds committed by MoIA personnel through:

- increasing transparency and integrity within MoIA personnel;
- drawing and implementing working instruments able to identify the risks to corruption of the MoIA personnel;
- improving monitoring of the risks factors generating and favouring corruption within MoIA;



- increasing resistance to corruption by performing integrity tests and verifications within MoIA personnel;
- improving the quality of the training sessions on anti-corruption and disciplinary management for the MoIA personnel and developing the plan of disseminating anti-corruption messages;
- improving the understanding of the corruption mechanisms and stimulate the anti-corruption civic attitude by organising informing campaigns.

GAD applies the *Methodology for the identification of corruption risks*, the attitude and responses received from MoIA structures demonstrating the awareness of corruption risks, as well as the involvement of specialists from all structures in detecting preventive measures able to limit the exposure to corruption occurred in current activities.

Moreover, in order to increase efficiency of integrity testing within the MoIA, regulations have been approved in the sense that, when becoming employed by the Ministry of Internal Affairs, the officers consent to have the professional integrity tested. Also, the MoIA Minister Order no. 256/2011, published in the Official Journal no. 836/2011, was approved and it provides that the integrity testing activities are conducted by AGD officers.

The anticorruption training sessions present the main legal documents in the field of preventing corruption and aim to inform the entire MoIA personnel on how to react in real situations. These are held with MoIA personnel working in vulnerable fields. The training is adjusted to the group's specificity, and is aiming at jointly identify the corruption risks and at implementing the preventive measures.

- **Safeguard the independence of anti-corruption bodies, enable them to carry out their functions effectively and protect them from any undue influence;**

The National Integrity Agency is an independent and autonomous administrative authority. The National Integrity Council (CNI) is a non-permanent body formed by representatives of the categories of officials provided by the law with the obligations of assets and interests disclosure. CNI has as its members representatives of magistrates, civil servants, parliamentary group's representatives, NGOs, local administration etc.

The tasks of the CNI are the following: proposes, to the Senate, the appointment and the removal from office of the Agency's president and vice-president; ascertains the suspension from office of the Agency's president and vice-president; approves by decision the Rules of Organization and Operation of the Council, of the Council Committees as well as the internal norm of conduct; approves by decision the Regulations on the organization of the competition/ examination for the selection of the Agency's president and vice-president, as well as the topic areas and the structure of the board responsible for the organization of the competition, the drawing up of the subjects, the correction of tests and the settlement of appeals; analyses the information and reports which are presented by the president of the Agency regarding its activity, trimester or every time are asked by the Council, through its president; elaborates recommendations referring to the strategy and the asset evaluation activity, conflicts of interest and incompatibilities of the Agency; analyses annual audit reports; presents to the Senate, yearly and every time it is



necessary, a report about the Agency's activity; any other prerogatives foreseen by the law.

In addition, the task of the Council is to safeguard ANI from any undue interference in the activity and also to protect the Agency's operational independence or political pressure. The National Integrity Council adopted (in 2011) the Operational Procedure regarding fulfilment of the Council's role as guarantor of ANI independence. The following measures taken by the National Integrity Council resulted from the Operational Procedure in order to protect ANI's operational independence: a) supporting ANI's budget, b) CNI acting as interface between ANI and political environment c) protecting ANI's legal framework etc.

- **Establish focal points or units within government ministries and departments responsible for the implementation of anti-corruption policies;**

According to the National Anticorruption Strategy (NAS) 2012-2015, all the public institutions, at central and local level, have to appoint a coordinator at the level of the management of the institution and contact persons at expert level. The job descriptions of the appointed contact person have to 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-assessment 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.

Moreover, following the adoption of the NAS, anticorruption units were set up in several institutions such as the Ministry of Health, Ministry of Regional Development and Public Administration, National Agency for Fiscal Administration.

In every public institution, special persons were designated to guide and to manage the process of submitting assets and interests disclosures by the employees of that institution. These contact points are often trained by ANI in this matter. Also, the management of the institution or the disciplinary commissions within the institutions where are persons evaluated by ANI, have responsibilities in applying administrative sanctions after ANI's report remained definitive (through an irrevocable decision of Court or by not challenging ANI's administrative act before Court).

- **Establish structures to deal effectively with grievances and complaints from citizens, such as an anti-corruption commission, ethics office, auditor general's office, ombudsman office, central procurement office, etc.; and**

The Ombudsman receives requests form the citizens that are related to the breach of the rights and liberties of natural persons through administrative acts or deeds of public administration authorities or through the administrative acts of *regies autonome*.

Moreover, any person has the right to notify any of the chambers of the Parliament with grievances that are registered in a special registry. Each chamber has a special permanent committee that deals with these types of notifications. They produce periodical reports on the complaints received and on the mode they were solved. The reports also



contain information on the solutions given by the public authorities to the grievances sent to be solved by them.

In addition, complaints regarding corruption offences may be sent to the police, the National Anticorruption Directorate or the General Anticorruption Directorate within the Ministry of Internal Affairs. Since its establishment, AGD intended to offer communication channels for the citizens to report on corruption offences committed by MoIA personnel. The Green Line Telverde - 0.800.806.806 - may be called from any phone network and has a system to monitor and processing the information received. Based on the TelVerde calls, criminal files are initiated or the current ones are completed.

ANI can start an evaluation file either ex –officio or following a notification (complaint) made by individuals or legal persons. Also, the Agency performs the prevention and awareness components by answering, annually, more than 1500 clarification requests made by the citizens, mass-media or NGOs.

