

THE REVIEW OF THE ACTIVITY CARRIED OUT BY THE
MINISTRY OF ADMINISTRATION AND INTERIOR
IN 2006

“Romania has succeeded in the E.U. accession in a race against the clock”

(Josep Borrell, President of the European Parliament at the moment of Romania’s EU accession)

“The reforms in Romania were the fastest I have so far seen in the case of the ten Member States which integrated into the European Union in 2004. It is obvious that the second part of 2005 and 2006 were Romania’s “glorious time” as regards its preparedness in view of the EU accession. One year and a half ago Romania was not prepared for anything, much less for the EU accession, and we did not believe that these efforts could be made.”

(Markus Ferber, the German representative in the European Parliament, one of the most attentive observers of the reforms within Chapter 24 - Justice and Home Affairs)

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I. THE CONTRIBUTION THAT M.A.I. MADE TO ROMANIA'S ACCESSION INTO THE EUROPEAN UNION

“The area of Justice and Home Affairs is one of the key areas for Romania’s EU accession, if not the most important one”

(Franco Frattini, the Vice-President of the European Union,
Commissioner for Justice and Home Affairs)

1. Preliminary aspects

Romania started 2007 with a new status, as a full member of the European Union, a status which has created great expectations to the Romanian citizens even since 1995, the moment when our country officially applied for the EU membership. The year 2006 represented the final stage of the roadmap to the membership of the Union, and alongside 2005, it was one of the most difficult years of this process, considering the major backlogs recorded in some important areas of the reforms.

In the context created by the lack of credibility that marked the relations between our country and the European Union until two years ago, these backlogs could have caused one-year delay in our country’s EU accession, which would have reflected in some restrictions on the access to important European financial resources.

The activity of the Ministry of Administration and Interior mainly aimed in 2006, as in the previous year, to meet the requirements implied by Romania’s accession to the European Union on January 1 2007, by the removing of the five “*red flags*” and the eight “*yellow flags*”, which marked the existence of 56 serious shortcomings to be solved. A part of these shortcomings included in the safeguard clause represented the most important concerns of the European Commission, and also the most serious milestone for the M.A.I.

Chapter No.24 – Justice and Home Affairs has been permanently in the attention of the experts of the European Union, as well as of the high-rank politic officials of the Member States, considering the special importance that various topics, such as border security, countering illegal migration, trans-border crime, especially drug trafficking and human trafficking take on in the European citizen’s eye. “The area of Justice and Home Affairs is one of the key areas in the process of Romania’s EU accession, if not the most important one”, appreciated Franco Frattini, the Vice-President of the European Commission and Justice and Home Affairs.

In this context, a series of measures contributed to the appreciation of the progresses achieved by our country, as well as for the decision on Romania’s accession to the EU in 2007. Among these, the following ones: the accomplishment of the responsibilities that Romania took in this domain; the

carrying out of the reforms which helped the Romanian organisms with attributions in law enforcement to reach the level of the counterpart institutions from the other member states; and last but not least, the good results of the operational activities which made Romania one of the safest states in Europe.

Following the carrying out of the reforms, the Ministry of Administration and Interior succeeded in having only one “yellow flag” (for the assistance of the victims of trafficking in human beings) in the Monitoring Report issued on May 16, 2006; the last Monitoring Report issued on 26 September 2006 recognized that Romania managed to totally overcome the serious problems in the area of home affairs, whose solving was crucial for our country’s accession to the E.U.

2. Removing the safeguard clause

“We imposed this clause because in December 2004 we were sceptical.”
(Franco Frattini)

The safeguard clause, included in the Treaty on Romania’s Accession to the European Union, provides eleven requirements which could have delayed our country’s accession one year if they had not been met. Seven of these requirements were part of Chapter No. 24 Justice and Home Affairs, in which MAI played the role of an integrator. The following measures were within the direct jurisdiction of the Ministry of Administration and Interior:

- 3. applying the Schengen Action Plan without delay;*
- 3. achieving a high level of control and surveillance at the future outer border of the European Union;*
- 3. adopting, until March 2005, a clear legal framework on the distinct attributions of Gendarmerie, on the one side, and police, on the other side, and on the co-operation between these organisms;*

Moreover, the clause consists in references to the necessity that Romania should *“develop and apply a coherent multi-annual strategy for countering organized crime”*, aspect which is within the common jurisdiction of the Ministry of Administration and Interior and the Ministry of Justice.

An important part of the problems mentioned in the safeguard clause found their solutions even in 2005: the reform in the policy of ensuring the public order was very clear on the particular competences of Police and Gendarmerie respectively; the Schengen Action Plan was enforced in the scheduled roadmap and the reorganization and modernization of the Romanian Police management allowed remarkable results in countering organized crime. It is equally important, in 2005, that - by being renegotiated - the contract with the EADS created the conditions necessary to accomplish a modern integrated border security system; this way one of the

Commission's and Member States' greatest concerns was removed - a justified preoccupation considering that Romania is managing one of the longest and most complex outer border of the European Union. At the same time, there were clarified a series of provisions of this contract which, according to the European Commission's warnings, could have put at risk the MAI's access to the Schengen Facility and Phare Funds amounting to about 750 million euros. "*The financing framework of the border management necessities was clarified*", reads the Monitoring Report issued in May.

