Independent Reporting Mechanism (IRM): Romania End-of-Term Report 2016–2018

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Overview: Romania

Independent Reporting Mechanism (IRM) End-of-Term Report 2016–2018

The implementation of Romania's third action plan took place amid a volatile political environment and frequent government changes. Half of the commitments were stalled at the end of the action plan. Major achievements include simplification of the citizenship application process and improved publication of open data on the national open data portal.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country. This report summarizes the results of the period August 2016 to June 2018 and includes some relevant developments up to November 2018.

Romania joined OGP in 2011 and the implementation of the first plan started in April 2012. The Chancellery of the Prime Minister (CPM) coordinated the OGP process in Romania until January 2017 and afterwards, this task was taken over by the Secretariat General of the Government (SGG). A Memorandum of Understanding established the National Steering Committee for OGP Implementation in November 2017, which is comprised of representatives from seven public institutions and seven civil society representatives and functions as a formalized multi-stakeholder forum (MSF).

Table 1: At a Glance	Mid-term	End of term
Number of Commitments	18	
Level of Completion		
Completed	2	2
Substantial	5	7
Limited	6	5
Not Started	5	4
Number of Commitments with…		
Clear Relevance to OGP Values	17	17
Transformative Potential Impact	2	2
Substantial or Complete Implementation	7	9
All Three (✪)	1	1
Did It Open government?		
Major		2
Outstanding		0
Moving Forward		
Number of Commitments Carried Over to Next Action Plan		11

Among the successes of Romania's third action plan[1] were the reduction of delays in processing of citizenship applications through digitization, the publication of statistics on the management of the recovered proceeds of white-collar crime, and the increase in the quality and quantity of data published on the national data portal.

The government published an end-of-term self-assessment report in November 2018. Romania's fourth action plan was developed from March to June 2018 and implementation began in November 2018.[2] The fourth action plan contains 18 commitments. It seeks to continue implementing 11 commitments from the third action plan.[3]

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[1] Romania's third national action plan (2016–2018) is available at https://goo.gl/Q3X3hr.
[2] Romania's fourth national action plan (2018–2020) is available at https://goo.gl/BVwnSC.
[3] Commitments 2: "Open Government at local level", 3: "Citizens Budgets", 4: "Improve consultation and public participation for youth", 11: "Annual mandatory training of civil servants on integrity matters", 13: "Improving transparency in the management of seized assets", 16: "Open education", and 18: "Publication of open data" in the fourth action plan are the respective continuations of Commitments 9, 7, 8, 13, 16 and 18 of the third action plan. Moreover, Commitments 1:

"Standardization of practices on public consultation processes" and 6: "Extending standards on access to public information at the level of local public
Authorities" of the fourth action plan continue parts of Commitments 5 and 6, and of 1 and 10 of the third action plan, respectively.

Consultation with civil society during implementation

Countries participating in OGP follow a process for consultation during development and implementation of their action plan.

Romania had two forums for dialogue on OGP during the implementation of the third action plan:

- **The informal OGP Club:** Romania established an OGP Club in February 2014 as informal place for stakeholders interested in open government to discuss relevant topics.
- **The formal Multi-Stakeholder Forum:** The National Steering Committee was created in November 2017 through a Memorandum of Understanding and serves as Romania's multi-stakeholder forum (MSF). The National Steering Committee has equal representation from seven public institutions and seven civil society representatives.[1]

The National Steering Committee met twice (in November 2017 and in March 2018) to discuss the status of the implementation of the third action plan and the development of the fourth action plan. It also determined the roles of each National Steering Committee member and criteria for selecting new civil society representatives. At the March meeting, the National Steering Committee agreed to have thematic meetings, to assign accountability for each theme, to establish a plan of actions with clear deadlines, and to plan a budget for realizing these actions.[2]

However, a civil society representative argued that the National Steering Committee should have decision-making power, in order to encourage civil society to become involved,[3] while another[4] expressed concern that the National Steering Committee would not deliver meaningful change because of the declining levels of trust between civil society and the government,[5] which the government must first address.[6]

