

## Information requested from States parties in relation to the use of information and communications technologies for the implementation of the Convention

### I. In relation to integrity in public procurement and management of public finances (Art. 9)

- Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

A. The legal framework on public procurement in Romania has been resized in the context of the new European directives in the field, which have been transposed into national legislation:

- Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts;
- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC;
- Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC.

The new legislation defines the deadlines adapted to the nature and complexity of the procedure and, at the same time, provides the framework for providing guidance on defining the boundary between clarification and modification of the awarding documentation, aspects that will lead to the implementation of good practices for the extension of deadlines and cancellation, followed by relaunch, to the detriment of multiple extensions - changes in the documentation.

As general principles regarding public procurement provided by art. 2 of Law no. 98/2016, underlying the award of public procurement contracts and the organization of solution tenders, we mention the followings:

- a) non-discrimination;
- b) equal treatment;
- c) mutual recognition;
- d) transparency;
- e) proportionality;
- f) accepting responsibility.

Regarding the use of objective and predetermined criteria for taking decisions on public procurement, in order to facilitate the subsequent verification of the correct application of the rules or procedures, according to the new legal framework, the tender evaluation process has been rethought, as follows:

- the financial offers are not opened during the opening session and the prices are communicated after the technical evaluation is completed, in a public session for the tenderers whose technical proposals have been accepted;

- the use of the single European procurement document (DUEA), in parallel with the use of the concept of 'post-qualification';

- the evaluation committee is made up of persons with experience in the field of the subject matter of the contract, only employees of the contracting authority, to which may be added external co-opted experts who are not members of the committee;

- familiarizing the evaluation committee with regard to the content of the tender documentation and, therefore, with the objective of the contract,

- making the members of the evaluation committee aware of their role, tasks and responsibilities;

- clear and unequivocal criteria for all stages of evaluation from the moment the procedure is launched;

- disseminating mechanisms for the uniform application of the criteria to all tenderers.

As regards the *existence of measures to regulate issues affecting public procurement integrity*, such as: the obligation of a declaration of interest for certain procurements, procedures for the selection of the staff concerned and training obligations, it was established at national level *The integrated information system for the prevention and identification of potential conflicts of interest in the procedure for awarding public procurement contracts*, initiated through the electronic public procurement system, so that they are removed without affecting those procedures.

The prevention system operates on the basis of the data entered in the integrity forms, registered in SEAP, during the procedures for the award of public procurement contracts.

The integrity form drawn up within the mechanism for preventing conflict of interest is part of the documentation for the award of public procurement contracts and includes 3 sections, as follows: Section I - Data on the procurement procedure, the decision-making factor, the evaluation committee, the consultants and the co-opted experts; Section II - Data on bidders/candidates; Section III - Measures to remove the potential conflict of interest, ordered as a result of an integrity warning.

Contracting authorities/entities have the obligation to ensure the completion and updating of the integrity form, from the publication in SEAP of the awarding documentation, throughout the procedure and up to the publication of the notice of award of public procurement contracts. The integrity form is accessible, in electronic format, to the contracting authorities/entities and is filled in SEAP.

The implementation of these measures was carried out by:

- Law no. 184/2016 on the establishment of a mechanism to prevent conflict of interest in the procedure for the award of public procurement contracts and by articles 58 to 63, art. 108 - 109 of Law nr. 98/2016 on public procurement, with subsequent amendments.
- Law nr. 148/2020 for the completion of Law no. 98/2016 on public procurement.

Moreover, during the last three national Anticorruption strategies, including the current one, the Government of Romania considered that public procurement is a sector exposed to corruption. Thus, all strategies included specific objectives with concrete measures aimed at preventing corruption in public procurement.