The safeguard clause was totally removed in 2006, as the requirement on the high level of control and surveillance at the level of the EU outer border was met. In view of reaching this goal, the Ministry of Administration and Interior took action on different levels.

a) *Filling in the vacancies at the level of the outer border of the European Union*

The first of these was the filling in 100 percent of the vacancies existing at the level of the Border Police, the organism which manages what has become at the beginning of this year the outer border of the European Union, according to the parameters on the personnel's employment established by the Commission's experts. This process began in 2005 when 4,200 agents and officers were employed, and was finalized in June 2006, six months before the scheduled deadline. In 2006 were employed over 3,100 new personnel, out of them 105 being specialists in the IT area who are going to play an important part in managing the Integrated Border Security System.

At the external border of the European Union administrated by Romania, the posts are 100 percent filled in.

b) *Completing the first sub-system within the IBSS*

Secondly, MAI continued in 2006 to carry out the Integrated Border Security System (IBSS), expected to be entirely functional in 2012. This system, valued at over 1.3 billion euros, is the first completely integrated system in the world, and it was highly appreciated by the European Commission's experts in the area, being often presented as a model for the ensuring of a high level of control and surveillance at the border level.

Out of the nine sub-systems included in IBSS, in 2006 the IT Backup Subsystem was made functional, which represents the basic IT infrastructure for the entire border security system necessary to exchange intelligence between the Border Police Units (by implementing integrated services of voice and data). The IT Backup Subsystem ensures the connection of over 200 crossing border points with the central data base of the Border Police.

By making this system functional, the Ministry of Administration and Interior has met the EU requirement concerning the ensuring of the proper level of control and surveillance of the external border of the European Union.

The other subsystems within IBSS are currently in different designing stages, and they are to be made functional in due time, within the limits of the established roadmap.

About the way the Ministry of Administration and Interior managed the above-mentioned tasks, Franco Frattini, Vice President of the European Commission and commissioner for Justice and Home Affairs, stated: *“I am very satisfied with the progresses that Romania achieved. /.../ Important progress has been made, including for the external border security, considering that Romania is going to play a crucial part in the management of the future outer border of the European Union by developing this border management integrated system. /.../ I also believe that MAI made important progress in the personnel recruiting within the Border Police”*.

c) Important results in countering organized crime

In 2006, the Ministry of Administration and Interior continued to take firm measures for countering organized crime, removing this way another concern often emphasized by the European Union and the Member States.

In 2005, the organism with attributions in countering organized crime within the Romanian Police was appreciated, on the occasion of a monitoring mission last year, as the *“most dynamic unit of the General Inspectorate of Romanian Police (GIRP)”*. The good results were a consequence of the re-organization of the Romanian Police, as well as of a significant increase in the number of the personnel really involved in this activity. The results continued to be remarkable in 2006 as well, since no murder upon command or for adjusting the accounts between gangs took place, and Romania is considered one of the safest countries in Europe.

As a matter of fact, in 2006, for the second consecutive year, there was recorded a 4% decrease in the serious violent crimes. It has to be underlined that in Romania the serious violent crime represents about 0.5 percent of the total of the crimes identified.

The most relevant activities in the area of countering organized crime, in 2006, were comprehensive actions based on police cooperation. The best example is “Braila Operation” (in March 2006), developed by Romania and Spain, which jointly acted for dismantling an international network involved in trafficking in human beings, drugs, prostitution and forgery of coins and credit cards. This action, regarded by the high-rank officials of the member states as “the most comprehensive action involving international police cooperation in Europe”, led to the arresting of about 300 Romanian citizens and the seizing of 900 credit cards, means of falsifying credit cards, expensive cars, jewelry and money.

At the same time, other important operations were carried out, such as “Armageddon” which ended in the dismantling of an organized criminal group which conducted

criminal activity in Romania, Italy and Spain, during which 80 persons were retained and subsequently arrested.

Statistically, in 2006 the Romanian Police identified 510 organized criminal groups, almost 40 percent of them being dismantled. Out of these gangs, over 180 groups were involved in trafficking in human beings, over 100 – in drug trafficking, 65 – in cyber crimes and criminal activity implying electronic payment.

d) Schengen Action Plan

As mentioned before, the Schengen Action Plan was enforced in the limits of the roadmap established in 2005. In 2006, a reviewed version of the Schengen Action Plan was passed by a Government Decision, and this plan was totally applied in due time. As for the national legislation, Romania aligned with the Schengen Border Code, adopted in March 2006. All the Romanian consulates are currently linked to the *visa-online* system, and in 80 crossing border points the visa stickers can be checked according to the EU procedures.

Romania has so far concluded 32 agreements of readmission with third states and introduced, starting January 1, 2007, the entrance visas for the citizens of the states which are on the black list of the European Union, including those of the Republic of Moldova.

By taking all these measures, during 2005 and 2006, the Ministry of Administration and Interior made sure that Romania's accession to the European Union was not put at risk – being delayed one year – by the provisions included in the safeguard clause, if not accomplished. After each problem provided in the safeguard clause was rigorously analyzed by the European experts, no matter of serious concern to the European Commission was mentioned in the last Monitoring Report of Romania. "No other state was as monitored as Romania in the area of justice and home affairs", admitted the Vice-president of the European Commission Franco Frattini.