2. Please provide information demonstrating the impact of the work conducted by national bodies with mandates in respect of the prevention of corruption.

In particular, States parties may wish to provide information such as:

- **Key conclusions and recommendations from reports prepared by anti-corruption bodies and institutions;**

With a view to assist institutions in implementing NAS 2012-2015, NAS Technical Secretariat developed a web-portal, which includes relevant information and best practices identified. The portal is available since April 2013.

With a view to standardize the collection of the information related to the implementation of the anticorruption preventive measures and evaluation indicators, the NAS Portal has a special application dedicated to the application of this mechanism. Starting in July 2013, each public institution enters the required data directly in the application. The information entered is communicated directly to the server managed by the Ministry of Justice. Following the data validation procedure, they information is exported to the public interface of the Portal, both in a closed and open format (in the open data sets section). Through this step, NAS Technical Secretariat implements the commitments made by Romania in the Open Government Partnership to increase the number of great value data sets available in an open format.

A mechanism of thematic evaluation missions at the level of public institutions was introduced through MAS 2012-2015, as a novelty of the monitoring system. It entails filling in a questionnaire, followed by evaluation visits at the public institutions expert teams composed of representatives of the central public administration, independent authorities and anticorruption agencies, business sector and civil society.

In 2013, the indicators selected for the evaluation were: asset declaration, conflicts of interest and access to public information. 39 thematic evaluation missions were carried



out, of which 10 were within public institutions at central level. In parallel, evaluation missions were organized in 29 city halls and county councils at local level.

Following the thematic missions, evaluation reports were drafted. They contained several recommendations, such as: implementing measures for the early identification of integrity incidents; creating a mechanism for monitoring the publication and update of open data sets; developing rules in the internal procedures on the necessary steps to be followed by a public official, with a view to avoid a conflict of interest or incompatibility situation. The reports are publicly available at sna.just.ro.

ANI developed in 2012 an analysis conducted on local administration area for the purpose of identifying conflicts of interests and incompatibilities. The lack of transparency in local decision making process, together with the low access to public information of most urban and rural residents, represent destabilizing factors to the Romanian society. One of the main corrosive factors of the local authorities' image and their perception by the population is represented by numerous cases made known to the public by the media, by the local elected officials who developed commercial relations with the public local administration, exerting an influence, formally or informally, from their quality of local elected.

Moreover, the media paid increased attention to these issues, reporting on large areas cases of commercial relations established between local public administration representatives, often highlighting the authorities' weaknesses in managing public funds.

This led to the need to approach conflicts of interest preventively, in accordance with the objectives set through National Integrity Agency's Strategy for Fighting and Preventing Unjustified Wealth, Conflicts of Interests and Incompatibilities 2011 – 2014.

Main findings:

- National Integrity Agency identified and audited a total number of 2.856 local and county counsellors from Romania, who own companies on their behalf or on behalf of their spouses,
- 78 local and county counsellors have breached the legal regimes of conflict of interests (both administrative and criminal nature) and incompatibilities,
- The 78 local officials own 105 companies, in which they or their spouses have stocks, shares or are administrators, having signed contracts with County Council, Local Council or the subordinate authorities, breaching the legal regimes of conflict of interests and incompatibilities.

Data resulted following ANI's investigative process:

- 37 county counsellors and 41 local counsellors have breached the legal regime of conflict of interests and incompatibilities;
- 9 administrative conflict of interests cases;
- 33 cases regarding possible conflict of interests offences;
- 75 incompatibility cases;
- 16 cases regarding possible false statements offences;
- 1 case regarding possible corruption offence.



ANI ordered the following measures:

- Ascertaining the breach of legal regime of administrative conflict of interests;
 - Notifying the competent judicial authorities for the possible conflict of interests offences;
 - Notifying the competent judicial authorities for the possible false statements offences;
 - Notifying the competent judicial authorities for the possible corruption offences;
 - Initiating steps provided by art. 22, para. (2) from Law no. 176/2010, for the cancellation of contracts that have been signed with the breach of conflict of interests legal regime.
- **Results of public perception surveys regarding the effectiveness and performance of the anti-corruption body or bodies;**

According to the Eurobarometer 397, a public opinion polls published by the European Commission in February 2014, Romania shows the most marked improvement in the opinion that government efforts to combat corruption are effective (+13 percentage points), and Romania sees the largest rise in respondents who believe that there are sufficient successful prosecutions to act as a deterrent (+11 percentage points).

The poll "**Public opinion Barometer – The truth about Romania**", was carried out by INSCOP Research, between May 1 and 7, 2014, on 1056 persons.

According to this poll, the top of the institutions involved in combating corruption is dominated by the National Anticorruption Directorate (DNA) with 50.3% of the population considering that DNA is involved to a large and to a very large extent in the fight against corruption. The top is completed by ANI (39.7%), the courts (39.1%) and the General Prosecutor's Office (38.8%).

Three opinion polls conducted in February 2013, December 2013 and May 2014 show that ANI receives scores of about 40 %, well above other institutions such as the Parliament, Government or Presidency.

- **Results from public awareness surveys of the extent of public knowledge about the prevention of corruption;**

The General Anticorruption Directorate (GAD) within the Ministry of Internal Affairs issued, in June 2013, a summary report carried out at national level, on 1153 persons.

The data obtained showed a high spontaneous notoriety of the competent institutions to prevent and fight corruption: 39% mentioned spontaneously, DNA, followed by the police (22%) and GAD (9%). As regards the evaluation of the activities of the institutions involved in preventing and combating corruption, of all respondents, 31% believe that their work is quite effective and very efficient.