The priorities in the following period will be:

1. Performing an analysis of judicial practice in public procurement, a useful analysis for the unification of practice, including by promoting the appeals in the interest of the law (measure taken over from the NAS 2012-2015);
2. Developing a national risk map with the purpose to identify the functions involved in public procurement that are vulnerable to corruption, the areas where public procurement is more prone to corruption and the stages of public procurement procedures where signs of corruption appear;
3. Attracting and retaining public procurement staff in the system, including by strengthening their status, staff training programmes and ensuring an adequate protection regime against intimidation or corruption attempts;
4. Developing guidelines for direct public procurement and models for institutional procedures exempted from Law no. 98/2016 on public procurement, as subsequently amended and supplemented;
5. Further reforming the ex-ante control by increasing the capacity of the staff involved in this activity to identify those elements that may affect the intensity and quality of competition in the verified award procedures;
6. Encouraging the use of innovative approaches in order to involve civil society in monitoring the integrity of public procurement;
7. Introducing in the procurement documentation of questionnaires on the bidders' integrity programmes.

MoJ will also continue to focus on the importance of integrity in the field of public procurement from the perspective of the evaluation topics included in the thematic evaluation missions related to NAS.

B. As regards the preservation and archiving of compulsory accounting registers and supporting documents underlying records in financial accounting, we mention that public institutions apply the provisions of art. 25 of the Law on accountancy No. 82/1991, republished, with subsequent amendments and additions, as well as the provisions of the Order of the Minister of Public finances No. 2634/2015 on financial-accounting documents.

Thus, according to art. 25 of the abovementioned accounting Law: the compulsory accounting registers and supporting documents underlying records in financial accounting shall be kept in

the archives of those entities for 10 years, starting from The date of completion of the financial year during which they were drawn up, excluding payroll, which is retained for 50 years.

Also through the order of the Minister of Public finances No. 2634/2015 on financial-accounting documents, documentary evidence retained for 5 years has been established.

In the case of reorganization of legal persons, they will take measures to preserve and archive, according to the law, supporting documents and accounting registers.

Article. 26 from the abovementioned Accounting Law provides: In the event of loss, avoidance or destruction of financial-accounting documents, measures shall be taken to reconstitute them, in accordance with the regulations issued in that respect, within a maximum of 30 days of In the case of force majeure, within 90 days of the finding of termination.

In Annex No 7 to the order of the Minister for Public finances no. 517/2016 for the approval of procedures relating to modules forming part of the procedure for the operation of the national reporting System - Forexebug, the procedure for the preservation and archiving of electronic documents generated by the system National reporting - Forexebug, where it is stipulated that:

*“(1). Public institutions shall have the obligation to preserve and archive electronically or paper forms of qualified electronic signature submitted in the national reporting System-Forexebug, their related repayments, and all System-generated reports during the duration stipulated by the legislation in force.*

*(2). The retention of documents on electronic support, during the time limits provided for in the legislation in force, shall allow listing at any time, depending on the needs of the public institution or at the request of the control bodies.*

*(3) Liability for the retention and archiving of electronic documents generated by the national reporting System-Forexebug rests with the authorizing officer.*

*(4). The authorizing officer shall establish by way of their own procedures how to download and archive qualified electronic signature forms transmitted in the national reporting System-Forexebug, their related repayments, as well as all System-generated reports”.*

of the evaluation topics included in the thematic evaluation missions related to NAS.

- **Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Every year, Ministry of Public Finance carries out a follow-up mission and for each ensuring mission, the internal auditors keep an evidence of measures meant to implement the recommendations.

Examples of implementation of the measures regarding of Order of the Secretary General of the Government No. 600/2018, at the headquarter of MoPF:

- Elaboration of the annual report on the internal managerial control system;
- Elaboration of the annual Programme of development of the internal managerial control system.

Sets of data referring to the above-mentioned reports are made available to the public through online sources.

