

# REVIEW OF THE ACTIVITIES CONDUCTED BY THE MINISTRY OF ADMINISTRATION AND INTERIOR IN 2005

## INTRODUCTION

During 2005, the Ministry of Administration and Interior (MoAI) conducted its activity on the basis of the Government Programme for 2005-2008, of the Updated Strategy on the Institutional Reform of the Ministry of Administration and Interior for 2005-2006 and the Priority Measures Plan for the European Integration, **having as fundamental objective to strengthen the institutional capacity of its structures, having in view Romania's accession to the EU.**

In compliance with the requirements of the European integration and based on the conclusions drawn following the analyses it made, the Ministry of Administration and Interior set **the following priorities for 2005:**

- To achieve, under the set conditions and deadlines, specific objectives and commitments falling under the competence of the Ministry of Administration and Interior, as they were assumed by Chapter 24 – “Justice and Home Affairs” (chapter that was subsequently renamed “Freedom, Security and Justice”);
- The institutional reform of the Ministry of Administration and Interior and its subordinated units, with a view to ensuring their compatibility with similar institutions from EU Members States, and also their optimum operation, in order to provide to citizens the best services, at the least costs;
- To enhance the administrative capacity and to strengthen the public administration structures;
- To create an effective system to prevent and combat corruption, with a special focus on combating internal corruption;
- To develop the capacity of the institution to formulate coherent public policies in its fields of responsibility and to ensure their compatibility with the regulations and policies from other fields of the governance.

# I. COMMON REVIEW

## 1. INSTITUTIONAL BUILDING AND REFORM

With a view to fulfilling the commitments assumed by Romania in the process of accession to the EU, the MoAI conducted, during 2005, an extensive institutional reconstruction and modernization process on **the following directions:**

- Establishing and rendering operational new structures, compatible with EU standards;
- Adopting and implementing new management instruments and modern methods in various fields;
- Implementing priority programmes in the field of public order and administration;
- Creating the institutional framework for carrying out the administrative and financial decentralization process;
- Drafting and submitting legal instruments, in accordance with EU standards and the Acquis Communautaire;
- Capitalizing on the expertise acquired by the management of foreign funded programmes;
- Active relations with similar institutions from other states;
- Increasing the degree of transparency in the public relations.

All these envisaged lines of action aimed at reducing bureaucracy and at ensuring a citizen-oriented administration.

In the area of **public order and security**, the priorities of 2005 were:

- Ensuring, at a high level, the safety of citizens;
- Prevention and detection of crimes related to corruption, organized crime and drugs trafficking;
- Strengthening the illegal migration control of Romanian nationals and legal residents in Romania;
- Elimination of understaffing at the level of the MoAI units, by filling more than 14,000 new positions;
- Delimitation of the responsibilities between Police and Gendarmerie with respect to maintaining public order;
- Elimination of bureaucracy in the structures and devolvement of tasks of the MoAI structures and from the general inspectorates own units, simultaneously with the reduction of management positions and staff by 30%;
- Professionalisation of the MoAI staff by transforming 8,000 support staff positions into professional police/military staff.

In the field of **public administration**, the year of 2005 saw:

- A new framework of the operation of administration defined. The draft designed by MoAI following a large public consultation, which have been approved by the Government and will soon get under Parliamentary debate – in emergency procedure - will represent the first real reform of Romanian public administration.

By their provisions, these legal instruments shall ensure:

- **The increase of the local public administration efficiency** with a view to improving the quality of the services provided to citizens (by the reform of public function and instruments to make effective the organization and operation of local public authorities);
- **The increase of administrative capacity**, which is, at present, extremely low, aspect that is reflected in the absorption capacity of community funds (by enshrining and stimulating the inter-community association);
- **The increase of professionalism in the public administration** (by strengthening and depoliticizing the public function);
- **The depoliticization of administration** (by the reform of the prefect function, of the category of high civil servants and of the funds allocation system for balancing local budgets);
- **The coherence and enhancement of the overall decentralization process** (by establishing clear principles and rules and a special institutional framework);
- **The increase of local autonomy** (reducing the possibilities of central administration intervention by changing the nature of the relation prefect-secretary of the local administrative unit, strengthening the responsibilities of mayors, and decentralizing the management of public function).

- Turning into operation the local public services for passports, vehicle registration and driving licenses;
- Depoliticization of the positions of prefect and sub-prefect, achieved as of January 2006, simultaneously with the clarification of competencies, as well as with the proper training of the holders of these positions, by special training courses;
- Modernization of the training and pay system for the civil servants;
- Improvement of the quality of public utility services provided for a local interest.

## 2. EUROPEAN INTEGRATION

**The fundamental objective of the MoAI in 2005 was to achieve the necessary reforms so that Romania become at 1 January 2007 a EU Member State.**

Romania concluded the accession negotiations with a *safeguard clause*, meaning that the Council may decide, by qualified majority and on the basis of a recommendation issued by the Commission, to postpone the accession by one year, until 1 January 2008, in cases of serious shortcomings in the fulfillment, by Romania, of one or more commitments and requirements.

Eliminating drawbacks noted by the European Commission, which may have resulted in the activation of the safeguard clause, as well as the fulfillment, under the conditions and within the set deadlines, of the other objectives and commitments assumed by Chapter 24 – “Justice and Home Affairs”, represented top priorities of 2005 in the MoAI.

### **Aspects posed by the safeguard clause with respect to Justice and Home Affairs**

1. The implementation without further delay of the Schengen Action Plan
2. Obtaining a high level of control and surveillance at the future external borders of the EU

3. The development and the implementation of an updated and integrated Action Plan and Strategy for the reform of the judiciary
4. The acceleration of the fight against the high-level corruption
5. The conduct of an independent audit of the results and impact of the current National Strategy for Fighting Corruption as well as the revision of the criminal procedure by the end of 2005
6. The adoption by March 2005 of a clear legal framework for the respective tasks of, and cooperation between, the gendarmerie and police
7. The development and implementation of a coherent multi-annual strategy to fight organised crime.

*The following tasks fall under the direct responsibility of the MoAI: the implementation without further delay of the Schengen Action Plan, obtaining a high level of control and surveillance at the future external borders of the EU, the adoption by March 2005 of a clear legal framework for the respective tasks of, and cooperation between, the gendarmerie and police. The development and implementation of a coherent multi-annual strategy to fight organised crime falls under the joint responsibility of the MoAI and Ministry of Justice.*

The MoAI is the integrator Ministry for the entire Chapter 24 – “Justice and Home Affairs”

Mention must be made that the MoAI fulfilled all the commitments underlined by the Common Position, meeting the deadlines, this aspect being noticed by the Comprehensive Monitoring Report presented by the European Commission at 25 October 2005. Thus, the **265 measures set forth for 2005 on public order and safety, as well as the 67 measures set forth in the public administration field were fulfilled. Also, the 15 backlogs from 2004 were caught up.**

The reports related to the peer-to-peer reviews conducted in June and December 2005 in the JHA appreciate that in the field of home affairs substantial progress has been made.

During 2005, the MoAI made important progress with respect to the **implementation of the Schengen Action Plan**, the first point of the safeguard clause, this progress being mentioned in the Comprehensive Report on Romania’s Monitoring by the European Commission, published in October 2005. With respect to the preparations for the implementation of the Schengen Acquis and the management of the future external border of the EU, the report shows that “**Schengen procedures are in most of the cases implemented**”.

In June 2005, the revised Schengen Action Plan was adopted, by Government Decision, being implemented in compliance with the timetable, without any delay.

Speaking about the measures pertaining to the institutional framework necessary for implementing the Action Plan, in September, the Service for the Implementation of the Schengen Information System was set up, at the level of the IT&C Directorate from the MoAI, whilst in December, the Schengen Service was set up at the level of the General Directorate for European Integration and International Relations.

The activities aiming at obtaining a **high level of control and surveillance at the future external borders of the EU** will be concluded at 1 November 2006, two months before the deadline initially set. The MoAI appreciates, on the basis of last year’s achievements and the activities scheduled for the current year, that Romania shall have one of the most modern border security system in Europe.

In 2005 the National Strategy for Integrated State Border Management for 2005-2009 was designed and approved. **The Integrated State Border Management has 4 filters and 9 sub-systems**, as follows:

**I. The first filter** is represented by the **activities carried out in third countries**, by means of home affairs attaches, liaison officers and by the collaboration with different international institutions. In 2005, the network of home affairs attaches expanded to 7 more MoAI officers who were accredited within Romania's diplomatic missions. Simultaneously, measures were taken in order to second 7 liaison officers in the countries where crime caused by Romanian nationals went up.

In order to ensure an operative link between the Romanian mandated authorities and foreign home affairs attaches/liasion officers and those of the MoAI, in 2005 the International Police Cooperation Center was set up, integrating the National Focal Point, Interpol National Bureau, Europol Police European Office and SIRENE. This structure ensures the management of the intelligence flow of an operative interest, in the field of fighting cross-border crime.

**II. The second filter** is represented by the **contact points** set up in relation to the activities of cooperation with neighbouring states and international cooperation. In 2005, the activity in this field enhanced, the contact points network on cross-border cooperation being developed, by setting up three new units in Siret-Porumbnoe (at the border with Ukraine), Portile de Fier (at the border with Serbia) and Artand-Bors (at the border with Hungary).

As it was mentioned in the Monitoring Report, Romania develops with the third states a good international cooperation, whilst all the contact centres are operational, except for the one in Galati. Bringing this point into operation represents one of the backlogs of 2005, as a consequence of the refusal of the Ukrainian part to send a representative within this unit.

**III. The third filter** is represented by the **border itself**. The border control and surveillance will be achieved by means of nine sub-systems, for each of them detailed technical plans being achieved and clear execution deadlines being set.