- **Key conclusions and recommendations from evaluation reports on the effectiveness and performance of relevant anti-corruption bodies.**

The EU Anticorruption Report, published by the European Commission in early February 2014, notes that in terms of strategic approach, the most recent national anti-corruption strategy 2012-2015 was adopted by the Government and endorsed by Parliament in 2012. It is based on a wide consultation process and was welcomed by most stakeholders. The strategy takes a multi-disciplinary approach and requires the development of sector and institution-specific anti-corruption strategies across the board. A peer-review mechanism, involving civil society, was put in place to monitor its implementation. Cooperation platforms grouping various categories of stakeholders were also set up. Monitoring is carried out through evaluation rounds by topic. The activities undertaken within the monitoring process and the assessments made are published on a dedicated portal. Implementation is ensured within the limits of the fiscal budgetary strategy for 2012-2014. The national anti-corruption strategy follows a project-based approach.

Moreover, the report notes that Romania has set up a comprehensive institutional anti-corruption framework. The National Anti-Corruption Directorate (DNA), a specialised prosecution office, is tasked to investigate high-level corruption cases. The DNA has established a solid track record of non-partisan investigations into allegations of high-level corruption. The successful investigations it has carried out in the last decade revealed corrupt practices involving high-level politicians and public officials, members of the judiciary, law enforcement officials, and people from a wide range of sectors: transport, infrastructure, healthcare, extractive industries, energy, agriculture, sports, etc.

According to the same report, the National Integrity Agency (ANI) checks conflicts of interests, incompatibilities and personal wealth of public officials. Since its establishment in 2008, the ANI has shown good results overall. In the past five years, the confirmation rate of the ANI's decisions on incompatibilities, as well as the administrative decisions on conflicts of interest exceeded 80%. Following the ANI's decisions, over EUR 1 million in unjustified personal wealth was confiscated on the basis of final court decisions. However, over time the follow-up of the ANI's decisions encountered considerable difficulties.

In addition, the EU Anticorruption Report notes that most of the cases sent to court by the prosecutor's offices in the country concern police officers, which may also be a result of the effectiveness of the General Anti-Corruption Directorate within the Ministry of Home Affairs.

The most recent report of the European Commission under the Cooperation and Verification Mechanism, published on 22 January 2014, notes that the National Anticorruption Strategy 2012-2015 continues to develop. This includes activities related to monitoring implementation, notably through peer reviews involving NGOs in the last quarter of 2013. Based on an assessment of risks, each institution covered by the NAS must define and enforce disciplinary rules and internal control standards on integrity, ethics and vulnerable positions. NAS implementation is monitored by thematic evaluations missions, taking place at local and central level. The NAS also has a portal, which offers the possibility to report data on preventive measures indicators as well as self-



assessments of public institutions. The participation of local authorities to the NAS has also progressed, and out of 3177 administrative units, 2532 have now nominated contact persons for the activities related to the implementation of NAS.

In addition, the report notes that over the past year, the National Integrity Agency (ANI) has continued to consolidate its track record. ANI has become more established as an institution, with the government supporting improved resources to ensure its effective functioning. ANI's rulings are often challenged in court, but the data shows that in over 80% of challenges to ANI rulings on conflict of interest, the courts confirmed ANI's conclusions.

The same report notes that both DNA at prosecution level and the High Court of Cassation and Justice at the trial stage have maintained significant track records in difficult circumstances. Both in terms of indictments and convictions, the application of the justice system to powerful political figures has been an important demonstration of the reach of Romanian justice. There have been substantial improvements in court practice, notably in terms of speed of the DNA investigation and of judgement.

The CVM report also notes that the general Directorate for Anti-Corruption within the Ministry of the Interior (GAD) has established over the last years a positive track record for fighting corruption within the Ministry.

The Anti-Corruption Network for Eastern Europe and Central Asia (ACN), within the Organisation for Economic Cooperation and Development, states in its report "Anti-corruption Reforms in Eastern Europe and Central Asia", published in 2013, that the anticorruption strategy in Romania has quite well elaborated implementation and monitoring mechanism, including particular set of indicators that can serve as useful examples. An independent impact assessment of previous anti-corruption strategies is regularly commissioned by the government, conclusions and assessments being made public.

REPORT	DATE	KEY CONCLUSIONS AND RECOMMENDATIONS
EU ANTI-CORRUPTION REPORT	2014	<p><i>The National Integrity Agency (ANI) checks conflicts of interests, incompatibilities and personal wealth of public officials. Since its establishment in 2008, the ANI has shown good results overall. In the past five years, the confirmation rate of the ANI's decisions on incompatibilities, as well as the administrative decisions on conflicts of interest exceeded 80 %. Following the ANI's decisions, over EUR 1 million in unjustified personal wealth was confiscated on the basis of final court decisions.</i></p> <p><i>However, over time the follow-up of the ANI's decisions encountered considerable difficulties. The political will to support the independence, stability and capacity of the anti-corruption institutions and the judiciary has not been constant over time.</i></p> <p><i>Since 2008, the ANI identified more than 469 incompatibilities, 194</i></p>