3. Other progresses achieved in the areas monitored by the European Commission

Besides the critical aspects, mentioned in the safeguard clause, the Ministry of Administration and Interior also had within its jurisdiction other areas which represented high concerns of the European Commission and of the member states. The following part of this review will present the main domains such as countering illegal migration and trafficking in human beings, countering drug trafficking, countering corruption, in general, but the internal corruption as well.

a) Countering illegal migration and trafficking in human beings

Obviously, the Romanian authorities' preoccupations refer to the general evolution of the situation as far as illegal migration is concerned. From this point of view, the year of 2006 is for Romania the year when Romania stops being a significant source-country for illegal migration: the number of the Romanian citizens sent back last year from the EU member states represented less than 0.3 percent of the total number of the Romanian citizens travelling abroad.

In 2006, the illegal migration of the Romanian citizens did not represent, as before, a serious reason for the EU member states' reproaches to Romania. These circumstances given, in April, the Ministry of Administration and Interior succeeded in removing all the strict regulations which were previously set, referring to the requirement on the documents proving the reason and the duration of one's stay outside their country. The outcomes of the fight against the Romanian citizens' illegal migration supported this measure, so there was no opposition from the member states of the European Union in this matter.

Obviously, this relaxed regime does not have any special meaning now, considering that Romanian citizens have gained, once into the European Union, the full right to freely move, something that one year ago we could not even hope for.

The countering of illegal migration takes on a new significance to Romania now, taking into account that Romania has turned from a source-country into a country of transit for the illegal migration, and we estimate that, in short time, it will become a country of destination.

From this point of view, the results obtained in 2006 confirm that we are ready to face the challenges arising from our new status of a full member state of the European Union. The Border Police identified 37 illegal migration networks, in which 400 persons and 70 guides were involved, as well as 38 human trafficking networks, which created almost 350 victims.

Romania's changing into a country of transit for the illegal migrants is proven by the fact that, according to the Border Police's statistics, the number of the attempts to illegally cross the border by foreigners increased by 20 percent in 2006.

As for THB victims' assistance and protection, the National Agency for Countering Human Trafficking was set up in late 2005, when it began to be functional, and in September 2006 the first eight regional centres started to be operational (in these centres 75 victims were granted assistance). Other seven centres will become operational in the first semester of 2007.

b) Countering drug trafficking

The Romanian Police seized over 1,200 kg of drugs in 2006, 350 more kilograms as compared to the previous year. Almost 2,300 persons were investigated, out of

them 600 being investigated under arrest. Money and goods valued at over 700 thousand euros were confiscated.

c) Countering corruption. Combating internal corruption

In 2006 the Romanian Police developed a successful activity of countering corruption, taking part in over 2,100 inquiries, in which more than 5,700 persons were investigated. Out of them, about 158 were local elected officials or MPs.

A significant contribution to the fight against corruption made the 143 police officers temporally attached to National Anticorruption Department, and the 170 police officers temporally attached to the Prosecutor's Office near the High Court of Cassation and Justice.

As for the countering of internal corruption, in 2006 the General Anti-Corruption Directorate within the Ministry of Administration and Interior carried out investigations in 1,000 causes which were forwarded to the competent authorities, with almost 2,000 persons investigated, out of them 500 being charged or prosecuted. Out of the persons investigated, 260 persons used to be in leading positions.

In line with this, it has to be mentioned the increase in the number of the MAI workers who rejected all the attempts to corrupt them. During 2006, there were 160 this kind of cases, which is a welcomed change in the attitude of the MAI personnel.

II. THE ACTIVITY OF THE GENERAL INSPECTORATES

A part of the results obtained by the Romanian Police and the Border Police were underlined in the context of the efforts made in view of Romania's accession to the European Union. Other progresses achieved are presented as follows:

1. Investment in the human and equipment infrastructure

Some characteristics are applicable to the general inspectorate roadmap, so they can be presented together:

a) Filling in the vacancies, considering the elimination of the compulsory military service

The staff of the Ministry of Administration and Interior increased in 2006, when more than 25,000 new personnel were employed, based on the following reasons: the necessity to fill in the vacancies existing at the level of the Border Police responsible for the external border; the operational needs of the Romania Police; last but not least, the necessity to ensure the proper working of the Gendarmerie and the General Inspectorate for Emergency Situations, considering that the compulsory military service was eliminated starting with January 1, 2007.

The staffs of the general inspectorates were supplemented as follows:

- The Border Police – over 3,100 posts;
- The Romanian Police – 885 posts;
- Gendarmerie – over 7,500 posts;
- The General Inspectorate for Emergency Situations – over 13,000 posts;

These new employees added to the other 14,200 who were employed within the Ministry of Administration and Interior in 2005.

By employing the needed personnel, the Ministry of Administration and Interior managed, on the one side, to meet the requirements related to border security, and on the other side, to maintain the proper functioning of the subordinated arm unit. One of the most important challenges of the year 2007 will be represented by the training of the personnel newly employed, started this year by the beneficiary units.

b) Efforts made for improving the endowment of the MAI units

In 2006, the general inspectorates benefited from significant investments. Yet, the endowments are still insufficient, in some respects being by far under the necessities implied by the institutions' responsibilities.