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| <ol style="list-style-type: none"><li>1. Fixed communication subsystem</li><li>2. Mobile communication subsystem</li><li>3. IT subsystem</li><li>4. Control subsystem</li><li>5. Surveillance subsystem at the Black Sea Coast (SCOMAR)</li><li>6. Infrastructure</li><li>7. Naval mobility subsystem</li><li>8. Terrestrial mobility subsystem</li><li>9. Human resources subsystem</li></ol> |
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**IV. The fourth filter** is represented by the **activities carried out on the national territory** in order to prevent illegal migration and cross-border crime.

The four filters shall represent an effective system for ensuring an effective surveillance of the 2,070 km of future external border of the EU, falling under Romania's responsibility.

Additionally, in October 2005, a Concept for the Implementation of the Integrated Border Security System was adopted. The Report on Romania's Monitoring appreciates that this document proves that an important progress was made in developing a clear strategic vision regarding the steps to be taken both prior to the EU accession and before the lifting of internal borders.

The text of the clause has the following content: “to speed up considerably efforts in terms of **modernising equipment and infrastructure at the green border, blue border and at border crossing points, and to further enhance the capacity of risk analysis, in order to ensure a high level of control and surveillance of the future external borders of the EU.**

*This should be reflected in one single **multi-annual investment plan** to be tabled by March 2005, which should allow the Commission to evaluate progress*

*on a yearly basis until Romania’s accession to Schengen area. In addition, Romania should considerably step up its plans to recruit 4,438 border police agents and officers and in particular ensure that a **staffing level as close as possible to 100% is reached along the borders with Ukraine, Moldova and at the Black Sea coast already upon accession.** Romania should also implement all **necessary measures to effectively combat illegal immigration, including strengthening cooperation with third countries**”.*

## Measures adopted during 2005 with a view to ensuring a high level of border control

### a) **To modernise equipment and infrastructure at the green border, blue border and at border crossing points**

With respect to the modernization of the equipment of the Border Police – another aspect mentioned in the safeguard clause – , in March 2005, a first version of the **Multi-annual investment plan regarding the infrastructure and equipment destined for the border control and surveillance** was designed and submitted to the European Commission. The document will be revised on a yearly basis yet also as a consequence of the renegotiation of the contract concluded with EADS. Unfortunately, updating this plan is not achieved at the necessary pace.

The year of 2005 saw significant improvement in terms of the Border Police endowment:

- **communications:** the voice-data fixed communication pilot project for Iasi, Vaslui and Galati counties was completed, whilst the tender procedure for expanding the system in Suceava and Botosani counties were launched;
- **naval mobility:** 48 vessels and boats; in addition, the contract with the Federal Ministry of Interior from Germany for the procurement of 3 maritime patrolling and monitoring vessels project P-157 was signed;
- **terrestrial mobility:** 320 vehicles for operative activities;
- **investment:** feasibility studies for 11 new investment were designed and approved, being materialized in: construction of 3 offices (Bivolari Border Police Sector, Mangalia Naval Group and Braila County Inspectorate for the Border Police) and modernization of the existent premises; construction of the garages in Oancea Border Police Sector, Berezeni Border Police Sector, Stanca Border Police Sector and rehabilitation of pavilions for the Staff Training School – Orsova ended.

The lands needed for the achievement of SCOMAR were taken in administration from the Ministry of National Defence. This aspect was a critical point in the previous evaluation made by European experts.

At the same time, the works for building the terminal for passengers in Constanta Harbour ended in 2005, whilst the feasibility study for the Project on the separation of flows of passengers (in compliance with Schengen requirements) in Constanta International Airport was approved.

A success of this year is represented by the approval, by the European Commission, of the 2005-2006 Phare Multi-annual Programme entitled: “Strengthening Border Management and

Control”, which will enable the development of the institutional capacity for the implementation of the EU Acquis in the field of border management and control.

**b) To further enhance the risk analysis capacity**

The Risk Analysis Office from the GIBP conducts on a monthly basis a risk analysis in the field of illegal migration, which is appreciated, by the European experts that were in Romania in December, in the context of a peer-review mission, as being an “in-depth” one. This analysis identifies the threats for each border area.

The staff of the office have analysed this year the Common and Integrated Risk Analysis Model, introducing the systems that are necessary for creating a national database that currently contains 3,682 inputs.

Following the budgetary revision of June 2005, funds for purchasing an IT equipment and the licenses needed for the operation of the risk analysis system were allocated.

**c) To eliminate the understaffing problem on the future external border**

With a view to ensuring that a 100% staffing level from the GIBP is reached at the external border with Ukraine, Republic of Moldova and Black Sea, the MoAI has supplemented, during this year, the number of Border Police staff, by 4,252 staff (1,439 from external source, 336 this year’s graduates and 2,477 by professionalisation). During 2006, 1,703 positions shall be filled by assigning the graduates and by employing staff from external source, simultaneously with the furtherance of the professionalisation activity, so that by 1 June 2006, six months before the originally set deadline, the employment process within the Border Police, as requested by the European Commission, ends.

1,151 graduates of the MoAI education institutions will join the GIBP in 2007.

**Renegotiation of the contract with EADS**

The renegotiation of the contract with EADS European consortium represented one of the most important achievements of 2005 for the MoAI, in the context of the necessity to give an impetus to the efforts necessary for the border modernization and given the extremely high costs – more than EUR 1 billion - related to this endeavour.

At 9 November 2005, the procedure for the renegotiation of the contract concluded with the EADS European consortium for achieving the integrated border security system was finalized.

In the new format, the contract provides a significant price cut, as a consequence of the elimination of all overlaps with European funded projects.

Moreover, a qualitative and quantitative improvement of the border security system was achieved. The contract contains a provision that ensures the elimination of all overlaps or encroachments with projects funded from other funds, aspect which will allow Romania to benefit, within the border modernisation programme, from Phare programmes and Schengen Facility. These funds are estimated by the MoAI at over MEUR 450.

The main object of the contract with EADS, which is to be developed by 2009, was adjusted and supplemented, a technical project of the Integrated System for Romania’s State Border Surveillance being achieved. Also, a precise timetable of achievement and implementation deadlines was set. According to the contract, by 31 December 2006, the necessary modernisation will be achieved in view of ensuring a high level of control on the future external border of the EU. The price agreed upon is MEUR 524.5 as compared to MEUR 650, provided in the initial contract. The amount of the contract was reduced as a consequence of the elimination of overlaps with the EU-funded programmes, certain

supplementary infrastructure objectives being included – 8 new investment objectives are to be built up, whilst 30 new investment objectives shall be rehabilitated or modernized.

A newly introduced article provides EADS obligation to achieve and implement the mobile communication sub-system within the TETRA standard technology system, technology that is used in the EU Member States, already utilized within the modernization of the border security system developed through Phare programmes. The mobile communication system will function on the whole area of the border counties, and not only within the limit of 30 km from the border as it had been previously agreed upon.

The source-code of the developed software as well as the licenses for its development will be made available for the Ministry of Administration and Interior at the end of the warranty period.

The article within the contract regarding the sub-contractors has been rephrased and supplemented, provisions on ensuring transparency on goods and services purchase procedures being introduced. The contract was adjusted as well as regards the warranty granted by the EADS for the executed works. Thus, the EADS will have the obligation to guarantee the functioning of the design solution for the Integrated System for Romania's State Border Surveillance for a five year period, and the warranty period for the infrastructure was extended from 12 to 18 months and the application of the Romanian legislation for dissimulated imperfections was established. Also, response time to remedy malfunctions subject to the importance of the effects and the priority level – 4 hours, 24 hours and 72 hours respectively – were set.

The contract establishes the application of Italian legislation, yet the imperative legal instruments in Romania will prevail as interpretation. Any potential dispute will be settled by the competent courts in Rome (Italy). In this respect, the previous form of the contract established that the document will fall under and be read according to the French laws, the jurisdiction or convention or international treaties conflicts being excluded, and any of the parties can file the dispute exclusively to the competent courts in Paris (France). The parties agreed during negotiations upon choosing a third country with respect to Romania and the countries where EADS representation is a very strong one, to ensure a balance in the situation of a possible dispute.

The contract signed by the MoAI and EADS will enable the achievement, within the set timetable (in two stages, the first one by the end of 2006 and the second one by 2009), of the commitments assumed by Romania within the process of accession to the EU with respect to border security.

Signing this contract represent an important progress, given that the Report on Monitoring Romania, produced by the European Commission states that there are “**serious concerns (...) over the financing of Romania's border management needs as there is as yet no final decision on the size or scope of the contract signed in August 2004 with a company to provide an integrated border security solution**”

#### d) To effectively combat illegal immigration

The entire legislative framework in the field of migration is currently in line with the Acquis Communautaire, just as it is presented in the Monitoring Report issued in October. The progress made by our country during the previous year made the French Minister of Interior, Nicholas Sarkozy to state, within an official reunion, that Romania “would deserve to be awarded the 1<sup>st</sup> prize for combating illegal migration”.

As of January 2005, an Action Plan for enhancing and rendering efficient the activities for combating illegal migration and cross-border crime was implemented. At the same time, the penalties provided for trafficking in minors increased, by the amendments and supplements brought to the legislation on the prevention and fight against trafficking in human beings.

Following the events that occurred early in March at the French-Spanish border, two border police teams were seconded as of April to the French-Spanish borders and Hungarian-Austrian border respectively. In addition, following a large public consultation, the Order of the Minister of Administration and Interior no. 820/2005 was issued, being subsequently amended by the Order of the Minister of Administration and Interior no. 900/2005, regulating the conditions to be met by Romanian nationals when exiting Romania, when traveling in Schengen countries. This legal instrument aimed at deterring illegal migration and crime perpetrated by Romanian nationals abroad. Following the analysis of the effects related to the implementation of this Order, the MoAI has in view the possibility to give up to a series of conditions imposed for Romanian nationals when traveling abroad, on the background of a considerable decrease of their migration level and consequences. The attainment of a reduced level (just 0.3% of the number of the persons that exited Romania) of the returned Romanian nationals, proves the useful effects of halting at the border of those nationals who do not meet the legal conditions of traveling, as well as the fact that most of the Romanian nationals who have traveled abroad observed the legislation of the visited countries.