Finally, civil society representatives argued that high political turnover led to low levels of communication during the implementation of the third action plan.[7] Romania's third action plan was implemented during four different governments.[8] The political transformations generated reforms that impacted the dynamics between government and civil society and the nature of the dialogue between the two during implementation. For instance, the reforms of the public administration introduced by the Grindeanu government in January 2017[9] consumed resources, generated uncertainty, and provided no extra resources to the OGP coordination team.[10] Additionally, the creation, reform, and dissolution within two years of the Ministry for Public Consultation and Civic Dialogue—which was dedicated exclusively to conversing with civil society—illustrates how visions and strategies of predecessor governments were not followed through or were reversed.[11]

Table 2: Consultation during Implementation

Regular Multistakeholder Forum	Midterm	End of Term
1. Did a forum exist?	Yes	Yes
2. Did it meet regularly?	Yes	Yes

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[12] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, countries should aspire for "collaborative."

Table 3: Level of Public Influence during Implementation

Level of public influence		During the development of the action plan	During the implementation of the action plan
Empower	The government handed the decision making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.	✔	
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.		✔
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

[1] The public institutions are the Ministry of Foreign Affairs, the Ministry of Communications and Informational Society, the Ministry of Regional Development and Public Administration, the Ministry of Public Finances, the Ministry of Justice and the Secretariat General of the Government. The civil society representatives are the Assistance and Programs for Sustainable Development Association, the Pro Democracy Association, the Smart City Timișoara Association, the Association for Electronic Industry and Software (Transylvania), the Chamber of Commerce and Industry of Romania, the Greenpeace Foundation, and the Institute for Public Policies.

[2] Minutes of the MSF meetings are available [in Romanian] at https://goo.gl/qxHxNV.

[3] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

[4] Elena Calistru, Funky Citizens, interview by IRM researcher on 13 November 2018.

[5] Several civil society representatives previously involved in the OGP Club suggested that the government's refusal to consult more established consultative bodies (e.g. the Coalition for the Development of Romania or the Economic and Social Council) threatens the credibility of the assignment of decision-making powers to the National Steering Committee. (See interviews with Ovidiu Voicu, Centre for Public Integrity, on 8 November 2018 and with Bogdan Manolea, APTI, on 8 November 2018.)

[6] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018, Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018, and Dan Bugariu, SmartCity, interview with IRM researcher on 14 November 2018.

[7] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018 and Elena Calistru, Funky Citizens, interview by IRM researcher on 13 November 2018.

[8] The technocrat Ciolos Government (November 2015–December 2016); the social democrat Grindeanu Government (January–June 2017); the social democrat Tudose Government (June 2017–January 2018); the social democrat Dancila Government (January 2018–present).

[9] The text of the government decision HG 21/2017 on the organization, functioning, and attributes of the SGG are available [in Romanian] at https://goo.gl/rXn4B4.

[10] The OGP coordination team retained the same full-time allocated staff. Key leaders were replaced with political dignitaries of lower rank or less experienced in working with civil society. Mr. Puchiu (State Secretary and responsible for the OGP coordination since 2013), thus resigned in November 2017, was replaced by Mr. Vodita (Secretary of State) who, in turn, was dismissed in January 2018 and replaced by Ms. Pastarnac (State Councilor on Foreign Policy). Several civil society representatives viewed this resignation as detrimental to OGP progress, as he was key enabler of the cooperation between civil society and public administration (see Bogdan Manolea, APTI, interview by IRM researcher on 8 November 2018, Elena Calistru, Funky Citizens, interview with IRM researcher on 13 November 2018, and Dan Bugariu, SmartCity. interview with IRM researcher on 14 November 2018). Furthermore, several interviewees referred to the lack of experience and interest in OGP, and to the lower political leverage of Mr. Puchiu's replacement as shortcomings for the purpose of rebuilding cooperation between civil society and public administration, and for the purpose of furthering the OGP agenda (see Bogdan Manolea, APTI, interview with IRM researcher on 8 November 2018 and Andrei Nicoara, Open Data Coalition, interview with IRM researcher on 15 November 2018).