		<p><i>administrative and criminal conflicts of interest, 46 cases of unjustified wealth, 346 cases of potential criminal offences and applied more than 5 200 fines for breach of asset disclosure legislation. Among the officials investigated by ANI: 50 MPs, 12 presidents and vice-presidents of country councils, 10 ministers and state secretaries and over 700 local elected officials, managers of public agencies, police officers, magistrates, etc.</i></p>
<p>UNDP - Assessment report on the implementation of the 2005-2007 National Anti-Corruption Strategy and the Strategy on Fighting Corruption in Vulnerable Sectors and Local Public Administration 2008 – 2010 in Romania</p>	<p>2011</p>	<p><i>Ensure stability and comprehensiveness of the anti-corruption legislation and stability in the work of the anti-corruption institutions, by refraining from any unnecessary amendments of the legal framework, by ensuring sufficient budget for the work of the anti-corruption institutions and by demonstrating political support to the efforts of their leadership.</i></p> <p><i>Consider the possibility to strengthen the position of ANI (maybe through establishment of ANI as a constitutional category) and its role at courts (at least by adoption of guidelines, in cooperation with the Superior Council of Magistracy, for the work of prosecutors and judges within the Wealth Investigation Committees attached to the Courts of Appeal).</i></p>
<p>EUROPEAN COMMISSION MCV REPORT</p>	<p>2014</p>	<p><i>Over the past year, the National Integrity Agency (ANI) has continued to consolidate its track record. There are however continued obstacles, and differences between the progress made on incompatibilities, conflict of interest and unjustified wealth. In particular, ANI and its management have faced a series of attacks, which have often seemed to coincide with ANI cases against senior political figures. The National Integrity Council has proved its value as an oversight body capable of explaining ANI's mandate and intervening publicly when required.</i></p> <p><i>ANI has become more established as an institution, with the government supporting improved resources to ensure its effective functioning. Its relations with other agencies of government are key, and ANI has put in place a series of working agreements to govern these relations – even if some of these bear more fruit than others. ANI's rulings are often challenged in court, but the data shows that in over 80% of challenges to ANI rulings on conflict of interest, the courts confirmed ANI's conclusions.</i></p> <p><i>The progress made on the integrity framework needs to be consolidated by clarifying the legal framework to ensure that no doubts are left about its application. In this area Romania should:</i></p> <ul style="list-style-type: none"> • <i>Ensure that there are no exceptions to the applicability of the laws on incompatibilities, conflict of interest and unjustified wealth;</i> • <i>The government and ANI should work together to develop and</i>



		<p><i>propose legislation to improve the integrity framework;</i></p> <ul style="list-style-type: none">• <i>Implement the ex-ante check of public procurement in ANI, with a view to extending this from only EU funds to all public procurement procedures;</i>• <i>Ensure that the implementation of the new Parliamentary Statute maximizes the automaticity with which final court decisions are applied.</i>
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3. Please outline actions required to strengthen or improve the measures described above and any specific challenges you might be facing in this respect.

Examples of the types of challenges States parties may have faced include:

- **Coordination challenges between anti-corruption bodies and other government agencies;**

ANI concluded a series of cooperation protocols with institutions both from government and judicial branches in order to enhance the evaluation activities. Success stories regarding these agreements are the National Integrity Agency protocols signed with the General Prosecutor's Office, Trade registrar, Tax administration etc.

Also, the agency collaborates very efficiently with the National Anticorruption Directorate (DNA) and the High Court of Cassation and Justice.

- **Communication challenges with regard to raising awareness of the existence, functions and aims of preventive anti-corruption bodies amongst the public;**

ANI developed a series of tools in order to raise awareness and prevention component amongst the public, such as the:

- Portal of Assets and Interests Disclosure (www.declaratii.integritate.eu) hosts more than 4.4 million assets and interests disclosures, available to any citizen or journalist interested.
- Guide for filling in the assets and interests disclosures (available on ANI's website)
- Guide for incompatibilities and conflicts of interests
- Frequently Asked Questions (FAQ)
- Also, every time ANI finishes an investigation, a press release is released. On ANI's website there are available more than 1000 press releases
- Seminars and training sessions are frequently organised in cooperation with NGOs on the matter of assets and interests disclosing process.

- **Implementation challenges with regard to the mandate of preventive bodies due to the interference of other branches of government; and**

N.A.



- **Financial challenges with respect to maintaining sufficient and consistent funding for preventive anti-corruption bodies.**

Since it was established in 2007, the National Integrity Agency had the proper financial resources to exercise in mandate with efficiency. ANI, also accessed European funds in order to develop tools such as the electronic forms of assets and interests disclosures or the PREVENT system (will be finalised in 2014 and will perform effective ex-ante verification of conflicts of interests in the process of assigning public procurement contracts financed of community funds by implementing an electronic integrated system in order to prevent and identify situations that may cause a state of conflict of interest).

4. Do you require technical assistance in relation to the measures described above?

With a view to ensure a wide implementation of the National Anticorruption Strategy (NAS) 2012-2015, especially the objective related to increasing the level of anticorruption education, anticorruption awareness is needed, as well as professional training at the level of the central and local public administration.

In addition, in order to consolidate the capacity of the Technical secretariat created to support the monitoring process, as a resource and excellence centre, the creation of a e-strategy software is needed, to further monitor the implementation of the strategy. Consolidating the capacity of this structure would allow the development of a “centre of excellence”, built on the expertise and specialisation of its employees in crime and corruption prevention and asset recovery areas.

II - Information requested from States parties in relation to public sector legislative and administrative measures, including measures to enhance transparency in the funding of candidatures for elected public office and, where applicable the funding of political parties (arts. 5 and 7).