Patrol cars for the rural police and for the public order police

The most important achievement of the Ministry of Administration and Interior in 2006, as regards the improvement of the endowment, was the acquisition of 6,000 Dacia Logan vehicles.

Out of them, 4,500 were destined to the public safety police (public order police, quick response units), and 1,500 – to operational activity. For the first time in Romania's history, the personnel of the rural police stations were distributed cars for the missions they accomplish.

The 6,000 vehicles were acquired by the means of a transparent auction, organized in compliance with the principle of the good management of the public money – the price required by the winning company was by 4 million euros lower than the one proposed by the next bidder. The equivalent value of the contract (about 74 million euros) will be pay by 2008.

The increase in the number of the patrol vehicles reflected in a better response of the Police to the events notified by the citizens, by the National Emergency Service 112. Thus, in 2006 Police took action in 450,000 notifications, which represent a thirtyfold increase compared to the year 2005. Almost 80 percent of these interventions were under 10 minute responses. At the same time, the mobility of these patrols resulted in the 19 percent increase in the number of the actions of catching the offender in the act, as compared to 2005.

In addition to that, 50 modern and effective motorbikes were also acquired for the Romanian Police.

New premises for police stations

The investment funds designated to the Romanian Police were in 2006 four times bigger than those in 2005. The 19 million euros allotted ensured the financing of over 150 construction works, mainly aimed to improve the working conditions and the partial rehabilitation of the buildings in which the Police of Bucharest functions, as well as to modernize the rural police station.

As a matter of fact, the communal police stations are subject to a comprehensive modernization programme, which was designated funds amounting to 140 million euros between 2006 and 2010.

Another important objective, whose putting into practice will continue this year as well, was a better access to the police stations, achieved by arranging and endowing the public spaces of the stations.

Other important sums of money – almost 5 million euros – were invested in improving the arrest conditions within the arrest spaces of the Romanian Police, upon the request of the European Union.

The sums designated to the endowment of the GIES 18 times more than those in 2004

In turn, the General Inspectorate for Emergency Situations was also granted important investments.

The budget of the GIES for endowments and investments increased 18 times in less than two years. Thus, in 2004 this inspectorate had a budget for endowments of 1.5 million euros. In 2005, the sums allotted to this section amounted to almost 15 million euros, and in 2006 – to more than 26 million euros. As for the total budget of GIES in 2006, first it was more than 78 million euros, and, after the budgetary review, it reached the amount of 140 million euros.

These budgetary sums of money allowed the GIES to acquire fight equipment valued at 1,000 billion ROL, among the acquisitions 28 large fire engines with water and foam, and 300 pneumatic motor boats.

Though, the rhythm of refreshing the intervention equipment, adjusted to the new missions involved in the management of the emergency situations, is still rather slow and 94 percent of the existing endowments already exceeded their standard working life by two or three times; the ministry should buy 250 fire engines each year for satisfying the existing needs, considering that the level of the financial resources allotted to this institution in 2006 was the highest over the past 16 years.

2. The analysis of the specific activities

b) The Romanian Police

- Continued its reorganization on modern and effective basis and continued to adopt state-of-the-art working techniques. The Romanian Police is now totally aligned with the best practices recommended by the other states of the European Union;
- Invested in modern techniques and in the training of the staff responsible for the tackling of the related equipment: Criminology Institute within the General Inspectorate of the Romanian Police (GIRP) was allotted investments of almost two million euros for the implementation of the quality standards. The e-learning system, set up by the Romanian Police, is a welcome initiative considering the best training that the Romanian Police's personnel have to continuously be provided.
- The personnel were seriously selected. Presently, 12 percent of the police agents have graduated a university. The quality of the management represented a serious concern, so 1,200 police officers in leading positions were dismissed in 2006, because of their unsatisfactory results.
- Obtained remarkable results in countering major criminal phenomenon, the most important of them were mentioned in the chapter on the European accession. Yet, the pick-pocketing phenomenon increased by 22 percent and the number of the

stolen cars also increased by 16 percent. This type of crime will have to be tackled with much more attention this year.

- At the same time, the rural criminal phenomenon increased by 11 percent as compared to 2005. The number of the house burglary increased by 21 percent, the number of the burglary from the trading companies – by 37 percent, and the number of the forestry crimes – by 4 percent as compared to 2005. The intensification of the rural criminal phenomenon is linked to the scarce number of police staff (93 for 100,000 residents, compared to 243 for 100,000 residents in cities). Finding solutions to these problems should represent a priority for the agenda of the GIRP leadership.
- The action called “Fireworks 2006” achieved the expected goals, namely to reduce the number of injuries caused by the improper use of the fireworks in winter, at Christmas and on New Years Eve. In 2006, only 22 cases of serious injuries were recorded as compared to the 429 cases (out of which two deaths) recorded in 2005. The rate of the human injury, calculated per one million residents, dropped from 18.6 to 1.
- Last but not least, the Partnership Programme for Preventing and Countering Road Traffic Accidents finalized with remarkable results. The number of the serious traffic accidents, of the victims and the deceased persons caused by road traffic accidents also decreased by 13 percent. The application of the new Road Traffic Guideline starting in December last year was welcomed for the traffic safety. In December, in spite of the reducing of the sanctions applied by 40 percent, the number of the deceased persons decreased by 23 percent.

c) The Border Police

➤ In the context of the activity carried out at the level of the Border Police in 2006, an important event was Omar Hayssam’s leaving the country, considering that he was subject to an interdiction to leave the territory of Romania. The investigations conducted in this matter (the internal investigations and those conducted at the Parliament level) proved that the Border Police, as well as the other institutions of the Ministry of Administration and Interior, exercised all their attributions provided by law in this respect. This even represented a good opportunity for the Border Police to analyze the organization of the surveillance and control system in the harbours at the Black Sea, as well as to impose a new conception in this respect. According to this new conception, the surveillance of the border at the Black Sea is carried out at four levels, with mobile or fixed units whose number and methods were adjusted to the existing and predicted risks and threats, so that illegal border crossing attempts could be permanently identified.