- **Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

No assistance would be required

## **II. In relation to public reporting (Art. 10)**

- **Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

A. In order to facilitate public access to information, Law no. 544/2001 on free access to information of public interest is in place. Art. 5 provides the following:

(1) Each public authority or institution has the obligation to communicate *ex officio* the following information of public interest:

a) the normative acts that regulate the organization and functioning of the public authority or institution;

b) the organizational structure, the attributions of the departments, the functioning program, the audience program of the public authority or institution;

c) the name and surname of the persons in charge of the authority of the public authority or institution and of the official responsible for the dissemination of public information;

d) the contact details of the public authority or institution, respectively: the name, the headquarters, the telephone numbers, the fax, the e-mail address and the address of the Internet page;

e) financial sources, budget and balance sheet;

f) own programs and strategies;

g) the list containing the documents of public interest;

h) the list containing the categories of documents produced and / or managed, according to the law;

i) the modalities of contesting the decision of the public authority or institution in the situation when the person considers himself / herself injured regarding the right of access to the requested information of public interest.

These sets of data are published online also, using the MoJ website.

B. Transparency of the decision making process is provided by Law no. 52/2003 on transparency within the decision-making process in public administration, with subsequent amendments and supplements, regulates in art. 2 the following:

The purpose of the law is:

- a) to increase the accountability of the public administration towards the citizen as beneficiary of the administrative decision;
- b) to involve the active participation of citizens in the administrative decision-making process and in the drafting of normative acts;
- c) increase transparency at the public administration level”.

The law has specific provisions regarding the participation of interested persons in the decision-making process and in the drafting of normative acts.

According to art. 7 (1) of Law no. 52/2003, the institution from public administration has the obligation to announce on its website, at its headquarter or in a publicly accessible place, the information regarding the process of drafting normative acts. Also, has the obligation to send the draft to central or local media, as case may be. The institution from the public administration will send the draft of the normative acts to all the interested persons which have sent a request for receiving this information.

Transparency of the decision-making process is also a preventive measure provided by the National Anticorruption Strategy 2016-2020 and monitored in the implementations process. During the implementation period, institutions from central and local public administration, independent authorities and anticorruption institutions have to collect yearly, information on:

- number of adopted draft laws;
- number of public notes concerning draft laws;
- number of recommendations submitted by the civil society within the process of transparency in relation with the decision making process for the initiation, amendment or supplementation of some legislative acts;
- degree of acceptance and assumption of recommendations received from the civil society concerning draft laws subject to public consultation (as a percentage between the total number of recommendations submitted and the number of proposals assumed);
- number of draft laws amended following the consultation process;
- number of proposals, suggestions or opinions assumed in the final version of the legislative act;
- number of responses to the proposals, suggestions or opinions not assumed;
- number of public sessions organized upon initiative of the institution;
- number of participants to the public sessions;
- number of citizens / nongovernmental organizations stored in the data base of the institution which are supposed to be informed about the draft laws;

- number of public sessions organized upon request of the civil society;
- number of public sessions minutes published;
- number of court complaints concerning non-compliance with the legal provisions by the institution;
- number and type of sanctions ordered because of non-compliance with the legal obligations;
- number of professional training activities for the public administration staff
- number of persons trained through professional training activities;
- number of annual reports concerning transparency within the decision making process available on the website of the institution;
- number of interested parties registered in the Sole Register of Interest Transparency at the level of the Romanian Government;
- number of fields in which interested parties registered in the Sole Register of Interest Transparency;
- number of users of the platform [consultare.gov.ro](http://consultare.gov.ro);
- number of meetings reported in the Sole Register of Interest Transparency by the decision makers to which the Register refers to, from the public administrations.

These sets of data are published online also, using the MoJ website.

Regarding the criteria for specific means to facilitate access, clear rules on the timing and format of provision of information and a recourse procedure for refusals should be considered, we mention the following:

- specific means to facilitate access to information is provided in art. 7 of the Law No. 52/2003, that mentions the fact that within the procedures for drafting normative acts, the public administration authority has the obligation to publish a notice regarding this action on its website, to display it at its headquarters, in a space accessible to the public, and to send it to central or local media, as appropriate;
- regarding the format of the information presented, the above mentioned law provides that the announcement regarding the elaboration of a draft normative act will include: the date of posting, a substantiation note, a statement of reasons, an approval report on the need to adopt the proposed normative act, an impact and / or feasibility study, as appropriate, the full text of the draft act, and the deadline, the place and the way in which the interested parties can send in writing proposals, suggestions, opinions with value of recommendation regarding the draft normative act;
- the above mentioned law provides clear rules on the timing, such as:
  - The announcement regarding the elaboration of a draft normative act will be brought to the public's notice, under the conditions of par. (1), at least 30 working days before the submission for approval by the public authorities (art. 7, para. (2) of the above mentioned law);