The recent statements of the British Ambassador in Bucharest, HE Quinton Quayle, who has announced the possibility to lift, this year, the visas for the Romanian nationals, represents, at the same time, the evidence of a progress with respect to combating illegal migration.

#### **The results of the Romanian Border Police in terms of illegal migration**

The Border Police has enforced the legal measures for 1,578,374 persons, Romanian nationals (as compared to 1,591,347 cases in 2004). Thus, **1,571,812 Romanian citizens were not allowed to exit Romania (as compared to 1,698,772 citizens in 2004)**, the most important grounds being the fact that they **did not have subsistence means (876,069 of cases, as compared to 1,179,426 cases in 2004)**. Other grounds were: failure to have a return ticket (323,760 cases, as compared to 79,858 cases in 2004), failure to have a medical insurance (281,264 cases, as compared to 193,718 cases in 2004). A significant decrease of the number of Romanian citizens who were not allowed to exit Romania on other ground (including the persons susceptible to perpetrate illegal acts in Schengen area), from 221,144 persons in 2004 to just 32,231 in 2005.

**40,222 Romanian nationals were returned from the borders of other states, as compared to 7,618 nationals during last year.** Most nationals were returned from Spain (30,524), Austria (5,154), Italy (985), Greece (975), Hungary (714).

Within the Border Police, the Directorate for Combating Illegal Migration was set up, whilst Romania Reflex Project for combating illegal migration was expanded at the level of the 15 regional centres from Romania.

On the occasion of the peer-review mission in December, the European experts noticed the improvement of the inter-agency cooperation mechanism in the field of prevention and fight against illegal migration (which was assessed as being impressive), as well as the increasing efficiency of the control activity in relation to the prevention and combating the illegal stay of foreign nationals. The same experts appreciated that both the control at entry points, as well as the internal control and the active return policy meet the European standards. The report produced after the monitoring mission also notices the activities conducted in 2005 in fields such as: development of contact points, delimitation of main action areas, information campaigns, inter-agency cooperation, infiltration actions and activities conducted by joint and international cooperation teams, as well as the fact that Romania has developed a central complete and coherent database, inter-connecting all the involved state agencies, including asylum, migration

or visas. This database is operational, yet it needs future technical and testing improvement in order to meet the international requirements.

### **Migration and trafficking in human beings networks**

In terms of operative results, the Border Police has detected 37 illegal migration networks, in which 238 persons were involved; 115 guides/carriers were identified (82 Romanians and 33 foreigners). The main countries of origin of the persons who acted illegally at Romanian borders (both on the entry and exit points) are: India, Bangladesh, Iraq, Pakistan, Turkey, China, Moldova, Georgia, Liberia, Morocco, Algeria, Cote d'Ivoire, Russian Federation, Sudan, Congo, Nigeria, Chechnya, Venezuela, Serbia etc.

At the same time, 42 trafficking in human beings networks were detected, in which 137 persons were involved. At the same time, 241 persons were held in police custody (238 Romanian citizens and 3 foreign citizens) for trafficking in human beings, 117 women trafficked for prostitution purposes, 170 persons trafficked for labour exploitation and 22 children.

In 2005, 661 cases of trafficking in human beings were referred to the prosecution services, in which 1,331 suspects and 2,216 victims were involved. With respect to the migrants smuggling, 2,681 crimes were detected.

## **Other measures included in the safeguard clause**

- a) **The adoption, by March 2005, of a clear legal framework for the respective tasks of, and cooperation between, the gendarmerie and police represents another aspect underlined in the safeguard clause, sorted out by the MoAI, after a 2-year protraction.**

By the Government Decision no. 196/2005, for approving the "MoAI Strategy for public order and safety, for increasing the safety of the citizens and for preventing street crime", aspects related to tasks and responsibilities of the two institutions were clarified, in the sense that: the Romanian Police maintains public order and safety at national level, whilst Romanian Gendarmerie ensures and restores public order and safety at national level, ensures the guarding of certain buildings that have a strategic or a special importance for the state activity, as well as the protection of the transport of special and high value goods, ensures the guarding and public order in courts, performs missions for maintaining public order in well-determined territorial areas (mountain resorts and seaside).

In addition, a clear and functional framework for the cooperation between the two institutions was established.

- b) **Speeding up the fight against high level corruption**

Another issue in the safeguard clause, this subject was under the permanent attention of the MoAI in 2005. The National Strategy for Fighting Corruption for 2005-2007 sets under the MoAI responsibility a series of measures meant to contribute to the prevention and diminishing this phenomenon. Based on these documents, the MoAI Action Plan for Fighting Corruption was elaborated.

### **The results of Romanian Police in fighting corruption**

In 2005, the Romanian Police units detected more than 5,500 persons who were investigated in more than 2,300 criminal files, referred for being solved, according to their competence, by the prosecution services. Out of those, 156 files were referred to the Anti-corruption National Department (two times more than in 2004). These files regard the perpetration of more than 6,200 crimes, out of which: more than 5,100 active and passive corruption, more than 1,000 influence peddling and 150 receiving of undue benefits. 770 crimes were reported to the Anti-corruption National Department (by 133% more than in 2004). In addition, more than 1,700 crimes criminalized by Law no. 78/2000 on the prevention, detection and punishing corruption were reported to the Prosecution Services, out of

which more than 500 were perpetrated in connection with fraudulent privatization of trade companies in which the state is shareholder, or on the occasion of trade transactions of the public authorities commodities, granting banking loans or subsidies by breaching the law.

The amounts of money and the value of the assets that represented the object of corruption this year, were more than MEUR 33. A relevant aspect is the fact that more than 1,500 persons who were investigated held management positions. Out of those, 269 were referred to the Anti-corruption National Department since they held public positions (four times more than in 2004).

A special attention was paid to **the fight against internal corruption**. Thus, the MoAI submitted, during 2005, 2,455 information packages to the Prosecution Services, concerning criminal offences committed by staff from its various units, out of which 721 relate to corruption, whilst 1,734 refer to various misconducts. Unfortunately, the number of MoAI staff against whom criminal charges were brought is still a reduced one, only 26 cases being recorded during 2005.

In addition, in the context of preventing and fighting corruption within the MoAI staff, the **Anti-corruption General Directorate was set up**. This structure, that came into operation starting October, conducted preliminary acts in 92 files, regarding the perpetration of corruption offences by MoAI staff, out of which 22 cases were referred to the competent prosecution services.

In the same context, the priorities of the General Directorate for Intelligence and Internal Protection were defined, this unit conducting, in 2005, more than 9,400 self-protection activities, counter-crime and counter-intelligence activities, out of which 700 represented integrity and vigilance testing. 405 of these tests highlighted breaches of professional deontology and internal norms regulating the conduct of the MoAI staff.

The Border Police conducted in 2005 7,355 undercover activities, integrity tests and on-the-spot inspection. 831 of them represent integrity tests. Following these controls, 22 files on corruption perpetrated by 41 border police staff were referred to the prosecution services. 31 criminal files regarding 42 persons who bribed some border police staff were referred to competent bodies. A relevant situation is the one that took place in Vama Veche in the autumn of this year, when the charges were brought against the entire staff of the border crossing point. With respect to Romanian Police, in 2005, 23 criminal files regarding the perpetration, by 29 police staff (out of which 12 senior officers, 8 holding management positions), of corruption crimes or kindred offences were referred to the National Anti-corruption Department.

Widespread corruption is still a matter of concern for the MoAI, particularly within certain structures that are more exposed to it. Turning entirely into operation of the General Directorate for the Anti-corruption, which is an immediate priority, will have to engender, this year, a substantial decrease of internal corruption.

With a view to combating internal corruption, the following legal instruments were also adopted: Law no. 161/2005 on establishing certain measures for preventing and combating corruption in the MoAI, the Government Decision no. 991/2005 on the approval of the new Code of Ethics and Deontology for the Police staff. The Action Plan for Fighting Corruption with the Romanian Police Staff for 2005-2007 was updated and the Order of the Minister of Administration and Interior no. 588/2005 regarding the "Police Career Guide" was issued.

### **c) Fight against organized crime**

In addition, as a consequence of the signal transmitted to Romania by the European Commission, the fight against organized crime was one of the top priorities of the MoAI.

Strengthening the units for combating organized crime from the Romanian Police represented one of the most important objectives, this component being appraised by the European experts as being “the most dynamic of the GIRP units”.

### **Results in combating organized crime and drug trafficking**

In 2005, the Romanian Police detected more than 5,500 organised crimes. Against approximately 4,000 persons charges were brought and 470 persons were held in police custody (by 29% more than in the previous year). 831 criminal groups and networks were detected, 529 of them being dismantled.

Most of them were: trafficking in human beings, money laundering, trafficking in strategic materials, cyber-crime, false currency, false of credit cards, of cheques etc.

In terms of the anti-drug activity, the Romanian Police seized more than 900 kg drugs, which represents an increase by 114% as compared to 2004. More than 400 kg of the drugs seized last year were high risk drugs, the quantity being four times more than the one seized in 2004. In 2005, the Romanian Police managed to dismantle 202 criminal groups that perpetrated drug related crimes. The most representative seizures were recorded in September in Arad, respectively 250 kg heroin, Interpol appreciating this seizure as being the most important seizure from Europe in 2005, as well as 101 kg cocaine in Constanta Harbour.

Satisfactory results in this field were obtained by the Border Police, which detected and seized more than 140 kg drugs and more than 80 kg precursors, criminal charges being brought against 80 persons.

