Survey on the effectiveness of Anticorruption Authorities

Background Information
1. Please enter country name in the space below

ROMANIA

2. The 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. The date of establishment

01 September 2002

4. Contact Information

Stirbei Voda 79-81, 1st District, Bucharest
Phone: +40213121497, Fax: +40213125144, email: anticoruptie@pna.ro

5. Webpage

www.pna.ro

Legal Environment
6. What are the main anticorruption laws of your country?

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 anticorruption strategy?

Romanian Government has a single anticorruption strategy adopted through the Government Decision no. 609 from 2008 which provides action plans for the vulnerable sectors to corruption and local public administration.

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
Institutional Environment

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

- Research
- Prevention
- Investigation
- Prosecution
- Forensic
- Accounting
- Policy

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

- Yes
- No

If Yes, Please specify:

13. 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

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

500

15. Number of prosecutors (if applicable)

145

16. Number of investigators (if applicable)

170

17. Number of cases handled annually (if applicable)

4866 in 2009

18. Please enter the name of other agencies with similar functions.

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.

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

- Yes
- No

20. Are the human resource management, i.e. recruitment, promotion, termination built on the emphasis of staff integrity and professionalism?

- Yes
- No

21. 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.
22. 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.

23. 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 once

24. Is the agency subject to judicial review?

- Yes  
- No

25. Is the agency subject to expenditure reviews?

- Yes  
- No

26. Does your agency publish an annual report of activities?

- Yes  
- No

27. Does your agency measure performance?

- Yes  
- No

*If yes, against what 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
- Other, please specify: Number of convictions ruled by the courts

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

- Yes  
- No

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

- Yes  
- No

30. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistle-blowing)?

- Yes  
- No

31. Does your agency have a communication strategy?

- Yes  
- No
32. Does your agency have a comprehensive corporate plan?
   - Yes  ■ No

33. Is there a strategy in formulating partnership with outside agencies in fighting corruption?
   ■ Yes  ○ No

34. Is there strategy in dealing with media?
   ■ Yes  ○ No

Resource Mobilization
35. Does your agency have budgetary autonomy?
   ■ Yes  ○ No

36. What is the annual budget of your agency?
   24 million USD in 2010

37. Is the annual budget determined by (Please choose the answer/s that best fits your agency)

   - Number of staff
   - Number of investigations
   - Budget is constitutionally mandated
   ■ Other, please specify: by negotiation with the Ministry of Finance, based on substantiated requests

38. 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

39. Any Donor Involvement?
   ■ Yes  ○ No

40. Does your agency use a computerized system to handle cases?
   ■ Yes  ■ No

Social Environment
41. Does your agency offer a mechanism for citizens to report anonymously complaints or offer information on corrupt activities?
   ■ Yes  ○ No

42. Does your agency or government provide a hotline to report corruption?
   ■ Yes  ○ No

43. Does your agency produce regular public reports of its activities?
   ■ Yes  ○ No