- When publishing the announcement, the public administration authority will establish a period of at least 10 calendar days for the draft normative acts provided in par. (2), in order to receive in writing proposals, suggestions or opinions regarding the draft normative act subject to public debate (art. 7, para. (4) of the above mentioned law);

C. General objective no. 6 of National Anticorruption Strategy 2016-2020 provides *“Increasing the level of implementation of anticorruption measures by approving the integrity plan and the periodic self-assessment at the level of all central and local public institutions, including the subordinated and coordinated institutions, as well as of public enterprises”*.

Some of the main actions provided by NAS 2016-2020 to support achieving the objective mentioned above are:

- identifying the risks and vulnerabilities specific to the institutions;
- identifying the remedial measures for the institution’s specific vulnerabilities, as well as those for the implementation of internal management control standards;

In this respect, the Romanian Government approved in 2018, By Government Decision no. 599/2018, *the Standard methodology for the assessment of corruption risks in central public authorities and institutions, the indicators for estimating the likelihood of corruption risks occurring, indicators for estimating the impact of corruption risks occurrence and the template for the Corruption Risks Register, as well as the Evaluation methodology of the integrity incidents in central public authorities and institutions, together with the template for the annual Report on the evaluation of the integrity incidents*.

The two methodologies have the purpose to help central public institutions, including those subordinated, coordinated or under authority, to identify and to evaluate the corruption risks and to manage the occurred integrity incidents.

All these information are included in the annual report on the implementation status of the National Anticorruption Strategy 2016-2020 as annexes to the document, available online.

- **Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

No assistance would be required

### **III. In relation to participation of society (Art. 13)**

- **Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;**

Law no. 52/2003 on transparency within the decision-making process in public administration, with subsequent amendments and supplements, regulates in art. 2 the



following:

*“The purpose of the law is:*

*a) to increase the accountability of the public administration towards the citizen as beneficiary of the administrative decision;*

*b) to involve the active participation of citizens in the administrative decision-making process and in the drafting of normative acts;*

*c) increase transparency at the public administration level”.*

Law 52/2003 regulates the entire procedure for the participation to the decision-making process and also the conditions that must be accomplished by the persons interested to participate to this type of process.

For example, the drafting of the current anticorruption strategy involved a massive consultation process that took several months and involved entities all over the public and private sector.

Main involvement and co-ownership of the process is embedded in the very philosophy of the monitoring mechanism, which involves civil society and the business environment on an equal basis with public institutions.

Specifically regarding anticorruption legislation, we mention the importance of the designated coordinating body and institutional mechanism - the cooperation platforms, for tapping into the expertise of various stakeholders as well as building trust and enhancing joint efforts. They assure the participation of civil society also, functioning as following:

- the platform of the independent authorities and anti-corruption institutions,
- the platform of the central public administration,
- the platform of the local public administration,
- the platform of the business environment and
- the platform of the civil society.

Cooperation platforms are convened half-yearly or whenever needed.

#### **(b) Ensuring that the public has effective access to information;**

Law no. 544/2001 on the free access to information of public interest, with subsequent amendments, regulates the free access to a person to any information of public interest. The law provides the procedure to ensure the free access to information of public interest.

