

## Survey on the Effectiveness of Anticorruption Authorities

### Background Information

1. Please enter country name in the space below

ROMANIA

2. Name of the agency

The National Anticorruption Directorate (DNA) within the Prosecutor's Office attached to the High Court of Cassation and Justice of Romania

3. Date of establishment

01 September 2002

4. Contact Information

Stirbei Voda 79-81, 1<sup>st</sup> District, Bucharest  
Phone: +40213121497, Fax: +40213125144, email: [anticoruptie@pna.ro](mailto:anticoruptie@pna.ro)

5. Website

www.pna.ro

### Legal Framework

6. What are the main anti-corruption laws in your country? (please include year of entry into force)

Government Emergency Ordinance no. 43 from 2002 regarding DNA .  
Law no. 78 from 2000 on preventing, identifying and sanctioning corruption offences,  
Romanian Criminal Code  
Law no. 144 from 2007 on the establishment, organization and functioning of the National Integrity Agency

7. Does your Government have a single or primary anti-corruption strategy?

Romanian Government has a single anticorruption strategy for 2012-2015. It was adopted through the Government Decision no. 215 from 2012, which provides the list of the tasks, the indicators of achievement and the action plan.

8. Does your country have freedom of information legislation?

Yes       No

9. Does your country have conflict of interest legislation?

Yes       No

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

- Yes       No

11. Does your country have immunity protection legislation?

- Yes       No

12. Is your agency protected from political interference by law?

- Yes       No

### **Institutional Framework**

13. What are the main functions and operations of your agency? Please check all that apply

- Research     Prevention     Investigation     Prosecution     Forensics     Accounting     Policy

14. Is there one agency in charge of coordinating AC efforts across agencies?

- Yes       No

If yes, please specify: Ministry of Justice

15. Does your agency have the ability to share information or data with

(a) Other agencies within your Government, and

- Yes       No

(b) Government partners from other countries?

- Yes       No

16. Please enter the current size of permanent staff in the space below.

538

17. Number of prosecutors (if applicable)

135

18. Number of investigators (if applicable)

168 police officers and 53 experts

19. Number of support staff (if applicable)

182

20. Number of cases handled annually (if applicable)

(a) Number of complaints received

7406 in 2012

(b) Number of investigations conducted

3578 in 2012

(c) Number of cases handled in court

234 in 2012

(d) Other please specify

21. Please state the number of complaints received for which your agency did a follow up

3578 in 2012

22. Please state the prosecution to conviction ratio of your agency (if applicable)

90%

23. Please state the number of learning activities and outreach events organized by your agency (if applicable)

10 in 2012 (1 international conference, 1 study visit and 8 visits of foreign delegations received)

24. Please state the amount of assets recovered by your agency (if applicable)

145 million USD (confiscations, amounts to be returned or damages to be paid) according to the decisions ruled by the courts in 2012 in DNA's cases

25. Please enter the names of other agencies with similar functions as this ACA

The only Romanian authority which investigates and prosecutes high and medium level corruption offences is DNA. The other corruption offences are investigated by the prosecutors' offices attached to first instance courts and tribunals. There are also the National Integrity Agency (ANI) dealing with verification of the assets declarations, incompatibilities and conflicts of interests, and the General Anticorruption Directorate, which is a specialized body investigating the corruption within the Ministry of Interior.

26. Does your agency have a system to monitor performance of staff?

Yes  No

27. Are human resource management actions, i.e., recruitment, promotion, and termination based primarily on staff integrity and professionalism?

Yes  No

28. Are new vacancies for your own agency announced publically?

Yes  No

29. Are the results of these recruitment processes announced publically by your agency?

Yes  No

**30. Who appoints the head of your agency?**

The Chief Prosecutor of DNA is proposed by the Minister of Justice and appointed by the President of the Republic, after the Superior Council of Magistracy gives its opinion on this matter.

**31. Who has the authority to remove the head of the ACA?**

The Chief Prosecutor of DNA can be removed by the President of the Republic, at the proposal of the Minister of Justice, after the Superior Council of Magistracy gives its opinion on this matter.

**32. To whom does the head of your agency report to?**

The chief prosecutor of DNA presents the annual report in front of the Parliament.

**33. Is there any term limit for the head of the ACA?**

- Yes       No

If yes, please specify: 3 years with the possibility of being reappointed only once

**34. Is the agency subject to judicial review?**

- Yes       No

**35. Is the agency subject to expenditure reviews?**

- Yes       No

**36. Does your agency measure "performance"?**

- Yes       No

*If yes, against which indicators?*

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication.
- Number of outreach activities delivered
  
- Others, please specify: Number of convictions ruled by the courts

**37. In practice is your agency protected from political interference?**

- Yes       No

**38. Does your agency keep a comprehensive skill list of its staff?**

- Yes       No

**39. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?**

- Yes       No

**40. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistleblowing)?**

- Yes       No

**41. Does your agency have a communication strategy?**

- Yes       No

**42. Does your agency have a comprehensive corporate plan?**

- Yes       No

**43. Is there a strategy for formulating a partnership with outside agencies to fight corruption?**

- Yes       No

**44. Is there a strategy for dealing with the media?**

- Yes       No

**45. In practice does your agency has sufficient powers to carry out its mandate?**

- Yes       No

**Resource Mobilization**

**46. Does your agency have budgetary autonomy?**

- Yes       No

**47. What is the annual budget of your agency?**

22 million USD

**48. The annual budget is determined by (please choose the answer(s) that best fit(s) your agency)**

<input type="checkbox"/>	Number of staff
<input type="checkbox"/>	Number of investigations
<input type="checkbox"/>	Budget is constitutionally mandated
<input checked="" type="checkbox"/>	Other, please specify: by negotiation with the Ministry of Finance, based on substantiated requests

**49. How much does it roughly cost to (please enter the dollar amount per stated activity)?**

\$	File a case	\$	Manage a paper case	\$	Analyze a case
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50. Is there any donor involvement in your agency in term of budget?

- Yes       No

51. Does your agency use a computerized system to handle cases?

- Yes       No

### **Social Framework**

52. Does your agency provide a mechanism for citizens to report complaints anonymously or provide information on corrupt activities?

- Yes       No

53. Does your agency or government provide a hotline to report corruption?

- Yes       No

54. Does your agency produce regular and annual public reports of its activities?

- Yes       No

### **Innovation**

55. Does your agency use any IT tools to

- Facilitate reporting of corruption and fraud by citizens (like [www.lpaidabribe.org](http://www.lpaidabribe.org) )
- Share information with citizens about its own activities
- Share and/or obtain information for its own investigations
- a. Other – please explain

56. Does your agency use social media to raise awareness on corruption among the public?

- Yes       No