In the same field, a modern physical-chemical drug analysis laboratory came into operation in Iasi, whilst the General Directorate for Combating Organised Crime and Anti-Drug/GIRP was re-organised. In addition, MARA Programme (Great Romanian Anti-Drug Alliance) was approved by Government Decision.

The annual report produced by the US Department states that “**Romania does not represent a major threat from the viewpoint of drugs manufacturing and dealing, due to the consolidation of the internal legislation on drugs and precursors control, as well as of the administrative and coordination structures**”.

With respect to all these achievements in the European integration area, the MoAI submitted to the European Commission regular reports and briefing papers.

In the area of Phare programmes, at 01.12.2005, the MoAI is an Implementing Authority in the field of public order and safety for 8 Phare programmes, including 41 projects, representing approximately MEUR 57,5. The projects in the field of home affairs within the 2003 National Phare Programme, amounting to about MEUR 15, were contracted by 30.11.2005 up to 86.3%. The real contracting percentage is 100%, the difference stemming from the savings achieved in the international tenders.

**On the Public Administration component**, the implementation of the Strategy of Romanian Government on speeding up the public administration reform and achieving the commitments assumed by Romania during the negotiations for the accession to the EU continued. For this purpose, the legislative package for the administration reform, for the modification and supplementation of the Law on local public administration, of the Framework-Law on decentralization, of the Law on local public finances, of the Law on the Statute of Civil

Servants and Law on the Institution of Prefect (submitted in December by Emergency Ordinance) was elaborated.

### 3. OTHER ASPECTS RELATED TO THE ACTIVITY OF THE MINISTRY OF ADMINISTRATION AND INTERIOR

For 2005, the MoAI the **initial budget** of the MoAI was 46,216 billion ROL (the equivalent of MEUR 1,266.19), and following the budgetary revision, in compliance with the Government Emergency Ordinances no. 66/2005 and 154/2005, **the final budget** was 49,868 billion ROL (the equivalent of MEUR 1,366.24), out of which 44,095 billion ROL from the state budget, 2,975 billion ROL from external loans, 988 billion ROL from own income and 1,810 billion ROL from foreign grants.

They were directed, with priority, on the following **activities**:

- Fulfilling the commitments assumed by Romania in the European integration process;
- Financing the positions whose staffing was additionally approved on the occasion of the budgetary revision in order to solve the understaffing problem;
- Endowing the General Inspectorate for Emergency Situations with protection equipment, vessels, moto-pumps etc.;
- Ensuring the regular pay, the food and clothing allowances to the staff, of the aids the police/military are entitled to when ceasing the labour relations/when being put on the reserve list and the retirement rights.

The rate of the foreseen budgetary execution is 99.8%, the difference of 0.2% representing the instalments to the loans that were not taken over by the budget contingency.

The activities carried out **in the field of human resources**, in 2005, were directed towards the considerable reduction of the understaffing rate, especially in the field of public order and safety.

Thus, 14,821 positions were unblocked and staffed. Additionally, apart from the employment from external source, former MoAI officers were re-employed, or transfers of staff from other ministries were made, whilst 517 agents/NCOs were transformed into officers.

2,484 graduates from own education institutions were assigned.

At present, the organizational charts of the MoAI units are staffed up to 85.08%.

For the period under review, 199 MoAI staff were taken to court for having perpetrated crimes, as follows: 26 corruption crimes, 28 abuse of power or abusive conduct, 9 abetting criminals, 18 for breach of traffic regulations and 118 for different other offences.

At the same time, 2,590 staff committed misconducts for which various disciplinary sanctions were inflicted. The most frequent misconducts were: “negligence when carrying out the duties”, “misconduct on duty, in the family or in society”, “compromising military honour and dignity”, “absence and/or coming to work late or protracting the paperwork repeatedly” &c.

In 2005, 1,024 management staff were released from the positions they held.

An element of concern in terms of human resources policy is the fact that the number of car accidents in which police staff were involved remains at an extremely high rate. During January – November 2005, 924 accidents took place, in which MoAI staff were involved, and in more than half of those, the MoAI staff were found guilty for producing them. The most serious fact is that 118 accidents were related to alcohol drinking.

Also in the field of human resources, the MoAI has initiated the **process of reforming the own educational institutions**, the purpose being to increase the number of graduates and to improve their training level.

- The decision on removing the MoAI military high schools was adopted, as a consequence of the fact that their graduates did not prove to be useful for the MoAI units;
- In order to further ensure a sufficient number of staff for the MoAI units, this year the intake for the MoAI education institutions was supplemented by 3,100 and a supplementary exam session was organized;
- In addition, the duration of the training courses for police and border police agents was reduced from 24 to 18 months. This aspect will enable, together with the above-mentioned increase of the intake in schools, to double the number of staff that are trained simultaneously;
- Simultaneously, the vocational training period increased to 50% within these institutions;
- At the same time, the necessary preparations for the educational reform within the “Al.I.Cuza” Police Academy were initiated, so that the focus be on the practical training for the career of the police officer.

**In the field of logistics, the main objectives for 2005 were:**

- Continuing the logistical devolvement/decentralization, outsourcing the services regarding: food for the staff, maintenance of buildings, design of repairing works for buildings and repairing, including licensing the execution of works, of site inspections, as well as monitoring the sustainability of the constructions in terms of MoAI own buildings;
- Re-organising certain logistics components, aiming at eliminating parallelisms and overlaps of competencies, simultaneously with the adoption of a performing management and transfer of certain tasks at local level;
- Applying an integrated system for public procurement management by improving the existing one, with a view to planning procurement and ensuring financial transparency;
- Procuring 660 means of transport, special vehicles for the prevention and fight against fires and intervention vehicles, necessary for the operation of emergency services and for crime investigations and evidence collection.

For the period under review, **ensuring IT&C equipment** was achieved on the following **main directions:**

- Designing, by meeting the deadlines, the technical specifications related to certain Phare projects of major importance in the field of border security and implicitly, in the process of Romania’s accession to the EU;
- Completing the contract regarding the achievement of voice-data integrated communications networks in 12 cities-county capitals: Botosani, Brasov, Cluj Napoca, Constanta, Craiova, Drobeta Turnu Severin, Iasi, Oradea, Pitesti, Ploiesti, Targu-Mures, Timisoara;
- Completion of the Phare Twinning Covenant entitled “Technical and legal assistance for implementing the Schengen Acquis in Romania”, supported by France and Spain.

**In the medical field,** the main activity for the period under review was to strengthen, promote and improve the reform commenced in the own medical network.

This structure has constantly paid attention to maintaining the state of health and effort capacity of the staff, reflected by improving the morbidity indicators, which are regularly reviewed.

Nevertheless, on the background of maintaining in the MoAI structures some staff with medical problems, yet having recovery potential, one can explain the fact that, based on the sick leaves granted for recovery in such cases, the temporary work incapacity rose as compared with

the previous year, by 37%, whilst the number of the persons whose labour relations ceased due to medical problems in 2005 went up by approximately 80% as compared to 2004.

**In terms of the audit and control activities,** 110 internal public audit missions on compliancy and systems, 18 inspections, 15 thematic controls and 18 re-controls were conducted at MoAI structures. Additionally, 3006 complaints, notifications, press articles and parliamentary inquiries were conducted. On this occasion, more than 2,300 recommendations aiming at correcting, eliminating and preventing, for the future, deficiencies, 454 disciplinary sanctions and 135 demotions from management positions were proposed and 27 cases were reported to the Discipline and Judgment Councils and for 53 of the checked persons, the investigation bodies of the prosecution services were notified.

Mention must be made that the missions of the MoAI units were conducted within the limits of the approved budget, with the endorsement of the expenditures by the officer that gives the “read and approved” stamp within the Ministry of Public Finances, the Court of Auditors granting the management discharge for the period under review.

In the field of **public relations and communication management,** the attention of the MoAI focused on the increase of degree of transparency in the relations with media and citizens, as well as the increase of the degree of how citizens are informed with respect to the implemented modernization and reform programmes. The perception of the population with regard to the structures of the Ministry improved in 2005, yet by the measures taken this year, the level of public confidence must get closer to the one that exists in the EU Member States.

## II. SECTORAL REVIEW

### *A) In the public order area*

In this field, based on the authority given by law, the MoAI redirected its missions, acting on the necessity to increase the safety of citizens, to prevent and fight crime more effectively, in particular corruption and organized crime, to consolidate public confidence and respect towards the institution and to secure public support in the effort to prevent crime.

#### 1. ROMANIAN POLICE

Year 2005 saw obvious progress in the policy of rendering more efficient and modernising police management, institutional reorganization, in introducing a new concept for the annual appraisal of county inspectorates management staff, in the training of managers and their performance monitoring.

Institutional reorganization aimed at establishing the operational activities on three layers: public safety, crime investigation and combating organized crime. As a result, the following objectives were pursued:

- To strengthen the structures fighting organized crime (their staff increased by 77%);
- A better coordination of the units and to focus on the main crime areas;
- To reduce the number of management positions (at present, within GIRP, management positions represent only 8% of the total);
- To transfer police functions from the administrative to the operational structures (the trend being to achieve an optimal ratio of 70% of the police on the street and 30% in the offices);
- To ensure a balanced distribution of police staff, subject to the operational structure.

Another aspect of the Romanian Police activity in 2005 is represented by the efforts to resolve the understaffing problems, by hiring from external source and filling more than 5,800 positions. Compared with 2004, the understaffing decreased by 20% and it is expected to decrease by another 50% this year. It is worth noticing that 26% of the police agents hired directly from external source in 2005 have higher education and 32% of them are women.

However, last year Romanian Police suffered also massive losses in personnel – a total of 4,055 police staff, out of which 3,259 through retirement, aspect that led the MoAI to step in by initiating an Emergency Ordinance (no. 185/14.05.2005), which modified the minimum age required for early retirement from 45 to 50 years.