➤ For the border surveillance at the Black Sea the following devices and systems are functioning:

- Device for patrol and permanent surveillance of the vessels in the exterior and interior part of the harbours;
- Direct surveillance device for the vessels alongside the harbours, by fixed posts at the vessel’s stairs, scheduled on working shifts 24/24, in

compliance with the risk analysis and the evaluation of the existing threats at informative level.

- Surveillance device for the interior zone, in the quay and in the external zone of the harbour.

➤ At the same time, there were taken measures for enhancing the control of the maritime traffic, there were supplemented the forces and there were created distinct shifts including border police specialized in the vessels' check.

➤ Out of the activities carried out at the level of the Border Police in 2006, the most important was the process of preparing in view of ensuring the necessary framework, so that the Romanian citizens could avail themselves of the right to freely move, gained as a consequence of our EU accession.

➤ To this end, a significant contribution was made by the agreements negotiated and concluded with Hungary and Bulgaria in view of introducing the "one stop control" system at the internal EU border. The adoption of this system allowed a 70 percent decrease in the waiting time at the border crossing points.

➤ The preparations made in view of applying the new check regulations, according to the European regulations, as well as the directive which allows Romanian citizens to travel based on their ID cards, also represented significant accomplishments of the Border Police.

d) General Inspectorate for Emergency Situations

➤ The activity of the General Inspectorate for Emergency Situations in 2006 was marked, as in the previous year, by their interventions in the floods occurred during the first months of 2006 in Bihor, Mehedinti, Dolj, Gorj, HARGHITA, Covasna and Satu-Mare, especially in those in April caused by the unprecedented increase in the level of the Danube, as well as in the two waves of floods that took place in June and July, especially in Transylvania and Moldova.

➤ At the same time, GIES took action for removing the effects of, and for preventing the spreading of the bird flu, so as to protect the citizens and their goods in case of landslides or other major risk situations.

➤ During 2006, GIES intervened in 100 risk situations every day.

➤ In these interventions, GIES saved the life of 3,000 persons, out of whom 800 children. Only in the spring of 2006, when the Danube reached an unprecedented debit of 16,000 mc/ s, over 800 persons were rescued, more than 18,000 - evicted, but there were no deaths recorded.

➤ Almost 20,000 persons were assisted in the intervention stations for emergency medical assistance and extrication in 2006.

➤ In 2006, Romania continued to be one of the countries in Europe, and even in the world, with the lowest number of fires for 1,000 residents, which means that the prevention activity carried out was of best quality. Though, it is still a matter of concern the fact that over 70 percent of the fires happen in the individual households and that almost all the victims of the fires were recorded in this kind of fires.

➤ In each Romanian locality there were set up, following a campaign of GIES, emergency services based on volunteers. Some of this kind of services are functional and had a significant activity, participating in the extinction of 20 percent of the fires, and succeeding in the extinction of 500 fires even before the professional services arrived. These outcomes represent a positive signal and a good reason to carry on the development of this system which proves very effective.

e) The Romanian Gendarmerie

- The floods represented one of the most important challenges of 2006 for the Romanian Gendarmerie. It executed over 3,300 specific missions in almost 400 affected localities, for the rescue of persons and their goods, for guarding goods, distributing the aids, removing the silt, consolidating the protection dams and removing the effects of floods.

- At the same time, the gendarmes intervened in the cases of bird flu identified in 27 counties of the country.

- The gendarme troop deployed in Kosovo continued to accomplish successfully their missions assigned by the SPKO, executing 844 missions, the number of their missions recording a 32 percent increase as compared to 2005.

- As a sign of recognition of their professionalism, the personnel of this troop carrying out missions in Kosovo was awarded “In the service of peace” medal in 2006, as before.

2. The disciplinary situation within Ministry of Administration and Interior

In 2006, 159 personnel of the Ministry of Administration and Interior were brought to justice for having committed various types of crimes, as follows: 85 for corruption-related activities, 9 for breach of duty and abusive behaviour, 2 for favouring the offender, 23 for breaching the road legislation and 40 for other offences.

At the same time, almost 3,000 MAI workers were accused of professional misconduct, being given over 3,500 sanctions. One of the most frequent types of this crime we mention: negligence of duty, disorderly behaviour in family or society, compromising military honour and dignity, repetitive absence from and/or getting late to work, delay in solving the specific professional problems etc.

Yet, the great number of the road traffic accidents in which MAI personnel were involved still represents a matter of concern, since there were identified 344 cases where the MAI workers were guilty. An important number of accidents were caused by the driving under influence of alcohol.