Regarding the scope of the law:

*Art.1.-The individual’s free and unconstraint access to public information, thus defined in this Law, represents one of the fundamental principles of the relations between the individuals and the public authorities in conformity with the Romanian Constitution and the international documents ratified by the Romanian Parliament.*

*Art.2. -For the purpose of this law:*

*a) Public authority or organization means any public authority or organization or any autonomous organization using public financial resources and developing its activity in Romania, according to the Constitution;*

*b) Public information means any information related to or resulting from the activities of a public authority or organization, regardless of the frame, form or way of expression of the information.*

*c) Personal information means any information about an identified or identifiable natural person.*

*Art. 3. - Public authorities and organizations shall grant ex officio or by request access to the public information. The request shall be addressed to the compartment of public relations or to the designated person.*

*Art. 4. - (1) In order that each individual should have access to public information, public authorities and organizations shall establish specialized compartments for public relations and information or shall designate a person with tasks in this field.*

*(2) The attributions, organization and functioning of the public relation compartments shall be established according to the organizational and functioning rules of the respective public authority or organization, on the basis of this law.*

*Art.5. - (1) Each public authority or organization shall communicate ex officio the following public information:*

*a) the norms that settle the organization and functioning of the public authority or organization;*

*b) the organization's structure, the departments' attributions, the working time table and the audience time table of the public authority or organization;*

*c) the name and surname of the management staff of the public authority or organization and of the employee assigned to release public information;*

*d) contact coordinates of the public authority or organization: name, headquarters, phone numbers, fax numbers, e-mail and web site;*

*e) financial sources, budget and balance sheet;*

*f) own programs and strategies;*

*g) list of public documents;*

*h) list of categories of produced and/or managed documents;*

*i) ways of contesting the decision of the public authority or organization if an individual considers himself/herself as an injured party in what concerns the right to have access to the requested public information.*

*(2) The public authorities and organizations shall publish and update annually an information bulletin which will include the information provided in paragraph (1).*

*(3) The public authorities release to the public, ex officio, at least annually, a periodical activity report, which will be published in the Romanian Official Journal, Part II.*

Regarding the access of the information with regard of the prevention of corruption, the Ministry of Justice created a website dedicated to this kind of data ([www.sna.just.ro](http://www.sna.just.ro) <<http://www.sna.just.ro>>). This websites contains a multitude of public information, including evaluation reports regarding the implementation of the NAS, open data regarding the evaluation indicators from the NAS provided by the central and local authorities and audit reports regarding the implementation of the strategy. Moreover, the Ministry of Justice has almost finalized a project that implies creating an interactive map containing the evaluation indicators that can be consulted by anyone in order to understand the anticorruption phenomenon, through consultation of the open data published in this matter (<<https://sna.just.ro/vizualizare-date/>>).

The procedure provided by the law in order to request public information is the following:

*Article 6. -*

*(1) Everyone has the right to request and obtain from public authorities and institutions, under the conditions of this law, information of public interest.*

*(2) The public authorities and institutions are obliged to provide the persons, at their request, the information of public interest requested in writing or verbally.*

*(3) The request for written information of public interest shall include the following elements:*

*a) the public authority or institution to which the request is addressed;*

*b) the requested information, so as to allow the public authority or institution to identify the information of public interest;*

*c) the name, surname and signature of the applicant, as well as the address at which the response is requested.*

*Art. 7. -*

*(1) The public authorities and institutions have the obligation to respond in writing to the request for information of public interest within 10 days or, as the case may be, no later than 30 days from the registration of the request, depending on the difficulty, complexity, volume of the documentary works. and the urgency of the request. If the time required to identify and disseminate the requested information exceeds 10 days, the response will be communicated to the applicant within a maximum of 30 days, provided that the applicant is notified in writing of this fact within 10 days.*

*(2) The refusal to communicate the requested information shall be motivated and*

*communicated within 5 days from the receipt of the petitions.*

*(3) The request and the obtaining of the information of public interest can be realized, if the necessary technical conditions are met, also in electronic format.*

*Art. 8. - (1) For the information requested verbally, the officials within the information and public relations departments have the obligation to specify the conditions and forms in which the access to the information of public interest takes place and they can provide the requested information on the spot.*

*(2) If the requested information is not available on the spot, the person is advised to request in writing the information of public interest, following which the request will be resolved within the deadlines provided in art. 7.*

*(3) The information of public interest requested verbally is communicated in the framework of a minimum program established by the management of the public authority or institution, which will be displayed at its headquarters and which will be compulsory during the functioning of the institution, including one day per week. , after the operating program.*

*(4) The registration activities regarding the petitions cannot be included in this program and are carried out separately.*

*(5) The information of public interest requested verbally by the mass media will be communicated, usually, immediately or within 24 hours.*

**(c) Undertaking public information activities that contribute to no tolerance of corruption, as well as public education programmes, including school and university curricula;**

Education is one of the strategic intervention approaches of NAS 2016-2020 in order to prevent corruption.