As a result of reforming efforts, an poll undertaken by Gallup International (Analysis and Forecast Report, September 2005, published by the Romanian Academic Society) revealed that Police reform is the most appreciated by the population, from point of view of its credibility (ranking the first, with more than 50%), Police being perceived as the organization with the highest degree of transparency within the internal institutional spectrum.

The main results of the Romanian Police in the area of combating corruption, organized crime and drug trafficking were highlighted within the chapter dedicated to the European integration.

With respect to the statistical review of the Romanian Police activity, a beneficial situation that can be discerned is the decline of serious violence, as compared to 2004. Murders declined by more than 15%, murders committed using weapons (except firearms) by approximately 29%, murders for the purpose of robbery by 37.5%, attempted murders by approximately 12% and assaults that resulted in victim's death by 16%. It is worth noticing that, for the period under review, no contract murders or vendetta were recorded, whilst those committed by using firearms accounted for just above 1% of the total murders (only six such cases occurred this year). As for the robberies perpetrated using a distinctive *modus operandi* (using firearms, gas pistols, by criminals wearing masks etc.), they diminished by 9%.

Unfortunately, an increase by more than 25% in the number of robberies was recorded, most of them being perpetrated on the streets, aspect which creates a state of anxiety and lack of security for the population and represents a reason of concern for the MoAI management. This year, the Romanian Police has to take measures to ensure a substantial decrease of these crimes, mainly by supplementing the number of patrol units.

An issue of concern is represented by the increase in the number of minors involved in committing offences: in 2005, they accounted for 10% of the total number of accused persons. The most significant increase in criminal offences perpetrated by minors was recorded in robberies (more than 30%) and car thefts (by over 20%). In 2005, more than 5,100 pupils committed various offences, 15% of these being perpetrated inside schools, this aspect being also a major problem that has to be tackled this year.

The MoAI is also concerned with the increase in the number of serious road accidents. In 2005 there were more than 6,300 road events (over 5% more than in 2004). As a consequence, over 2,200 people died (by 7% more than the previous year) and more than 5,100 persons were severely injured (nearly by 5% more than last year). Among the efforts of the Romanian Police in order to reduce the number of road accidents, the opening of the traffic video surveillance system on DN 1 (National Road 1) must be mentioned, in the framework of a European-funded project, as well as the prevention campaign entitled "Stop accidents! Life has right of way!" which was prepared last year and launched two weeks ago.

This year, Romanian Police will have to further the efforts commenced last year and to intensify its actions in the field of preventing and countering car accidents.

Among the drawbacks that existed in the activity of the Romanian Police last year, there is the situation created by the inappropriate management of the criminal investigation in Larisa Chelaru case, an event that raises questions regarding the effectiveness of some police investigation and the degree of involvement of the county inspectorates' chiefs in coordinating the activity of their subordinate staff. The police still have to learn the aspects related to the fact that accountability towards the citizens and community must be on the top priority.

The cases of police brutality were few in number, yet the incident that occurred in Constanța in August, when a citizen was severely brutalized by a Police squad, shows that the principle according to which police officers have to protect and not to resort to unjust force has not yet become a reflex.

A Romanian Police statistics shows another alarming fact: during last year, 179 police staff were assaulted, which represents a very serious situation.

The establishment of a framework leading to substantial police decentralization, by setting up the local police, also represented a priority for the MoAI management, given that, on one hand, public order and road traffic safety issues are easier to manage on a local level and, on the other hand, the community mayors have, by law, responsibilities in the field of ensuring public order, responsibilities that they cannot exercise.

Pilot projects in this field were conducted, with satisfactory results, in five cities – Bacău, Cluj-Napoca, Oradea, Pitești and Ploiești -, whilst the establishment of local police, under the authority of the town halls, are due to be put in practice after the sources for financing these institutions have been identified. The main obstacle that prevented the establishment of the local police this year was that the project stipulates the co-financing of these services by the state and local budgets, and not all of the municipalities have the necessary funds, a re-adjustment of the income taxes percentage remaining at the local budgets being required.

The local police will take over the most part of the activities that are currently undertaken by the traffic and public order police services within the municipal police inspectorates.

## 2. ROMANIAN GENDARMERIE

The ample process of organizational modernization and of ensuring compatibility of the structures and practices with those of similar European organizations, the implementation of the provisions of the MoAI Strategy to ensure public order and safety, to increase the safety of citizens and prevent street crime, made the Romanian Gendarmerie address, with priority, the following objectives:

- To harmonise the legislation on the responsibilities of the Romanian Gendarmerie with the Acquis Communautaire;
- To turn into operation the organizational structures and to consolidate them;
- To ensure compatibility of the specialized structures, from the point of view of their responsibilities and procedures, with the similar ones in the European Union states;
- To improve management at all levels;
- To dynamise and ensure efficiency of public order, institutional guarding and protection structures.

Specific activities conducted in 2005 materialized in carrying out nearly 170,000 public order missions, with an average of 415 missions per day.

In the framework of the reform process of the Gendarmerie, a decrease of the number of territorial public order structures took place by removing 265 stations, 218 posts and 50 detachments, by withdrawing effectives that acted in 2 2,694 schools in 343 localities, by limiting activities in the field of public order, and as a result of the reorganization process in accordance with Law on the organization and functioning of the Romanian Gendarmerie.

Co-operation with other institutions having responsibilities in the field of public order and safety materialized in more than 7,800 missions conducted jointly with the Police and 8,500 missions conducted jointly with other structures.

In 2005, jointly with other structures, the Gendarmerie conducted 8,500 missions in the areas stricken by calamities, in order to rescue people and their goods and chattels, to guard the property in the evicted places, to ensure public order, to distribute aids, draining activities, to consolidate the protection dykes and to alleviate the floods effects. The intervention of the gendarmes in the crises provoked by the five successive waves of floods enabled the rescue of an important number of human lives and also damage limitation. The biggest difficulties that the Gendarmerie had to face while intervening in the affected areas were caused by the fact that their staff possess equipment and logistical means specific to public order structures, and not to intervention in emergency situations.

The Gendarmerie Detachment deployed in Kosovo conducted 585 specific missions to ensure and restore public order, to guard and protect buildings and persons and to protect

humanitarian aid convoys. In 2005, as an acknowledgement of their professionalism, the personnel of the Detachment were awarded the “In service of Peace” medal.

This year, the Gendarmerie has to manage a very complex situation, namely the preparation to abolish the compulsory military service, which will deprive this organization by more than 13,000 conscripts that are currently serving within its structures.

### **3. BORDER POLICE**

In 2005, Romanian Border Police aimed at furthering the activities meant to lead to the fulfilment of the responsibilities that are incumbent on it, in order to align its specific activities with international standards and to comply with the requirements included in Chapter 24 – Justice and Home Affairs.

The main results were reviewed in the “European Integration” chapter.

The MoAI estimates that the main drawback in this year’s activity of the Border Police is the limited policy effectiveness in terms of countering internal corruption, which still remains at a high level, despite the resolute attitude of the GIBP management on the matter. In this respect, it is worth mentioning the installation of a video surveillance system at Galați and Stamora-Moravița border crossing points.

In addition, the Border Police has to make progress in ensuring a relationship with citizens, based on respect and solicitude. Organizational and communication drawbacks that occurred when managing the created situation, as a consequence of the decision to properly put into practice the provisions of the Government Ordinance no. 84/2003 (on retaining passports of those Romanian nationals that exceeded the legal duration for staying in Schengen states without any ground) represent a relevant example.

### **4. GENERAL INSPECTORATE FOR EMERGENCY SITUATIONS**

In 2005, the activities of the General Inspectorate for Emergency Situations (GIES) were conducted in the context of the exceptional challenge represented by the five waves of floods. The number of GIES missions in mitigating the effects of disasters was more than 6,000, taking into consideration that this institution still has precarious logistics, whilst the institutional formula that resulted from the merging of Firefighters and Civil Protection, at the beginning of 2005, was not yet fully functional.

#### **The intervention for mitigating the floods effects represented the main activity of GIES during 2005**

In 2005, from a statistical point of view, the professional, volunteer and private services for emergency situations were alerted and intervened in nearly 37,000 emergency situations (more than 100 per day). The number of missions increased by approximately 36%, as compared to 2004. The largest increase was seen in emergency medical assistance and extrication, with more than 16,500 cases accounting for 45% of the total. Over 10,000 missions were carried out for fire extinguishing, whilst another 8,400 in civil protection/disaster operations. Out of the total civil protection interventions, 6,270 were aimed at alleviating the effects of floods and landslides. The number of interventions in floods situations exceeds the entire number of such types of interventions conducted over the past ten years.

The intervention stations for emergency medical assistance and extrication, established in eight county inspectorates and dedicated to major emergencies, intervened on an average of 46 situations per day, 18,000 persons being assisted.

During the missions conducted with other response structures of the National System for the Emergency Situations Management, nearly 10,000 persons were rescued, out of which 2,000 were children. Property worth more than RON 445,000,000 was also protected.

Unfortunately, despite all efforts done for removing the consequences of disasters, 76 people deceased during floods, and another 208 deceased in fires.

With a view to improving the logistics of the GIES, the Government granted to this institution a significant financial support during 2005, despite the budgetary constraints, supplementing the allotted budget from about MRON 200 to almost MRON 300. These successive additions enabled GIES to purchase a number of 57 intervention vehicles of high and medium capacity, motor tools, air cushion motor-boats, accessories, breathing kits, intervention equipment and fire extinction substances, with a total value of over MRON 36. Yet, the endowment remains below the necessary level, taking into account in particular that the large majority of intervention equipment (97%) exceeded the 'wear and tear' period.