III. THE ACTIVITY OF MAI IN THE AREA OF THE PUBLIC ADMINISTRATION

“Now Romania must turn into a long-distant runner for successfully passing this first year as a member state of the European Union. There have been made huge efforts, still there are many to be made.”

(Josep Borrell)

1. The public administration reform, approved by the Parliament

In 2006, the Romanian Parliament adopted the law package on the public administration reform, initiated and supported by the Ministry of Administration and Interior.

This law-package consists in the Framework-Law of decentralisation, the Law of the local public finances, the Law on the amending of the public servant status, the Reviewed Law of the local public administration.

The new status of prefects, which turns them into high-rank public servants, was applied starting January the 1st 2006. This decision regarding the administration depoliticise was highly appreciated by the European Commission in the Monitoring Reports issued in May and September 2006.

The adopting of this law package mainly aimed to create the necessary conditions for an effective public administration, which could become, alongside the central authorities, one of the engines helping Romania to develop, being able to unfold major projects of investments, financed by European funds.

The general principles that the adoption of the law package based on were as follows:

- Enhancing the local autonomy in view of involving the local public administration authorities in the efforts made for Romania’s modernisation;
- Depoliticising administration;
- Increasing coherence of the general process of decentralization and speeding up this process;
- Strengthening the administrative capacity and the professionalism in the public administration;

This law package represents the basis of the most comprehensive administrative ever carried out in Romania, its provisions being welcomed by the European Commission even in the Monitoring Report issued in May 2006. The appreciations included in this report represented the first positive evaluation recorded by our country in the area of public administration, after years of severe criticism to this domain.

The progresses achieved in this area are also specified in the report issued on September 26, which underlines the aspects related to the depoliticising process, to the creating of a recruitment system for the high-rank public servants, and especially to the decentralisation, which – as the European Commission states – “*was launched*” in Romania.

All schools and two thirds of hospitals will be under the administration of the local authorities.

The strategy on the decentralisation of the high-schools mainly aims to transfer the responsibilities regarding the administration of the educational process at the level of the educational units (the management of the human resources, curriculum upon the school decision, the acquisition of textbooks) or at the local administration (employing and dismissing the school manager, organising the school network). All these measures require the reorganisation of the current county school inspectorates, which will have within their jurisdiction measures such as monitoring and evaluating the educational process, raising the professional level of teachers and granting technical assistance to the schools involved in the human resources policies. At the same time, the strategy includes the high-school financing system reform, by allocation of funds according to the number of students of that school. These reforms are to be carried out in 2007-2008.

The decentralisation strategy in the health area intends the transfer, up to 2009, of the responsibilities related to the administration of hospitals from communes, towns and municipalities (over two thirds of the hospitals currently administrated by the Public Health Ministry) to the local public administration authorities. The strategy also provides the transfer of the Romani sanitary intermediaries, of the community assistants and school doctors to the local authorities in 2007. As in the case of the high school system, these reforms will require the reorganisation of the current de-concentrated services in this domain, the country public health authorities. These will disappear and their attributions will be transferred to the county councils, on the one side, or to the regional public health institutes, on the other side.

The cultural and social services, and the fluvial transport infrastructure will be taken over by the mayor's

The decentralisation strategy in the area of culture provides, for the year 2007, the transfer of the vast majority of the cultural institutions, which currently are under the co-ordination of the Ministry of Culture and Religious Affairs (approximately 50 units), to the administration of the local public administrative authorities, and in the ownership of the administrative-territorial units. At the same time, the strategy aims to reorganise de-concentrated services existing in this area, including by transferring some of their responsibilities to the county councils (approval, accreditation and control).

The decentralisation strategy drawn up by the Ministry of Labour, Social Solidarity and Family mainly aims at improving the framework of providing social services which are already decentralised, by the drawing up and implementation of the cost and quality standards up to 2008. At the same time, the strategy provides the transfer of some responsibilities regarding the area of the record of persons who are looking for work towards the local public administration authorities.

The decentralisation strategy regarding the transport area mentions the possibility to transfer the river harbours, now in the administration of some trading companies under the coordination of the Ministry of Transport, Construction and Tourism, to the local administrations. These measures will be enforced after the modernisation programmes for those particular harbours have finished.

Decentralisation in the agricultural area has to continue

The decentralisation strategy in agriculture provides the setting up, during 2007, of the agricultural chambers at regional level, for the farmers' representation and support in implementing the rural development policies. Representatives of the local administration will be included in the leading departments of these structures. The Ministry of Administration and Interior appreciates that the decentralisation process developed by the Ministry of Agriculture, Forests and Rural Development does not have to stop at this stage, but to continue with other measures, such as the transfer of the vast majority of the lands belonging now to the State Domain Agency to local public administrative authorities ownership, in view of re-launching the investments at local level.

These strategies are to be submitted to the Government' approval, and they are to be developed during the first half of this year. When they have been approved, the sectoral strategies will be transferred at legislative level and will start being enforced.

In turn, the Ministry of Administration and Interior finalised the draft law on the Local Police, which will be enforced in January 2008, when the next budgetary exercise starts. This project was, at the same time, debated with the associative structures of the local public administration authorities.