[11] In 2016, the Ciolos Government created the Ministry for Public Consultation and Civic Dialogue (MCPDC) and authorized it to elaborate and monitor the implementation of the third action plan (see government decision HG 961/2015, available [in Romanian] at https://goo.gl/uL7zt4). In January 2017, the Grindeanu government changed its focus from civic dialogue to civic and social dialogue, i.e. dialogue with civil society, labor unions, and work councils (see Government decision HG 25/2017, available [in Romanian] at https://goo.gl/AzCM2S). In January 2018, the Dancila government dissolved it and transferred its OGP-related tasks to the SGG (see Government Emergency Ordinance OUG 1/2018, available [in Romanian] at https://goo.gl/kGnqQu).

[12] International Association for Public Participation, "IAP2's Public Participation Spectrum", available at https://goo.gl/Vwpq4W.

About the Assessment

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[1] One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgment about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a "transformative" potential impact if completely implemented.[2]
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Starred commitments can lose their starred status if their completion falls short of substantial or full completion at the end of the action plan implementation period.

In the midterm report, Romania's action plan contained one starred commitment. At the end of term, based on the changes in the level of completion, Romania's action plan retained one starred commitment:

- Commitment 4: Improve Citizenship Application Process

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its reporting process. For the full dataset for Romania, see the OGP Explorer at www.opengovpartnership.org/explorer.

About "Did It Open Government?"

To capture changes in government practice, the IRM introduced the variable "Did It Open Government?" in its end-of-term reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment's implementation.

As written, some OGP commitments are vague and/or not clearly relevant to OGP values but achieve significant policy reforms. In other cases, commitments as written appear relevant and ambitious, but fail to open government as implemented. The "Did It Open Government" variable attempts to captures these subtleties.

The "Did It Open Government?" variable assesses changes in government practice using the following spectrum:

- Worsened: Government openness worsens as a result of the commitment.
- Did not change: No changes in government practice.
- Marginal: Some change, but minor in terms of its effect on level of openness.
- Major: A step forward for government openness in the relevant policy area but remains limited in scope or scale.
- Outstanding: A reform that has transformed "business as usual" in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes as implemented for changes in government openness.

Readers should keep in mind limitations. IRM end-of-term reports are prepared only a few months after the implementation cycle is completed. The variable focuses on outcomes that can be observed in government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the timeframe of the report.

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[1] IRM Procedures Manual is available at http://www.opengovpartnership.org/about/about-irm.
[2] The International Experts Panel changed this criterion in 2015, is available at http://www.opengovpartnership.org/node/5919.

Commitment Implementation

General Overview of Commitments

As part of OGP, countries are required to make commitments in a two-year action plan. The tables below summarize the completion level at the end of term and progress on the "Did It Open Government?" metric. For commitments that were complete at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the 'Did It Open Government?' variable. For further details on these commitments, please see the IRM progress report 2016–2017.

Romania's third national action plan was progressively more audacious, in that it increased the number of commitments from 11 to 18,[1] attempted to increase public institutions' engagement in the implementation of new commitments and created the Ministry for Public Consultation and Civic Dialogue (MCPDC)—a new ministry that would help the Chancellery of the Prime Minister (CPM) coordinate the implementation of the OGP commitments. Open governance was further listed as top priority of the Governance Plan[2] of the Ciolos government, and the third national action plan was aligned with the National Anticorruption Strategy 2016–2020 and with the Strategy for Consolidating the Public Administration 2014–2020 to increase its institutional support.

Table 4: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion (Midterm / End of Term)				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Improve legal framework for public interest information disclosure				✔	✔						✔			✔ / ✔					✔		
2. Publish public interest information on a single gateway		✔			✔					✔			✔ / ✔						✔		

Commitment	G1	G2	G3	O1	O2	O3	O4	P1	P2	P3	B1	B2	B3	B4	R1	R2	R3	R4	R5
3. Promote Open Parliament principles	✔				✔				✔		✔					✔			
♻4. Improve Citizenship Application process			✔	✔	✔		✔			✔				✔				✔	
5. Standardize transparency in the decision-making process		✔			✔				✔				✔			✔			
6. Publish legislative projects on a single gateway		✔		✔	✔				✔				✔		✔				
7. Citizen budgets		✔		✔	✔				✔		✔				✔				
8. Youth consultation and participation	✔				✔				✔				✔		✔				
9. Subnational open government		✔		✔	✔				✔			✔				✔			
10. Set up Decision-making Transparency Register		✔		✔					✔					✔		✔			
11. National Anti-Corruption Strategy Indicators		✔		✔					✔				✔			✔			