The process of staffing the inspectorate units is covered only 85 % against the necessary staff number. The staffing rate increased as compared to 2004, following the transformation of 538 positions of military support staff into non-commissioned officers, also because 75 non-commissioned officers become officers, whilst 403 positions for specialized personnel hired from external source for the operational structures were unblocked. The staffing process should also continue this year, particularly in the context of removing the compulsory military service. A number of 8,000 conscripts should be replaced by 30,000 professional staff.

This situation represents poses a new challenge for the General Inspectorate for Emergency Situations, that is to contribute, together with the MoAI, to build an efficient volunteer system, following the example of European states such as Germany or Austria. In these countries, the volunteer services already have a long tradition and represent the most important support concerning the removal of crisis effects.

For this purpose, GIES ensured last year the special technical assistance to the authorities of local public administration, with a view to establishing volunteer services for emergency situations. At present, 2,331 units have been established at national level in 2,331 localities, in 76,6% of the necessary number respectively, this process being supposed to end during 2006. Yet, these services are far from being operational.

As for discipline during 2005, in spite of the actions for maintaining under control the state of discipline by monitoring the persons susceptible of misconducts, 300 members staff (about 5% of the total staff) committed various acts of misconducts, sanctions being inflicted to 74 officers, 18 military foremen, 197 non-commissioned officers and 11 members of civil personnel.

The main problems faced by GIES during 2005 were, apart from the above-mentioned, the lack of involvement of the local public administration authorities in implementing the legal provisions in the fields of construction endorsement and licensing, by failure to set up sole agreement commissions and the organization of the volunteer services for emergency situations; the precarious state of the warning and alarming system at the local communities level, which is incomplete, old-fashioned and obsolete and which could not be modernized due to the lack of funds; the slow pace of refreshing the intervention technical endowments and IT&C equipments, suitable to the new mission of emergency situations management, more and more complex and diversified, as well as the poor funding by the local communities for the preparation and intervention activity.

## **5. SPECIAL AVIATION UNIT**

The activity conducted in 2005 by the Special Aviation Unit focused on accomplishing the measures set within the „Framework Action Plan for supporting the other MoAI operational structures”.

The largest number of the activities developed by the Special Aviation Unit is represented by its missions with a humanitarian purpose, to intervene in the areas affected by floods, landslides and also at the border zone.

The number of flight hours dedicated to the humanitarian purposes during 2005 is two times larger than the one in 2004, whilst the number of the missions conducted in the same period is over 1,400. The evaluation of these actions is relevant in terms of the professional capacity and the devotion of the staff of this structure.

At the end of last year, the MoAI devised a strategy for the re-organization the Special Aviation Unit, which is to be developed over the next ten years. This strategy provides the procurement, in stages, of 67 aircrafts (29 light helicopters, 17 medium helicopters, 18 heavy helicopters and 3 medium helicopters-couriers).

The strategy also provides the establishment of regional aviation units, with a view to ensuring a better coverage of the national territory, which will enable to support the local administrations in solving the problems of the population that is in crisis situations. The establishment of these regional units will decrease the time of response/intervention to about 20 minutes, simultaneously with the substantial cut down of the expenditures for fuel.

The new six units will be established at Bucharest, Iași, Tulcea, Craiova, Caransebeș and Cluj, for the counties of those respective areas.

## **6. NATIONAL ANTIDRUG AGENCY**

The National Antidrug Agency designed the draft of the programme entitled “The Great Romanian Anti-drug Alliance” (MARA), endorsed by the Romanian Government in October. The main objective of this programme, which will develop over a period of five years, is the establishment and the implementation of the National Integrated System of prevention and fighting against illegal trafficking and abuse of drugs. In addition, Romania became a fully-fledged member of the Group of cooperation for fighting against illegal drugs abuse and trafficking (Pompidou Group) within the Council of Europe.

The activities of the Agency during the year 2005 aimed mainly at accomplishing the objectives enshrined in the National Anti-drug Strategy for 2005-2012, as well as at including in this partnership certain non-governmental organizations by concluding protocols for the implementation of joint programmes on the prevention of drug abuse.

## **7. NATIONAL OFFICE FOR REFUGEES**

With a view to ensuring a better operation of the asylum system in Romania, collaboration among the mandated institutions in this field was enhanced by turning into operation the preparation council in the field of asylum and by the MoAI endorsement of the final version of the Masterplan for the implementation in Romania of the EURODAC system. At the same time, the Guide for the integration of the refugees in the Romanian society – a guide destined for the civil servants - was recently printed.

The draft of the new law on asylum was endorsed by the Romanian Government on the 3 November 2005 and submitted to the Parliament for approval. The Training Center in the field of asylum also came into operation. The National Office for Refugees has hired and trained the staff for Dublin Office, for the centers of accommodation and procedures from Galați, Timișoara

and Bucharest. In December, the center of accommodation and procedures from Rădăuți commenced its activity, whilst the center of accommodation and procedures Maramureș was achieved in proportion of 80%.

Almost 600 applications of asylum seekers have been recorded, out of which 107 applications were lodged for a new asylum procedure. During 2005, the National Office for Refugees issued 631 decisions.

Specific activities concerning the accommodation of almost 1,000 asylum seekers were carried out within the four centers, among which 439 Uzbek refugees, under UN mandate, were accepted following the request of the UN High Commissioner for Refugees.

## **8. AUTHORITY FOR ALIENS**

In the field of prevention and fighting against the illegal stay of aliens, 6,335 control actions were carried out at national level, out of which 4,325 conducted by own staff and 2,010 in co-operation with other institutions.

The statistical data point out that, for the period under review, 5,574 aliens without having legal documents were removed from our country, a number of 4,960 were issued decisions to leave Romania's territory, whilst 614 aliens have been returned.

Data concerning 2,444 aliens being under criminal prosecution have been implemented in the computerized system for the management of the prosecuted aliens; these persons committed 2,864 crimes.

During 2005, the staff of the Authority for Aliens conducted checks and made proposals for solving a number of 12,700 visa applications transmitted by the diplomatic missions and consular offices of Romania abroad. Furthermore, a number of 3,375 aliens received the permanent residence in Romania, and 43,328 aliens were granted or extended the right for temporary stay in Romania, according to law.

In the field of Romanian legislation alignment to the Aquis Communautaire, Law no. 306/2005 on the approval of Government Emergency Order no. 113/2005 on the modification of Government Emergency Order no. 194/2002 on the aliens' regime in Romania was adopted.

The MoAI took action to eliminate the understaffing within the Authority for Aliens and to ensure proper premises for conducting the activity of this institution. These measures will be furthered this year.

## **9. NATIONAL CENTER FOR THE MANAGEMENT OF PERSONAL RECORDS DATABASES**

The National Center for the Management of Personal Records Databases has as responsibilities to ensure the inter-connection among all databases regarding the personal records and to utilize operational data. In addition, it ensures the good operation of the personal records IT systems accessible by the MoAI and other institutions within the National Defence System, which performed in 2005 more than 4 million databasis interrogations.

The activities for designing the new system of manufacturing passports with biometric data were carried out and in collaboration with the experts of the Ministry of Communications and Information Technology, the collaboration will be furthered in order to fulfill the objectives of the programme „A Knowledge-Based Economy”, funded by the World Bank.

During this year, the National Center for the Management of Personal Records Databases will complete and implement the strategy for establishing the integrated IT system for personal records and for issuing identity and travel documents, which will bring significant benefits and reduce bureaucracy.

## 10. NATIONAL ARCHIVES

Furthering the process for updating and improving the compulsory record instruments represents the main activity of the National Archives during 2005.

For this purpose, the activities that were conducted had the following **purposes**:

- To evaluate the documents without a form of record, from the archives storehouses;
- To check the existent documents using the record instruments and the achievement of archives operations;
- To improve archives operations that had been poorly performed by the initiators and the holders of documents.

With a view to improving the access to the research of archives documents of public interest, the institution designed a draft of a computerised concept and the guidelines for the IT sectoral system of the National Archives, a draft which needs important financial resources to be further allocated.

The activity with the greatest impact was that of solving the requests of issuing certificates, copies, extracts from documents etc. Compared to the previous year, the number of requests increased 2,5 times, going up to 170,000, 80 % of these requests being already solved.

A priority consisted in taking over some abandoned archives or archives that were in peril of being destroyed as a result of the companies that were liquidated or whose activities reduced.

One of the major problems the National Archives is still facing is the one related to ensuring the necessary storehouses, aspect that caused some delays in the implementation, by central and local units, of the plans for taking over documents. Under such conditions, the actions related to taking over of archives that were performed during 2005 are placed below the level of previous year.

### *B) In the public administration area*

The expectations of population and society, in general, regarding the quality of the services provided by the MoAI are increasingly high. In this field, in 2005, the MoAI aimed at eliminating bureaucracy in the public relations area, operationally resolving the citizens' requests/applications, ensuring a community-oriented policy, ensuring solicitude with respect to the needs and requests of the community, increasing transparency of the public administration and aligning to the European standards the quality of the services provided to the citizens.

#### 1. PUBLIC ADMINISTRATION REFORM

“The conclusions of the Report of 2004 emphasised that the following domains have to be improved: **the public administration reform** (all the aspects, in particular the local and regional administration, public function reform, decentralisation ...)”. (The Comprehensive Monitoring Report for Romania in 2005, produced by the European Commission)

Within the framework of a wider reform project, the MoAI initiated the following drafts of normative acts, which have been recently submitted to the Government's approval: the draft of the framework-law on decentralisation, the draft-law on amending and supplementing Law no. 215/2001 on the local public administration; the draft-law on the local public finances, the draft-law on the amendment of Law no. 188/1999 on the statute of civil servants.

The draft for amending the institution of the prefect, initially scheduled to be approved by the Parliament, together with the whole package, was submitted by an Government Emergency Ordinance at the end of 2005, for ensuring the accomplishment of the commitment regarding the depoliticizing of this function as of 2006.