NAS 2016-2020 addresses the fight against corruption through education by setting up *General objective no. 4 - Increasing the level of knowledge and understanding of the integrity standards by employees and the beneficiaries of the public services* and the specific objective *“increasing the level of information of the public on the impact of corruption”*.

In order to achieve these objectives, NAS 2016-2020 provides main actions such as:

- Organizing and carrying out, by the Ministry of Justice, of a public information campaign, meant to help increase the level of awareness and the level of education on corruption among citizens;
- Organizing and conducting sectorial campaigns for increasing the level of awareness and the level of education on corruption among citizens.

In this context, there have been developed the following programs:

- the program of legal education in schools: this project envisages the cooperation of the institutions involved in the promotion of legal education in schools, regarding secondary and high school education, within the compulsory education, by providing legal information to teachers and students. The Monitoring Committee of the protocol regarding the legal education communicated that 1033 volunteer practitioners from the legal field, from which 359 judges, 227 prosecutors, 87 notaries, 36 judicial executors, 223 legal advisers, 80 lawyers and 21 insolvency practitioners were involved in legal education activities based on this protocol, up to 16 April 2018. After the development of the legal education activities organized during the periods in November 13-17, 2017 and 05-09 March 2018, the number of volunteers has almost doubled.

- The ministry of national education introduced by its Minister's Order no. 3131/2018 of January 30, 2018 the inclusion in the curricula for all the curricula universities organized in higher education institutions in the national system education, ethics and academic integrity courses. The course will have a minimum of 14 hours for each undergraduate and master's degree program. Moreover, there are many master's degree programmes that approaches integrity and anticorruption, for example, the master programme named *Public Integrity and Anti-corruption Policies*, developed within the National School of Political and Administrative studies.

- Also, at the Babeş - Bolyai University, within the postgraduate programs of continuous professional training and development, the Faculty of Political, Administrative and Communication Sciences has a programme in partnership with NIA named *Public integrity and anti-corruption public policies*.

All these courses also offered online access during the pandemic.

**(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:**  
**(i) For respect of the rights or reputations of others; 16 (ii) For the protection of national security or public order or of public health or morals.**

Information on corruption is voluntarily disclosed by Romanian public institutions. For example, the Ministry of Justice publishes all the NAS reports, on a website specially dedicated to finding data and information about the implementation of the NAS.

Moreover, in 2016 was adopted a memorandum on the topic of *Increasing transparency and standardizing the display of information of public interest, applicable for the central public institutions*. The need of this memorandum was linked to the civil society reports, who mentioned the issues independently dysfunctions of public information and not addressing them uniformly so far, their clarification having the role of regaining citizens' trust in government institutions. The memorandum is under implementation and constant monitoring.

The memorandum described a standardized form that should be used by the public institutions in order to present the information that is already made available to the public. This form will help the citizens to find the information quickly and intuitively on every website of every public institution. In this period, the unitary publishing of the information of public interest increased more than 50%.

Even in the case of corruption files, the National Anticorruption Directorate has a rich activity of public communication, on its own site being able to find information regarding the activity in the files of the competence of the anticorruption prosecutor's office.

Also, the National Integrity Agency has a clear-structured website, where they publish all the reports regarding the discovery of any violation of the provisions regarding the declarations of wealth and interests, as well as signaling the potential conflicts of interests.