1. Please describe the legislative and administrative measures you have taken to prevent corruption in the public sector. In particular, please provide information on measures you have taken to enhance transparency in the funding of candidatures for elected public office and the funding of political parties.

States parties may wish to cite and describe measures that:

- **Establish a legal definition of what constitutes a donation or contribution to a candidate for public office or a political party;**

Donations are regulated in detail under articles 5 to 11 of Law no. 334/2006 on the financing of the activity of political parties and electoral campaigns and articles 6 to 12 of Government Decision no. 749/2007 on approving the Methodological Norms for applying Law no. 334/2006 on financing activities of political parties and electoral campaigns.

There is no definition of donations that would spell out what is to be considered as donations for the purposes of party and election campaign financing; but art. 6 of



Government Decision no. 749/2006 provides that “liberalities received by a political party consist of donations and/or legacies according to the provisions of the Civil Code”.

The provisions of article 5 of Law no. 334/2006 make clear that the real value of movable and immovable assets donated to a party as well as the value of services provided free of charge fall under the concept of donations. Likewise, discounts that exceed 20% of the value of goods and services offered to political parties (and independent candidates) are considered donations (art. 6, Law no. 334/2006). Voluntary activities are not to be considered donations (art. 8 para. 3, Law no. 334/2006).

- **Require public disclosure of donations received by candidates for public office and political parties, including the identity of individual and corporate donors;**

Donations must always be identified and the identity of the donor verified by the political party (article 7 of Law no. 334/2006). At the donor's written request, his/her identity may remain confidential to the general public as long as the value of the donation does not exceed 10 MGS [EUR 1400] over a period of one year.

By 31 March of the following year, political parties are required to publish the list of natural and legal persons who made within one year donations whose total value exceeds 10 MGS (EUR 1900), including the identification information, as well as the total amount of confidential donations. Moreover, political parties are required to publish the donations from abroad, which are authorized as far as they are material used for political activities by 31 March of the following year.

The Permanent Electoral Authority (PEA) also publishes 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 political parties and independent candidates; besides, the PEA also publishes on-line the lists of all donors to political parties and independent candidates, who must be reported (within 5 days of the donation) to the PEA after the opening of the official election campaign (article 40 combined with art. 38 para. 2 and 23 of Law no. 334/2006).

- **Establish a ceiling or limits on donations that can be made to candidates or political parties;**

Donations received by a political party in a fiscal year cannot exceed 0,025% of the income provided in the state's budget for that year (0,050% during electoral years). A ceiling also applies to support from a given donor, which may not exceed in one year 200 minimum gross salaries (MGS) [EUR 37,000] in case of a natural person, and 500 MGS in case of a legal person [EUR 95,000]. These limits are increased for the years where multiple elections are held: 400 MGS for natural persons and per election, and 1000 MGS for legal persons and per election. Donations made by several entities which are under the direct or indirect control of the same legal person must altogether comply with these limits. Moreover, the total amount of anonymous donations may not exceed 0,006% of the income provided in the state's budget for that year.



The above limit of 500 MGS is also applicable to assets originating from a non-political group with which the party is associated. The total amount of financial contributions that would be raised through associations with various such formations cannot exceed 0,006% of the income provided in the state's budget for the year under consideration.

- **Clarify the permissibility and limits applicable to donations by foreign donors or legal entities owned in whole or in part by the State;**

Political parties and independent candidates are not permitted to receive donations from foreign persons, foreign countries or organizations (goods coming from international political organizations and which are "necessary for the political activity" may be accepted under certain circumstances under the Law no. 334/2006 – art. 11 para. 1 and 2). Moreover, according to article 24 of the same law, the direct or indirect financing of electoral campaigns by foreign natural or legal persons is prohibited. All the amounts received in such conditions must be confiscated and made revenue at the state budget.

- **Establish regular financial reporting obligations of donations and expenditures, including pre- and post-election, for candidates and political parties;**

In accordance with the provisions of the Government Decision no. 749/2007 on approving the methodological norms for the application of Law no. 334/2006, political parties are required to show both the revenues, respectively fees, donations and other income, and also the expenses, as follows:

I. Income	Membership fees: <ul style="list-style-type: none">○ Personal data sheet to record contributions;○ Table with the collected fees for the month/year;○ The list of the party members who paid in the fiscal year.... membership fees of total value that exceeds the range of 10 minimum gross salaries per country;○ The list of party members who paid in the fiscal year.... membership fees of total value that exceeds the range of 48 minimum gross salaries per country;○ The half-yearly situation of the income obtained from membership fees.
	Donations: <ul style="list-style-type: none">○ The sheet of donations for natural persons;○ The sheet of donations for legal persons;○ The annual record sheet for the donor - natural person;○ The annual record sheet for the donor - legal person;○ The list of donors - natural persons who made donations in the fiscal year....., donations whose total value exceeds the range of 10 minimum gross salaries per country;○ The list of donors - legal persons who made donations in the fiscal year....., donations whose total value exceeds the range of



	10 minimum gross salaries per country; o The half-yearly situation of income from donations; o The situation of the confidential donations in the fiscal year....
	Other income: o The annual situation of income from sources other sources, detailed for each source of income.
II. Expenditure	o The monthly situation of expenditure, divided by destinations.

Reporting requirements are provided under Law no. 334/2006 and the implementing provisions of Government Decision no. 749/2007 on approving methodology norms for the application of Law no. 334/2006 on financing of political parties and electoral campaigns.