The basic goal of the reforms, expressed from the very beginning, is to create the necessary conditions for a ensuring a high-quality public administration that has to become, apart from central authorities, one of the engines developing Romania, and that has to be able to develop major investment projects, financed by European funds.

The general principles that grounded the drafting of the law package were the following: to increase the local autonomy in view of involving the local public administration authorities in the efforts made for Romania's modernization, to depoliticise the administration, to stimulate and increase the coherence of the overall decentralisation process, to increase the effectiveness of the local public administration in view of improving the quality of the services provided to the citizens, to strengthen the administrative capacity and to raise the professionalism of the public administration staff.

## **Package of draft laws on the public administration reform**

### **I. Draft of the framework-law on decentralisation**

Up to now, the decentralisation in Romania developed without respecting the general rules governing this process. The transfer of administrative responsibilities was not harmonised with the one of financial resources, the initiatives of line-ministries were not co-ordinated or they were incomplete, and the transparency and predictability of the local budgets financing system lacked.

The lack of clarity as regards the allocation of task and financial resources between the different levels of the government is remarked in the latest Monitoring Report for Romania produced by the European Commission. The text of the report also shows that the "process for transferring responsibilities at the level of local administration is far from being finalised: the responsibilities of the different administration levels were not properly clarified and were not harmonised with the transfer of fiscal resources and property, or - at local level, with the rights for decision- making".

Law no. 339/2004 – the framework-law on decentralisation – is inapplicable and it has to be repealed.

The purpose of this draft-law is to enshrine a set of principles, rules and stages that have to be observed by each ministry which decentralises. At the same time, it proposes the consolidation of the institutional structure of decentralisation within the MoAI. By its responsibilities, the MoAI will co-ordinate and monitor this process, it will oversee the observance of the basic rules and the correlation between the transfer of administrative and financial responsibilities.

The main elements of the new draft-law are:

A complete set of principles that should govern the decentralization process:

- The subsidiarity principle;
- The principle of ensuring the resources subject to the transferred responsibilities;
- The principle of ensuring the planning and predictability capacity in the activity of the local public administration authorities;
- The principle of the accountability of local public administration authorities in relation to the responsibilities incumbent on them;
- The principle of equity in ensuring the access of all citizens to public services;
- The principle of budgetary constraint.

The responsibilities will be transferred at the administrative level which is the closest to the citizen, provided that it has the necessary implementation capacity. The transfer of responsibilities will be carried out selectively, depending on the implementation capacity of the local administrative units.

This transfer should be mandatorily accompanied by the resources which are necessary for carrying out the responsibilities. The current resources for exercising the responsibilities at central level will be entirely transferred to the local level.

The transfer could be doubled by the cost standard systems. On their basis, the Government will assess the finances needed for the provision of the decentralized public services. The authorities of local public administration have to meet the quality standards with respect to the provision of decentralized public services.

Prior to the transfer of responsibilities nationwide, the line-ministries may organize pilot-stages for testing the proposed solutions.

The law also comprises a chapter regarding the responsibilities of the local public authorities. The new element resides in the fact that they are structured by administrative levels, county level and the communes and towns level respectively; at each level, responsibilities are classified as exclusive, shared and delegated.

The MoAI, jointly with the line-ministries and other special bodies of the central public administration, will put forth to the Government the deadlines for completing the decentralization sectoral strategies and the minimum 'value for money' standards in providing decentralized public services and utility public services.

## **II. The draft for amending Law no. 215/ 2001 on the local public administration**

The main proposed amendments are the following ones:

### **Introduction of the inter-communally concept**

Localities will be encouraged and stimulated to associate in order to be able to initiate and jointly develop major projects, and to access more easily funds for financing these projects. The localities will be able to form community development associations, having legal personality, under the private law, without having the specific elements of a local administrative unit. The draft-law provides ways of setting up some technical and leading bodies for these associations, as well as, most importantly, the obligation of the state to support the setting up and running of these associations. For this purpose, it is specified the Governmental support to the association of territorial-administrative units, through different national development programmes, financed on a yearly basis from the state budget and regarded as distinctive budgetary lines within the MoAI budget.

### **Validation of local and county councillors, as well as the endorsement by the judiciary of the tenure cessation, local and county councils dissolution**

In any democratic society, the judiciary should be the only referee in terms of the setting up and functioning of the elected authorities. The transfer of these operations in the responsibility of the judiciary will ensure the rightness and transparency of this process.

### **Adoption of the decisions of the local/ county council only by simple majority and by majority of the councillors in office**

This amendment aims firstly at avoiding the blockage situations in the administration functioning, due to the fragile majority. At the same time, by this amendment, a symmetry with the working mode of Parliament was ensured, the Parliament being the highest representative institution; within this institution, the two-thirds majority is required only for the drafts of constitutional laws. Under such circumstances, it is therefore unnatural for some normative acts

with local applicability – such as the local budget – to be passed by two-thirds vote of the local councillors, too.

**The vice-mayor will retain his/her capacity as local councillor.**

The draft-law proposes the retention of the vice-mayor's capacity as a councillor and his/her dismissal by majority voting of the councillors in office. This amendment is to be enforced as of 2008, in order to prevent certain malfunctions in the administrative act.

At the same time, the restrictions regarding the responsibilities that the mayor can delegate to the vice-mayor are removed.

**The mayor will appoint the heads of the self-sufficient administration of the public institutions and of the institutions providing public services of local interest** which are subordinated to or co-ordinated by the local council, after an exam organised based on the procedures and criteria set by the local council. They will be appointed by contract of management.

**The amendment of the mechanism to appoint, sanction and dismiss the secretary of the local administrative unit**

The secretary shall be recruited, appointed and dismissed in compliance with the general procedures, applicable to the management civil servants, according to the Statute of the Civil Servant. By this provision, the role of the prefect in this process is removed; the involvement of the prefect has led so far to many cases of abuse, which were severely criticised by the European Union, the Council of Europe, and by Local Authorities Congress etc.

**The appointment and the dismissal of the president and vice-presidents of the county council by the majority vote of the councillors in office**

This provision, which is going to enter into force as of 2008, is based on the same ideas that grounded the provision enshrining the adoption of the decisions of the local/ county council only by simple majority and by majority voting of the councillors in office.

**The public administrator position**

This position aims at ensuring a greater level of professionalism in the running of local authorities, at all the levels. The public administrator shall carry out the tasks delegated by mayor, by the County Council, respectively, as there are more options. Thus, the administrator will have enhanced powers, being even entrusted as main credit holder or, on the contrary, as a simple assistant to the mayor, or of the County Council management, respectively. The tasks of the public administrator will be proposed by the mayor or by the president of the County Council, and submitted to the Local or County Council for approval. Establishing this position is optional.

**The introduction of a chapter on sanctions**

The chapter on sanctions aims at setting up certain mechanisms for implementing the legislation, as well as at enhancing the responsibilities of the local authorities, in particular considering the future expansion of their tasks, as a consequence of the decentralisation process. The sanctions are contraventional and they shall be inflicted by the prefect.

**III. The draft-law on local public finances**

The amendment of this legal instrument was determined by the necessity to improve the budgetary principles and procedures. The new version is grounded on the experience of European countries and, in particular on the Financial Regulation applicable to the EU budget.

The project introduces four new budgetary principles:

- **Principle of local financial autonomy.** The administrative territorial units are entitled to have sufficient financial resources, the local public administration authorities can use in exercising their duties, by and within the law.
- **Principle of proportionality.** The financial resources of the administrative territorial units have to be granted proportionally, subject to the tasks of the local public administrative authorities, assigned by law.
- **The principle of consultation.** The local public administrative authorities shall be consulted, by their associative structures, about the ways to allocate financial resources for ensuring a balance of local budgets.
- **The principle of solidarity.** By local budgetary policies, the local communities and the natural persons facing extreme difficulties can be assisted, by allocating funds from the budgetary contingency or emergency funds of the Government.

Other new provisions introduced by this draft-law are:

- The funds destined to balance local budgets will be directly allocated by the public finances county directorates – not by the County Councils, as it happens currently – based on precise regulations;
- The criterion of exclusion from the allocation of funds destined for balancing local budgets will be introduced. This means that the localities with an average revenue/capita which is higher than the county average revenue will be excluded from the distribution of the funds meant to balance the local budgets. This aspect will result in a distribution of these funds to the local public administrative authorities that are in real financial difficulty;
- As of 2008, local budgets shall comprise running and development sections. The running section is the basic, compulsory part of a local budget, which includes the income that are necessary to cover current expenditures for carrying out the tasks and duties provided by law could be covered. The development section is the complementary part of a local budget, and it comprises the income destined for capital expenditures, according to the development policies at the national, regional, county, zonal or local level, on a case by case basis, as well as the respective capital expenditures, based on programmes and projects;
- The limit of the local public administrative authority debt will increase from 20%, as it is now, to 25%. This increase will enable the allocation of additional financial resources destined for financing multi-annual actions. Localities shall have a rating that is similar to the country rating, which will represent an appraisal of the local authority capacity and determination to pay in full and on time its guaranteed and non-guaranteed financial obligations;
- The project also provides the introduction of specific chapters regarding the insolvency of local administrative units, on two components: financial crisis and insolvency. These regulations aim at ensuring a more rigorous administration of the public funds;
- In case of insolvency (the lack of capacity to pay off the debts exceeding 50% of the total budget of the locality for a 120-day period), the main credit holder has to ask the court to initiate a specific procedure meant to remedy the financial situation. The syndic judge will appoint a trustee who will take over all the responsibilities of the main credit holder and will continue the financial remedy procedure;
- The same reasons led to the introduction in the provisions of the draft of the obligation incumbent on the main credit holder to review on a yearly basis the degree of their own revenue collection;
- In addition, the mayor shall have the right and obligation to check the rightness filling of the fiscal record of the contributors to the territorial fiscal body.