Access to information is made under the same conditions of free access as any other category of information, with the exceptions provided for by the European and national legislation in the matter, which concern the protection of personal data, the confidentiality of the prosecution and the presumption of innocence. This being mentioned, we would like to indicate the information that is excepted from publication. Article 11, Law no. 544/2001 regarding free access to information of public interest provides that:

*1) It is exempted from the free access of citizens, provided in art. 1 and, respectively, at art. 111, the following information:*

*a) information in the field of national defense, security and public order, if they belong to the categories of classified information, according to the law;*

*b) information regarding the deliberations of the authorities, as well as those regarding the economic and political interests of Romania, if they are part of the classified information category, according to the law;*

*c) the information regarding the commercial or financial activities, if their publicity infringes the intellectual or industrial property right, as well as the principle of fair competition, according to the law;*

*d) the information regarding the personal data, according to the law;*

*e) the information regarding the procedure during the criminal or disciplinary investigation, if the result of the investigation is jeopardized, confidential sources are disclosed or the life, bodily integrity, health of a person after the investigation carried out or in progress are endangered;*

*f) information on judicial proceedings, if their publicity is prejudicial to ensuring a fair trial or the legitimate interest of any of the parties involved in the process;*

*g) information whose publication prejudices the measures of protection of minors.*

*(2) The responsibility for applying the measures to protect the information belonging to the categories provided in par. (1) is the responsibility of the persons and public authorities holding such information, as well as of the public institutions empowered by law to ensure the security of the information.*

All the public institutions are aware of the mandatory application of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement

of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

➤ **Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

• *Description of educational courses or modules that have been introduced in primary and secondary schools that include aspects of corruption or related issues such as integrity, ethics, civic rights and duties, fiscal education or governance;*

- The week „Another kind of school”

Between 18-22.04.2016, in the framework of the National Education Ministry Program „Another kind of school”, GAD organized at its headquarters a series of activities destined to the young high school pupils aiming at informing the young people on the correct attitude that is to be adopted in relation with MoIA personnel, general aspects about corruption crimes, methods to report corruption and case studies.

- The participation of various law practitioners in their capacity as invitees, during several classes, possibility offered through the Ministry of National Education

As regards the primary education cycle, these classes may carry out topics related to Human Rights, during the Civic Education classes for the IVth grade. As regards the lower-secondary education cycle, within the Civic Culture common-core subject, for the VIIth and the VIIIth grades, there may be conducted lessons focusing on life in society and the political system in Romania, and on elements regarding the citizens’ rights and obligations, human rights, Constitution of Romania, the authorities of the Romanian state and particularly on the judicial authority, namely the topic of liberty and responsibility/the topic of justice and equality. As regards the upper-secondary education cycle, within the Philosophy classes, for the XIIth grade, for the theoretical and vocational paths, within the Politics theme, one may study elements pertaining equality and justice/democratic ideal and human rights, as well as within the Sociology classes, XIth grade, the Social problems theme (discrimination, infractionality, social conflicts, corruption, poverty). To these social-humanistic subjects, one may add the Social Studies subject, for the XIIth grade, for the theoretical path, Social Sciences specialization, whose Curriculum comprises the Principles of democracy and the citizenship theme.

For the pre-university education units, where there are conducted optional classes, included within the national offer, the presentation/overviews of the persons who are practitioners of law may be realized within various classes such as Education for Society (primary cycle), Civic Culture, for the Vth and VIth grades, International Humanitarian Law, Human Rights, Civic Education, Education for Democracy, for the upper-secondary education. In the counseling and orientation/class management classes or in the extracurricular activities such as overviews/ prelections/ debates/ round tables/ visits/ educational projects, as well as for competitions/contests for pupils, other persons having the capacity as practitioners of law are allowed to participate.

• *Description of educational courses or modules that have been introduced in universities that include aspects of corruption or related issues such as public administration, public procurement, integrity, ethics, criminal law, or corporate*

***governance;***

- The project Leaders for Integrity

The project was organized by GAD in partnership with Pro-Democracy Association, Bucharest School Inspectorate and Bucharest School City Hall, aimed at educating young students (especially from political and administrative faculties) towards integrity, morality and intolerance to corruption. The main activities consisted in:

- workshops for training the classroom leaders;
- sessions for disseminating anti-corruption information by the leaders;
- informing sessions held within universities.