This month, the Ministry of Administration and Interior will start developing the procedures provided by the law on the decisional transparency considering the above-mentioned draft. The following steps will be represented by the approval by the ministries with attributions in this domain, namely the Ministry of Justice and of Public Finances, and the approval by the Romanian Government. The draft law on the Local Police will then be submitted to the Parliament, with the request of being debated in emergency procedure.

The Local Police will set up as a public service of local interest with legal person, in the County municipalities and in Bucharest. As for Bucharest, the existing community police from the districts will be organised under the coordination of the Local Police.

The Local Police will have attributions in some main areas, such as:

- Public order and safety, guarding the buildings of local interest;
- The road safety (mainly the parking-related offences, the offences in the residence zones and on those parts of the roadway which are under construction);
- Urbanism and discipline in construction;
- Trading, environment protection;
- Persons' record.

The sanctions within their jurisdiction will only refer to offences (the identifying and solving of the crimes will be within the jurisdiction of the Romanian Police and the other responsible units).

According to the provisions of the Local Police law, a local commission of public order will be set up, as an organism which ensures co-operation between all the public order units with local attributions.

The state budget will provide 51 percent of the total finances for the Local Police, as the Ministry of Public Finances has already approved on this aspect.

As for the continuation of the reform in administration, regrettably the responsible units of the Ministry of Administration and Interior did not succeed in finalising the Strategy for the Public Administration Reform 2007-2009, document which should have been submitted to the Government's approval by the end of 2006. It is of critical importance that this delay should be covered in the shortest time, considering that it is essential to continue the local public administration in a sustained rhythm.

It also has to be mentioned the fact that the Ministry of Administration and Interior finalised the Sectoral Operational Programme called "Developing the Administrative Capacity". Within the framework of this programme, 245 million euros will be invested in view of increasing the effectiveness of the Romanian public administration, out of which 85 percent represents the contribution of the European Union, and 15 percent – the contribution of the Romanian state.

The operational programme aims at three priority goals:

- Strengthening the involvement of the public policies in central administration;
- Developing the improving capacity of services in the public administration;
- Technical assistance.

2. The public services under the coordination of prefects

By improving the legal framework, the effectiveness of the activities related to the passports' and driving licenses' issuance was improved, as the waiting time significantly reduced.

The passports services issued over 1,500,000 simple passports, which represents a 14% increase as compared to 2005. The community services issued almost 1,000,000 registration certificates (13% increase compared to 2005) and about 600,000 driving licenses (30% increase as compared to 2005).

Yet, some deficiencies still remain in this area, related to bureaucracy, improper rooms for working with the public, some workers' misbehaviour in the relation with citizens etc.

The accelerating of the enforcement of those laws restoring the land property was in the attention of prefects, as presidents of the county commissions for restoring the private land property right. Therefore, 76,000 ownership titles were issued in 2006, which represents 25% of the total number of the retrocession requests which were validated.

3. Partnership with the local communities

Within the framework of the partnership with the local communities, the Ministry of Administration and Interior was interested in improving the providing of the community services of public utility. Thus, the following documents were drawn up and submitted for approval, passed by the Government and transmitted to the Parliament, for approval: Law on the community public utilities; Law on the water providing and sewage; Law on the localities cleansing; Law on the local public transport services; Law on the public lighting services and law on the heating.

MAI ensured the fuel stock in view of a proper functioning of the centralised heating systems for the population, and focused on the technology renewal, modernization and the development of the systems of heating production, transport and distribution, funds being allotted to 72 localities for investments in this area.

The local public administration authorities were supported, in 2006, in view of raising funds for infrastructural programmes in the urban areas, for enlarging the local transport system, the drinkable water networks, the sewage networks etc. In 2006, MAI developed four Phare programmes focused on the development of the local water and sewage infrastructure, of the road infrastructure, improvement the municipality services and the environment protection, valued at 130 million euros.

Within the framework of the partnership with the local communities there was adopted a policy of decentralisation and transfer of the attribution of establishing the

Giga-calorie price at local level. The local reference price replaced the national reference price last winter.

IV. OTHER INSTITUTIONS UNDER THE COORDINATION OF THE MINISTRY OF ADMINISTRATION AND INTERIOR

In 2006, the **Special Aviation Unit** executed 3,000 flight hours, out of which over a half of them had humanitarian purpose or were interventions in the zones affected by floods.

The unit's reorganisation was started, for the setting up of some regional aviation units meant to ensure a better cover of the national territory and to reduce the response/intervention time.

MAI was given funds for acquiring 40 helicopters, the auction being developing right now.

The **National Office for Refugees** launched, in 2006, the accommodation centre from Somcuta Mare, having 100 accommodation places and covering the entire external border of the European Union.

The EURODAC system was made functional, which allowed Romania to meet the requirements in the asylum area, as a member state.

In the context of this unit's activity, there were recorded 450 asylum requests, applied by citizens from Iraq - 65, China – 45, Somalia – 38 etc.

The Authority for Foreigners identified over 4,800 foreign citizens with illegal stay, out of which 4,100 were given decisions for leaving Romania, and 700 were sent back directly to the border or to their origin country.

There were implemented, in the IT system of the management of the foreigners under criminal investigations, the data referring to the 1,700 foreign citizens which committed crimes within the territory of Romania.

The personnel of the Authority for Foreigners carried out verification and put forth proposals for solving over 17,500 visa applications transmitted by the diplomatic missions and consular offices of Romania abroad, which represents a 40% increase as compared to 2005.