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Commitment																				
12. Improve transparency in the management of seized assets		✔			✔						✔			✔ (top) ✔ (bottom)				✔	
13. Annual integrity training for civil servants	✔				Unclear				✔			✔ (top) ✔ (bottom)					✔		
14. Improve access to cultural heritage	✔				✔				✔				✔ (top) ✔ (bottom)				✔		
15. Open data and transparency in education		✔			✔		✔		✔			✔ (top) ✔ (bottom)						✔	
16. Virtual School Library and open education resources		✔			✔				✔			✔ (top) ✔ (bottom)					✔		
17. Open contracting		✔			✔	✔				✔		✔ (top) ✔ (bottom)					✔		
18. Increase the quality and quantity of open data		✔			✔	✔			✔			✔ (top) ✔ (bottom)							✔

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[1] Only commitments 1, 17, and 18 of the third national action plan are carried forward from the second national action plan (see Claudiu D. Tufis, "IRM 2016 End-of-Term Report", Independent Reporting Mechanism, Open Government Partnership, page 1, https://goo.gl/x6UZbn.).

[2] "Governance Plan", Ciolos Government, 16 November 2015, available [in Romanian] at https://goo.gl/FfFkym.

1. Improving the legal framework and practices regarding access to public interest information

Commitment Text:

The Ministry for Public Consultation and Civic Dialogue will continue to develop the standards included in the Memorandum on "Increasing Transparency Standardization of Public Interest Information" and monitor their implementation. Concurrently, the Ministry will harmonize practices in the field of access to public information, for both the legal framework and its implementation. The standards will be developed following interaction with the public authorities and the nongovernmental sector, drawing from the experience gained in practice. Actions to improve the professionalism of those involved in managing public interest information will also be taken.

Main Objective:

Increase transparency in the public sector by publishing extensive public interest information and improve the institutional capacity to effectively implement the law on access to public interest information.

Milestones:

    1.1. *Monitor the implementation of the Memorandum's provisions in all institutions of the executive(over 1800 institutions)*

    1.2. *Identify the conflicts existing in the current legal framework related to access to information and harmonize the legislation (changing of norms, regulations, decisions)*

    1.3. *Develop standards regarding the quality of information provided to citizens and disseminate them, as well as the changes occurred in the legal framework, to central and local public authorities*

    1.4. *Improve transparency in communication between citizens requesting information and public authorities by developing a platform on the model of AskTheEU*

    1.5. *Training sessions for the staff in charge with implementing Law 544/2001 on access to public interest information*

    1.6. *Create maps of good practices in displaying public interest information*

    1.7. *Initiate a national competition for good practices, in order to advance progress in this field, with awards consisting in assistance in the implementation of the new measures.*

Responsible Institution(s): Ministry for Public Consultation and Civic Dialogue (MCPDC)
Supporting Institution(s): Chancellery of the Prime Minister (CPM), Ministry of Regional Development and Public Administration (MDRAP)

Start date: August 2016   **End date:** June 2018
Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Overall				✔	✔						✔			✔					✔		
														✔							

Commitment Aim

This commitment aimed to improve the implementation of the Freedom of Information (FOI) law 544/2001.[1] Research conducted by the Academia of Advocacy,[2] the Romanian Academic Society,[3] and the Institute for Public Policies[4] revealed significant differences in the quality and quantity of public interest information published by the obliged public institutions. Consequently, in 2016, the MCPDC together with the CPM, the Secretariat General of the Government (SGG), the MRDPA, the Ministry of Internal Affairs (MAI), the Ministry of Public Finance (MFP), and the National Agency for Public Procurement (ANAP) signed a Memorandum titled Improving Transparency Standardization of Public Interest Information,[5] in which they agreed to pursue the publication of the same type of information, and in a standardized format, across public institutions.[6] This commitment aimed to monitor the implementation of the Memorandum (Milestone 1), identify the legal bottlenecks that would prevent standardization (Milestone 2), develop and disseminate standards of quality and good practices in support of proactive publication (Milestones 3 and 6), and further improve the access of the citizen to public interest information through technological intermediation (Milestone 4), trainings (Milestone 5), and crowd sourcing of ideas (Milestone 7).