***• Description of innovative teaching and learning tools and methodologies that have been used to foster and facilitate education programmes in schools and universities on anti-corruption;***

An initiative of the Ministry of National Education that enhance the level of education on anti-corruption among the beneficiaries of the education process by introducing and periodically organizing various anti-corruption topics within the extracurricular-activities/school curricula (promoting an optional subject within the SDC (School-Designed Curricula) pertaining to the “Human and society” along with “Counseling and orientation” curricular areas

Subsequently to the signing of the Protocol of collaboration on legal education within the pre-university education units, No. MNA 10576/30.10.2013, between the Ministry of National Education, the Ministry of Justice, the Public Ministry and the Superior Council of the Magistracy, having as general aim the cooperation between institutions for promoting various activities related to legal education within the pre-university education units, starting with the school year 2013-2014 to present, there have been organized several activities, either within pre-university education units or within institutions pertaining to the judicial system, in which participated a large number of pupils and teaching staff, alongside various categories of law practitioners (judges, prosecutors, lawyer, attorneys, public notaries, representatives of the probation system, actuaries), respectively employees of the MoIA (policemen, proximity policemen, agents).

On the course of the school years 2013 - 2014, 2014 -2 015, 2015 - 2016, there have been accomplished 4 main categories of activities within pre-university education units, namely:

- Activities at curricular level for Civic Education/Civic Culture/other social-humanistic subjects for the grades III-XII;
- Extracurricular activities such as overviews/ prelections/ debates/round tables/ visits/ educational projects for the grades I-XII;
- Activities during the counseling and orientation/class management classes for the grades I-XII;
- Other types of activities: completion/school contest for the grades III-XII.



There have been 3 meetings of the Inter-institutional Working Group in the field of legal education, which reunited representatives of the Ministry of National Education, the Ministry of Justice, along with representatives of the Superior Council of the Magistracy. During these meetings a series of analyses, proposals and recommendations focusing on the development of the activities and the partnership in the field of legal education have been carried out.

The Ministry of National Education accomplished a set of questionnaires and applied them in education units from 7 counties (Alba, Brăila, Cluj, Hunedoara, Olt, Prahova, Suceava) and also in Bucharest municipality, questionnaires which refer to legal education for the pupils of the primary, lower-secondary and upper-secondary school system, for their parents and for the teachers, respectively. Subsequently to applying the questionnaires there has been drafted a quantitative research report, with the support of the Romanian Centre for European Policies. The representatives of the Ministry participated in the 2nd Annual Conference on Anti-Corruption, where they presented the Good Practices on Corruption Prevention, Integrity and Transparency Promotion in the fields of education and professional training, respectively Legal Education in schools.

***• Training manuals, curricula, syllabi, course packets, websites and other materials related to anti-corruption education programmes in schools and universities;***

GAD had several initiatives regarding the curricula that were presented to the Romanian Academy - the highest scientific and cultural forum of Romania that reunites important personalities from our country and abroad from science, art and literature, namely the Institute for Legal Research „Academician Andrei Radulescu”.

The objective is to organize a debate on „Public Servant Integrity”, with the participation of GAD representatives and other public servants within MoIA structures, as well as from other relevant public institutions.

We mention that the Institute for Legal Research „Academician Andrei Rădulescu” within the Romanian Academy is the only scientific research unit in the field of law at national level, with the main aim to perform a thorough analysis of the judicial-legislative phenomenon.

Also, GAD had several working meetings with specialists within the Police Academy “Alexandru Ioan Cuza” with the aim of including a new subject of study - “Integrity and preventing corruption”, that is planned for the second semester, starting with March.

This new subject is to be organized as a course and several seminars, with the aim to contribute to the development of the capacity of the students of the sole MoIA university to use and combine theory, practice and specific attitude in the field of preventing corruption. The subject will be taught by the Police Academy professors, with support from the specialists within GAD and the National Agency for Integrity.

- **Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

No assistance would be required