Outside election periods, i.e. on a permanent basis, the political parties have to submit to the PEA the following reports and information:

Information to be provided regularly by parties to the PEA		
No.	Type of report	Deadlines
1.	Situation of received donations	31 March of the following year
2.	Half-yearly situation of income resulting from membership fees	31 July of the current year 31 January of the following year
3.	Annual situation of other sources of income	31 March of the following year
4.	Monthly situation of the subsidy and expenses incurred	by the 25th day of the following month

During election campaigns, political parties and candidates have to submit to the PEA the following information:

No.	Type of report	Deadline
1.	The registration of the financial agent	Before the electoral campaign begins
2.	The declaration regarding the compliance with the ceilings of the expenditure provided by art. 30 para. 2 from Law no. 334/2006	By the validation of mandates

The financial manager also has to submit to the PEA the following information:

No.	Type of report	Deadline
1.	Donations and legacies received after the beginning of the electoral campaigns	Within 5 working days from their receipt
2.	The report on the compliance with the legal provisions on financing political parties during	Within 15 days from the publication of the elections' result



	the electoral campaign	
3.	The number of propaganda materials produced, divided by categories	Within 5 working days after the electoral campaign was closed
4.	The declaration regarding the compliance with the ceilings provided by art. 30 para. 2 from Law no. 334/2006	Until the mandates are validated
5.	The detailed report of electoral income and expenditure	Within 15 days from the publication of the elections' result

- **Apply sanctions for the violation of any relevant laws, rules and regulations applicable to political candidates or political parties; and**

If during their controls, PEA staff comes across breaches of Law no. 334/2006 that are misdemeanours, they file a report containing the proposal to apply a sanction; the decision is then taken by a collegial decision of the PEA (art. 29, Government Decision no. 749/2007).

Law no. 334/2006 provides for two categories of sanctions: a) a fine of 5000 to 25.000 RON [1200 to 6000 Euros] in the cases provided in article 41 paragraph (1), which lists a series of infringements to the law¹; b) confiscation of the amounts of money and/or the

¹**1)** financing the political party from sources other than the ones explicitly and limitatively provided by the law (art. 3 para.2); **2)** not keeping individual accounting records in accordance with general accounting regulations (art.3 para.3); **3)** the amount of the membership fees of a single member is exceeding 48 minimum gross salaries (art.4 para 3); **4)** non-compliance with the obligation to publish in the Official Journal the total amount of revenues from the membership fees until the 31st of March of the following year and the list of the party members who have contributed within one year time fees exceeding 10 minimum gross salaries (art.4 para.4); **5)** noncompliance with the mandatory provisions regarding the donations such as: the total donations which can be received by a political party during a fiscal year, the maximum donation which a political party can receive from a natural or legal person etc (the rules on donations of art.5 as a whole); **6)** non-registering distinctively of the price sales exceeding 20% of the value of the goods or services provided to political parties or independent candidates (representing donations under the law) (art.6 as a whole); **7)** non-registering or non-confirming the donor's identity (art.7 as a whole); **8)** inaccurate registration of all donations within the accounting records (art.8 as a whole); **9)** noncompliance with the obligation of publishing within the Official Journal the list of the natural and legal persons who made donations exceeding 10 minimum gross salaries and the total amount of the anonymous donations (art.9 as a whole); **10)** accepting donations or free services from public authorities or institutions or companies to which the state is the shareholder or the main shareholder (art. 10 para.2); **11)** accepting donations from a trade union or religious groups (art.10 para.3); **12)** accepting donations from a foreign country or organization or foreign natural or legal persons (with the exceptions of the materials needed by political activities) (art.11 para.1); **13)** noncompliance with the obligation of publishing within the Official Journal the list of the materials received from foreign country or organization or foreign natural or legal persons (those allowed by Law) (art.11 para.3); **14)** exceeding the threshold provided for the financial contributions of an non-political organization (if this organisation is linked to the party (art. 12 para.1); **15)** exceeding the total threshold of the financial contribution under different types of association with non-political organizations (art. 13 para.1 and 2); **16)** performing activities specific to private commercial companies (art.12 para.1); **17)** noncompliance with the obligation of publishing within the Official Journal and by 31 March the total amount of revenues from other sources (art.12 para.3); **18)** changing the destination of the state subsidy received (art. 20 para. 2); **19)** not declaring the donations and legacies received after the beginning of the electoral campaigns (art.23); **20)** financing directly or indirectly the electoral campaign by foreign natural or legal persons (art. 24



value of the goods and services that were the object of the misdemeanour if the thresholds of contributions is exceeded; any such possible amounts are then transferred to the general state budget.

The sanctions are applicable to the political party, the independent candidate, the financial agent and/or the donor who has breached the provision, depending on the case (art. 41 para. 2, Law no. 334/2006).

Moreover, if by final court decision, one or more candidates who have been elected are convicted of an offence in connection with the financing of political party or the election campaign, their mandate of parliamentarian or as local elected official can be cancelled by the judge (art. 46 para. 1, Law no. 334/2006). The above decisions can be appealed in court.

Also, Law no. 334/2006 makes the state subsidy conditional to certain requirements. It can be suspended in case of certain infringements (to art. 3 para (3); art. 4 para. (4); art. 9, art. 11 para. (3); art. 12 para. (1); art. 13 para. (4); art. 39 and art. 40 para. (2)) in order to force offenders to rectify an illegal situation. The PEA shall, first of all, notify the political party about the deficiencies ascertained and their remediation time. The time allowed political parties to address deficiencies cannot exceed 15 days. The decision to temporary suspend granting monthly instalments from the state budget can be challenged within 15 days from the communication before the competent administrative court, which has to decide within 15 days from the notification. The court decision is final and irrevocable.