#### **IV. The draft law for amending and supplementing the Law No. 188/1999 regarding the public servants' status**

“There is a limited process regarding the concept, the implementation stage and the effectiveness of the public function reform (...). The public function still needs improvement before it may be regarded as apolitical and professional.” (Romania. The Comprehensive Monitoring Report 2005)

The draft of this legal instrument transposes in the field of public function the decentralisation principle. Thus, a clear distinction is made between the general regime of the legal relations between civil servants and state and the general regime of the legal relations between civil servants and local public administration.

According to this draft, the recruitment exams for filling the vacant public functions in the public institutions and authorities within the local public administration are to be organised directly by these institutions, except for the management positions in the field of child protection, computerised personal records, financial-accountancy, urbanism and architecture, human resources and European integration. The exams for filling these positions shall be organised by the National Agency of Civil Servants, given the special nature of these positions.

The National Agency of Civil Servants will also organise the exams for filling the positions of secretaries in the local administrative units, whilst in the field of the internal public audit it shall organise the exams for both management and execution positions.

An important aspect is also represented by the amendment of the legal provisions regarding the category of the high-level civil servants and by its reconsideration, so that as of 1 January 2006, it include the public positions of the prefect and sub-prefect.

Another provision of this draft, which is needed for the real depoliticisation of administration, provides that the high-level civil servants and the management civil servants may not run for elections, unless they give up to their public position (the current legislation allows the civil servant to candidate if he/she self-suspends from that position during the election campaign and during his/her tenure as a dignitary).

## **2. ENSURING EFFECTIVENESS OF THE ACTIVITIES OF PREFECTURES**

The main objectives of the activities conducted in prefectures in 2005 referred to the exercise, by the prefect of their legal prerogatives on ensuring the observance of law, increasing the quality of the services provided to the citizens by means of devolved departments, intervention for alleviating the effects of floods, co-ordinating the process of assisting the affected people, and managing the situations created by the bird-flu cases in some counties.

The prefectures were directly involved in the devolvement and decentralisation process by integrating the local services in their own functional structure. The decentralised services for passports, driving licenses and vehicle registration were set up and they came into operation.

By improving the legal framework, the activity of passports issuing became more effective, resulting in a significant reduction of the waiting time.

Yet, some deficiencies still exist, regarding bureaucracy, inappropriate place destined to carrying out the specific activity and the public relations activity; they also refer to the lack of proper conduct of the staff in their relation with citizens etc.

At the same time, the activity of applying a licence stamp on official administrative acts was taken over, in the context of decentralisation.

### 3. THE IMPROVEMENT OF THE PUBLIC FUNCTION MANAGEMENT

As regards the public function management, a specialized training programme was organized for the management civil servants, aimed at training civil servants for a managerial career in the public administration, contributing to the development of a high-quality public service in Romania. Thus, in 2005 **the main activities in this field had the following purposes:**

- The pay reform in the public function, by proceeding to contracting private consultants, in view of creating a unitary pay system for the civil servants;
- To create the background for setting a proper pay system for the civil servants by setting up the National Commission for the Evaluation of the Positions and by implementing the evaluation methodology, at central and local levels, in 10 pilot institutions;
- To improve the human resource management skills at the level of the public authorities, by introducing the Guide on the training needs analysis and the Guide on human resources planning methods;
- To develop training programmes, tailored for the public administration for the high-level civil servants, future public managers and management civil servants;

### 4. PARTNERSHIP WITH LOCAL COMMUNITIES

The permanent dialogue and the partnership relations with the associations of elected local authorities and local communities represented the priorities of the MoAI, in this field.

For this purpose, the activities that were carried out aimed at:

- Improving the framework of providing local services of public utility;
- Implementing, in 62 localities, some programmes for providing new technological equipment for the centralised system of heating production and distribution;
- Transposing in full the provisions of Acquis Communautaire, provided in Chapter 6 - Competition Policy, into 9 drafts of legal instruments that are likely to include state aid schemes.
- Granting 4 titles of “industrial parks”;
- Furthering the implementation of the SAMTID programme and developing the procedures for continuing the second stage of the programme;
- Consulting the associative structures of the local public administrative authorities when designing the drafts of legal instruments, their involvement in the decision-making process being a generalised practice.

The revitalisation of the run down areas, obtaining domestic investment and European funds and diminishing the existing regional disparities have to represent in the period to come the targets that are not only necessary but also required by the future EU membership of Romania.

## 5. REGISTER OF PROPERTY AND REAL ESTATE PUBLICITY ACTIVITY

For the National Agency for Register of Property and Real Estate Publicity the year 2005 saw the merger between the activity of the County Offices for the Register of Property, Geodesy and Cartography with the one of land registry offices within the Courts, in a framework that created the background for ensuring better services for people.

The National Agency for Register of Property and Real Estate Publicity completed the flights to achieve the ortho-photographic plan so that it could be completed entirely by April 2006. This instrument is important as it will enable the land owners to benefit from agricultural subsidies and also for achieving local development projects and for the prevention and management of crisis situations, such as floods.

In order to improve the legal framework by introducing a streamlined and more standardised and unified record system, at the level of the agency, two projects financed by the European Commission are underway.

For ensuring a better operation in terms of finding solutions to the citizens' problems, the National Agency initiated and concluded protocols of co-operation with the National Union of Public Notaries of Romania, the Romanian Banks Association and Romanian Mail National Company, in view of establishing some procedures on filing requests and issuing the land registry extracts.

Another field of priority for the Agency, for the period unde review, was to computerise and secure the single system of the register of property and real estate publicity.

Unfortunately, the National Agency for Register of Property and Real Estate Publicity did not manage to resolve some deficiencies identified in its activity, such as: reducing bureaucracy and the time for issuing documents, removing the conflicts of interests, as well as removing the almost generalised practice of using the equipment of the institution, its premises and databasis in the personal interests of the staff, eliminating the favouritism proved by some managers towards particular companies or legal persons, as regards their relations with the institution.

### III. LINES OF ACTION OF THE MINISTRY OF ADMINISTRATION AND INTERIOR FOR 2006

In 2006, the MoAI will further the application of the Government Programme for 2005-2008, the Updated Strategy on the Institutional Reform of the MoAI in 2005-2006, and the Priority Measures Plan for the EU Accession.

In this context, the MoAI is committed to take action on the following directions:

**1. *To carry out, on time and in full, the assignments and the commitments incumbent on the MoAI, in view of Romania's accession to the European Union at 1 January 2007.***

The main fields referred to are:

- Securing borders and ensuring a high level of control at the future EU external borders;
- Fight against corruption;
- Combating organised crime.

**2. *To further the institutional reform by reorganising certain components (structures) of the Ministry, aiming at:***

- Removing parallelisms and overlaps of responsibilities;
- Furthering the process of ensuring the compatibility of the MoAI structures with similar structures of the EU Member States;
- Setting up the "Local Police", in view of strengthening the relation with the citizen, and providing quality services in the field of the public order and safety for citizens;
- Enhancing the institutional capacity and the effectiveness of the activities developed;
- Decentralising and transferring responsibilities to local units;
- Strengthening the administrative and financial autonomy.

**3. *To further the legislative harmonization process* by:**

- Accomplishing the assignments provided by the Legislative Programme of the Government and in the Priority Measures Plan for the EU Accession in 2006;
- Supplementing, amending and adopting certain legal instruments regulating the activity of the new structures stemming from the reorganisation of the MoAI and from the decentralisation of certain responsibilities.

**4. *To further the reform in the public administration* by:**

- Supporting in Parliament and ensuring the implementation of the reforms provided in the package of draft-laws on public administration reform;
- Ensuring the organisational and functional framework in view of ensuring community-oriented institutions;
- Standardising procedures and actions, in view of removing red tape in the public services within the own fields of responsibility;
- Developing the mechanisms that are necessary for a proper development of the activities conducted by local public services;

- Designing and implementing a single pay system for the civil servants;
  - Creating a high-quality training system for the structures with respect to obtaining and managing structural funds;
  - Organising and conducting, through the National Administration Institute, training programmes on topics that represent issues of priority for the public administration in Romania;
  - Developing the local infrastructure;
  - Strengthening the partnership with the associative structures of the local public administration.
- 5. *In the field of crime prevention and ensuring public order***, the priorities of 2006 aim at:
- Increasing the degree of security for the citizens;
  - Crime prevention and countering in fields such as organised crime, corruption, drugs trafficking and abuse, illegal migration and trafficking in human beings, financial frauds;
  - Re-evaluating the functional responsibilities, re-considering the work procedures and methods subject to the changes in the operative situation;
  - Arranging and initiating co-operation with other institutions and bodies having responsibilities in the field of crime prevention and fight.
- 6. *In the field of human resources***, action will be taken for:
- Sorting out the understaffing problems;
  - Designing and applying an integrated system for the diagnosis of training needs, as well as certain performance indicators of the system for the continuous training of the staff;
  - Aligning the MoAI educational institutions to the EU standards;
  - Professionalizing the MoAI staff by the participation in training programmes and by self-actualisation study;
  - Enhancing the prevention and countering of internal corruption.
- 7. *In the field of ensuring material and financial funds***:
- Ensuring, as a matter of priority, the pay and material rights for the staff and the expenditures needed for the maintenance and running of the units;
  - Organising and developing the procurement procedures by fully meeting the legal conditions;
  - Completing the actions on outsourcing the services that ensure food for the staff, the maintenance of the buildings, the design and licencing of repairing works, and the execution of some other works;
  - Active involvement in obtaining and developing programmes financed from foreign funds.

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**These priority lines of action, as well as the ones set on the occasion of the reviews conducted by each structure, will be under the focus of attention of the Ministry of Administration and Interior, with a view to ensuring high-quality services to the citizens, and to fulfilling the obligations stemming from Romania's accession to the European Union.**