The number of the applications for permanent residence in Romania increased from 1,000 (2005) to 2,000 (in 2006).

In 2007, considering the organisation and the expertise of the counterpart organisms from the vast majority of the EU Member States, the **Authority for Foreigners** will merge with the **National Office for Refugees** in only one authority, with attributions in asylum and migration areas.

The main achievement of the **National Centre for the Management of the Persons' Record Data Bases** in 2006 is the programme related to the issuance of the criminal record, which uses the central base of the persons' record. Over one million references related to criminal records were introduced, and more than 300,000 certificates were issued in digital system. This programme was implemented at the level of all the county police inspectorates and the Police of Bucharest. Its main advantage are avoiding bureaucracy in the relation with people, and reducing the waiting time for the issuance of the criminal record certificate.

The National Agency for Cadastre and Real Estate Publicity (NACREP) carried out the bird-eye view photos and the digital ortho-photo map for the entire territory of Romania. This instrument will help the land owners to be granted agricultural subventions even for some local development projects.

Only some stages of the computerizing process were accomplished, namely the digitalizing of the ownership titles, of the registers of transcriptions/ inscriptions, and of the Land Registers; besides, the integrated system of cadastre and land register started being implemented in seven counties.

NACREP did not manage in 2006 to remove a series of shortcomings related to clearing the backlogs of people's requests, removing the conflict of interests or the practice, almost generalized, of the staff's using the institution's endowment and database for solving various works in personal interest.

V. THE BUDGET OF THE MINISTRY OF ADMINISTRATION AND INTERIOR IN 2006

In the financial resources domain, the initial budget of the Ministry of Administration and Interior in 2006 was about 5,600 million lei (the equivalent value of 1,600 million euros), but following the successive reviews, the final budget ended to be 6,560 million lei (the equivalent value of 1,800 million euros).

Out of the total budget, approximately 6,000 million lei were allotted from the state budget, about 290 million lei – external credits, 112 million lei – own income, and about 205 million lei – non-reimbursable external funds.

The ministry's budget was mainly forwarded towards activities such as:

- Meeting the commitments made by Romania in the EU accession process;
- Financing the approximately 20,000 supplemented posts approved for the EU integration and professional development of the General Inspectorate of the Romanian Gendarmerie;
- Endowing the General Inspectorate for Emergency Situations;
- Ensuring the funds necessary to pay the salaries, the food-equivalent and the clothes-equivalent money for the staff;
- Ensuring the funds necessary to pay the utilities, the fuels and the specific oils for aircrafts and for continuing the investments.

The predicted execution percent is of 99.8, the difference of 0.2 being represented by the interest rates for the credit reimbursements, which were not provided by budgetary funds.

VI. COORDINATING AND MONITORING THE PHARE PROGRAMMES

The coordinating and monitoring of the Phare programmes with annual or multi-annual financing, not only of the ones in which MAI is the enforcing authority, but also the ones in which the MAI units are beneficiaries, focused on finalizing the contracts for the Phare programmes of 2003 and 2004, as well as on planning the Phare exercises for 2005 and 2006, and the Transition Facility.

The 2003 Phare Programme, valued at almost 15 million euros from Phare funds, was 92.76% contracted at the deadline of the contracting period (that is March 2006), the difference being caused only by the cheaper bids winning the auctions.

The National Phare Programme 2004, the annual programming component, amounts to almost 6 million euros. 96% of the total projects were contracted.

The Phare Programme 2004, the multi-annual programming component additional to the border management, represent altogether 15 projects valued at almost 37 million euros, plus other 12 million euros co-financing. The contracting deadline for these projects is 31 May 2007. So far there have been signed contracts for projects with a total Phare budget of approximately 13 million euros.

Within the multi-annual Phare programme 2005, MAI has projects valued at 41 million euros, and within the annual programming exercise – projects valued at 2.5 million euros.

Within the multi-annual Phare programme 2006, MAI has projects valued at over 47 million euros, and within the annual programming exercise – projects valued at 12 million euros.

Within the Transition Facility, which will supplement the Phare programme in the institutional building are, 11 projects amounting to 7,500,000 euros were launched.

VII. THE MAIN ACTION DIRECTIONS FOR 2007

In the year 2007, the Ministry of Administration and Interior aims at the following targets:

- ➔ Making a significant contribution to the creating of a space of liberty, security and justice in the European Union;
- ➔ Preparing and adopting the measures necessary to join the Schengen Territory, so that this step could be possible in 2012;
- ➔ Continuing the public administration reform. Continuing the decentralization process so that the specialty governmental units could keep, in the most domains, only those attributions related to inspection, control and monitoring.
- ➔ Ensuring the high quality of the structural funds' absorption;
- ➔ Increasing the persons' safety, placing more Police and Gendarmerie personnel in the street;
- ➔ Accelerating the reform process within the ministry, increasing the action capacity and adjusting to the new challenges arising from our new status of EU member state;
- ➔ Continuing the process related to the investments in endowments, especially at the level of the General Inspectorate for Emergency Situations;
- ➔ Continuing the process of legislative harmonization;
- ➔ Gradual removing the staff deficit, continuing the process of raising the professional level of the personnel within the MAI units and increasing their specialty training.