- **Allow for the independent monitoring of financing of political candidates or political parties.**

para.1); **21)** financing the electoral campaign of a political party or a political alliance or an independent candidate by public authorities or institutions or companies to which the state is the main shareholder or by companies using public funds (art. 25 para.1); **22)** financing of the electoral campaign of a political party, a political alliance or an independent candidate by trade unions or religious groups or foreign NGOs (art. 25 para.2); **23)** receiving donations or legacies from natural or legal persons through another person other than the financial representative (who is specially appointed by the political party for this purpose) (art. 26 para.1); **24)** keeping the financial records by other means than the ones explicitly and limitedly provided by the law (by the financial representative) (art. 26 para.2); **25)** using a single financial representative for more than one political party (apart from situations of single political or electoral alliance) (art. 26 para.7); **26)** nominating the financial representative as a candidate (art. 26 para.9); **27)** not printing on all electoral propaganda materials the mandatory identification information (names of the independent candidate, political party or political or electoral alliance, and of the economic agent producing the materials) (art. 29 para 2); **28)** bearing of propaganda material- related expenditure by persons other than the beneficiary of the propaganda (independent candidate, political parties, political or electoral alliance) (art. 29 para 3); **29)** non-declaring to the PEA, through the financial representative, of the number of propaganda materials under each distinct category (art. 29 para 4); **30)** using the propaganda materials of the election of the party's leadership for other purposes or in other situations than those provided by the law (art. 29 para 6); **31)** non-observing the legal provisions related to the maximum amounts allowed by Law to be spent for each candidate or independent candidate (art. 30 para.2); **32)** financing electoral propaganda activities by a candidate proposed by a political party by other means than through the respective political party (art. 31); **33)** non submission, to the PEA, of a detailed report on the electoral revenues and expenses of each political party and independent candidate, by the financial representative, within 15 days from the publishing of the electoral results (art. 38); **34)** non-submission to the PEA of the documents that the Authority requested from the political party (art. 39 para.2).



In accordance with Law no. 334/2006, the Permanent Electoral Authority² (PEA) has overall responsibility for controlling the compliance of political parties, political and electoral alliances, independent candidates and election campaigns with the Law. The Court of Account retains “simultaneous” competence in this area as regards the use of the state subsidy possibly allocated (article 35 paragraph 2). The present situation is the result of a compromise since the overall supervision over the implementation of the Law was the responsibility of the Court of Accounts³ (COA) until January 2008.

2. Please provide information demonstrating implementation of the measures described above. In particular, States parties may wish to provide information such as:

- **Disclosure reports made by candidates for public office and/or political parties;**

Political parties and independent candidates are required to appoint a financial manager who is in charge of the registration of income during election campaigns.

As already mentioned above, reporting requirements are provided under Law no. 334/2006 and the implementing provisions of Government Decision no. 749/2007 on approving methodology norms for the application of Law no. 334/2006 on financing of political parties and electoral campaigns.

Outside election periods i.e. on a permanent basis; the political parties have to submit to the PEA the following reports and information:

Information to be provided regularly by parties to the PEA		
No.	Type of report	Deadlines

² The PEA is an autonomous administrative institution with legal personality and with general competence that ensures unitary application, in between two electoral periods, of the legal dispositions regarding the organization and the conduct of elections or consultations of national or local character. The PEA is headed by a president (with the rank of minister). The president is appointed by a joint decision (majority vote) of the Chamber of Deputies and the Senate, upon the proposal of parliamentary groups, from among the personalities with a legal or administrative background or experience. The candidate who meets the Deputies and Senators’ majority of votes shall be appointed president. The president is seconded by two vice-presidents (with the rank of state secretary), one is appointed by the President of Romania and the other by the Prime Minister. The president and vice-presidents cannot be members of a political party and their 8-year term may be renewed only once. Article 63 paragraph 8 of Law no. 35/2008 provides for the modalities of termination of their mandates (expiry of mandate, resignation, dismissal for serious grounds). Within the PEA, the Department of control of financing political parties and electoral campaigns is one of the main departments; it was created in June 2007, by supplying the personnel structure; currently, the Department has 21 filled positions (including those in the territorial branches). Public authorities have the obligation to support the PEA in controlling the political parties funding. The PEA controls the compliance with the legal provisions on party funding annually and upon notification (art. 36 para. 1, Law no. 334/2006), or following a complaint from any person that provides evidence concerning the breach of the law regarding party funding (art. 36 para. 2, Law no. 334/2006). The PEA can also act ex officio when it suspects an infringement of Law no. 334/2006.

³ The Court of Accounts (COA) is an autonomous institution with legal personality which has general responsibility for the control of the management and use of the state’s and public sector financial resources. In the context of political financing supervision, the COA still monitors – despite the transfer of competences to the PEA -- how political parties spend the public subsidy (article 35 paragraph 2). Law no. 94/1992, as subsequently amended, regulates the functioning of the institution.



1.	Situation of received donations	31 March of the following year
2.	Half-yearly situation of income resulting from membership fees	31 July of the current year 31 January of the following year
3.	Annual situation of other sources of income	31 March of the following year
4.	Monthly situation of the subsidy and expenses incurred	by the 25th day of the following month

During election campaigns, political parties and candidates have to submit to the PEA the following information:

No.	Type of report	Deadline
1.	The registration of the financial agent	Before the electoral campaign begins
2.	The declaration regarding the compliance with the ceilings provided by art. 30 para. 2 from Law no. 334/2006	By the validation of mandates

The financial manager also has to submit to the PEA the following information:

No.	Type of report	Deadline
1.	Donations and legacies received after the beginning of the electoral campaigns	Within 5 working days from their receipt
2.	The report on the compliance with the legal provisions on financing political parties during the electoral campaign	Within 15 days from the publication of the elections' result
3.	The number of propaganda materials produced, divided by categories	Within 5 working days after the electoral campaign was closed
4.	The declaration regarding the compliance with the ceilings provided by art. 30 para. 2 from Law no. 334/2006	Until the mandates are validated
5.	The detailed report of electoral income and expenditure	Within 15 days from the publication of the elections' result

- **Examples of disclosure reports provided by political parties and independent candidates at the 2012 parliamentary elections**

Detailed report on electoral revenues and expenditure of a political party on the electoral campaign for the 2012 parliamentary elections

Data on revenues	Amount (RON)
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1.	Revenues	22,850,378.14
1.1.	Revenues from transfers from the party	7,316,668
1.2.	Revenues from donations	15,533,709.33
Data on expenditure		Amount (RON)
2.	Expenditure	27,067,383.62
2.1.	Personnel	33,033
2.2.	Rent, maintenance, operation offices	215,130.10
2.3.	Communications	31,053.06
2.4.	Protocol	25,873.88
2.5.	Transport	206,897.58
2.6.	Travel (outside the city)	34,056.74
2.7.	Printings and other promotional materials	14,219,339.58
2.8.	Media, radio, TV advertising	5,568,137.88
2.9.	Street advertising	4,925,448.69
2.10.	Services	1,246,719.83
2.11.	Surveys, research, consultancy	59,147.94
2.12.	Other expenses (only detailed for each piece of expense)	502,545.34
	Financial result of the campaign (1-2)	-4,217,005.48
3.	Remaining expenditure	4,927,911.10

Detailed report on electoral revenues and expenditure of an independent candidate on the electoral campaign for the 2012 parliamentary elections

Data on revenues		Amount
1.	Revenues	118,120
1.1.	Revenues from transfers from the party	-
1.2.	Revenues from donations	118,120
Data on expenditure		Amount
2.	Expenditure	117,958.59
2.1.	Personnel	20,100
2.2.	Rent, maintenance, operation offices	1,400
2.3.	Communications	-
2.4.	Protocol	441.94
2.5.	Transport	-
2.6.	Travel (outside the city)	-
2.7.	Printings and other promotional materials	17,849.92
2.8.	Media, radio, TV advertising	24,601.19
2.9.	Street advertising	14,897.86
2.10.	Services	1,116



2.11.	Surveys, research, consultancy	30,343.59
2.12.	Other expenses (only detailed for each piece of expense)	7,204.09
	Financial result of the campaign (1-2)	161.41
3. Remaining expenditure		-

Data and information extracted from the disclosure reports made by candidates and political parties are also available on PEA's website - <http://www.roaep.ro/finantare/>.

- **Examples or statistics regarding cases involving violations of the political funding provisions, including any sanctions applied or criminal prosecutions that resulted;**

From the beginning of 2008 to present, the PEA's Department for political parties financing control undertook several verifications, and many breaches of the law concerning party funding were sanctioned with fines of 5.000 to 25.000 RON, and in some cases, the confiscation of different sums of money was decided. For example, in 2013, which was not an electoral year, the fines imposed on political parties amounted 85.000 lei (20,000 EUR) while the confiscated amounts are 791.163 lei (176,000 EUR).

- **Key conclusions and recommendations from reports produced by government agencies responsible for oversight of the system applicable to the funding of election candidates and political parties; and**

As the main state agency responsible for the monitoring of the political financing, PEA's objective is to fully implement GRECO's recommendations.

- **Statistics regarding public perception of integrity and transparency in the funding of election candidates and political parties.**

Not available.

3. Please outline actions required to strengthen or improve the measures described above and any specific challenges you might be facing in this respect. Examples of the types of challenges States parties may have faced include:

- **Awareness-raising challenges with regard to ensuring that all candidates for public office and political parties are aware of their obligations under relevant rules and regulations or;**

Since 2008, PEA has undertaken the role of educating financial managers and political parties' treasurers on the rules pertaining to the financing of political parties and election campaigns. However, due to its lack of personnel, PEA has been able to address only central financial managers. In the near future, as PEA county bureaus are being set up,



PEA will also address the training needs of local financial managers and political parties' treasurers.

The National Integrity Agency published on its website special sections dedicated to assets and interests disclosures submitted by candidates to the parliamentary, euro parliamentary or local elections held in Romania between 2008 and 2014.

- **Financial and technical capacity challenges with regard to the ability of agencies responsible for the enforcement of party political funding regulations to effectively monitor compliance.**

Currently PEA is in the process of setting up county bureaus which will include staff dedicated to the monitoring of the financing of political parties and electoral campaigns. It is estimated that, by the beginning of next year, PEA's county bureaus will be fully operational and capable to monitor the expenditure and income of political parties' local branches.

4. Do you require technical assistance in relation to the measures described above? If so, please specify the forms of technical assistance that would be required.

The developing of consistent organizational learning strategy as well as the organization of regular trainings and experience exchanges with other European countries would strengthen the capacity of the individual staff members to perform their functions in a professional way.

The Department needs further equipment to maximize its performance. Statistical and fraud analysis software for Department's staff is also needed.