Status
Midterm: Limited

The completion of this commitment at midterm was limited, with the first three milestones completed. MCPDC monitored the publication of the 20 public interest information documents stipulated in the Memorandum across 1,800 public institutions and public authorities (reaching approximately 94% of the designated public institutions and public authorities), and in August 2016 published the results of this verification.[7] After several consultations with members of the civil society,[8] the implementation norms for the application of the law 544/2001 (HG 123/2002) were updated in July 2016 to standardize and digitalize the Freedom of Information process. Finally, a *Practical guide for sustainable measures to promote local governance based on transparency and integrity*[9] was published and disseminated with the help of the Embassy of the Kingdom of the Netherlands to 4,000 local public authorities and remains available online on the MCPDC's website.

End-of-term: Limited

Implementation of Milestone 4, developing an access to information platform similar to *AskTheEU*, has not started and is not included in the fourth national action plan. MCDPC had set up SIPOCA 35— an EU cofunded project to achieve, among others, Milestone 4.[10] The financing of SIPOCA 35 was delayed, the government changed, MCPDC was dissolved, and SGG took over the management of the project in July 2018. Several interviewees stated that the project was not well designed and budgeted, and thus not implementable in its original form.[11] Concurrently, the SGG did not attempt to find synergies[12] with www.NuVaSuparati.info—a platform with a similar aim, created by the civil society.[13]

Milestone 5, training sessions for public servants in charge of applying law 544/2001, was partially completed and carried over to the fourth national action plan. According to the 2018 government's self-assessment report, two trainings for public servants charged with the application of the law were conducted in November 2017. According to the SGG representative, on 30 and 31 of October 2018, the SGG organized two discussions series with representatives of the public administration and civil society on the deficiencies in the implementation of laws 544 and 52, as well as on the potential for harmonizing the implementation.[14]

Milestone 6 was partially completed and carried over to the fourth national action plan. According to the SGG representative, limited resources and high political turnover did not allow the SGG to monitor the implementation of the Memorandum on a continuous basis at the level of the entire executive.[15] Instead, the MCPDS and the SGG conducted seven rounds of (in-house) monitoring on a smaller sample of public agencies— the central public authorities, their subordinates, and autonomous agencies.[16] After each monitoring round, the SGG officially asked the institutions that were lagging to address their deficiencies (e.g. address, budget, CV).[17] The maps created after each monitoring were presented in two sessions of government (in December 2017, and in December 2018), and were made publicly available in November 2018, on the website of the SGG.[18]

Milestone 7 was not started and was not carried forward to the fourth national action plan. According to the SGG representative, this milestone does not fit their vision, while other actions will better serve the goal of the commitment.[19]

Did it Open Government?

Access to information: Marginal

The completion of Milestone 1 (i.e. the monitoring of the implementation of the Memorandum across 1,800 public institutions and public authorities, which the MCPDC published in August 2016) offered a first benchmark for institutional transparency. However, this monitoring was not done on a continuous basis to allow for the measurement of the dynamics in institutional transparency.[20]

For the purpose of creating maps of good practice for displaying public interest information, MCPDS and the SGG conducted seven rounds of monitoring of the implementation of the Memorandum at the level of the central authorities, their subordinates, and autonomous agencies. The progress booked after each round is shown in the report of the SGG published in November 2018.[21] According to the SGG representative, the completion of Milestone 6 in iterated steps has succeeded in stimulating central authorities to conform to the standards. After each monitoring round, the SGG officially asked the institutions that were lagging behind in the publication of relevant information to address their deficiencies.[22] Nevertheless, the Memorandum is not legally binding and the pressure the SGG exerted through its monitoring rounds was focused only on the central administration, their subordinates and autonomous agencies. According to an SGG representative, by selectively monitoring the implementation of the Memorandum on this smaller sample of public agencies, the SGG could propose the expansion of the standards to the local administration. According to the SGG representative, the local administration has a great deal of decisional independence and local funds to administer, and thus should also be monitored and encouraged to publish public interest information.[23]

The changes in the application norms of law 544/2001 and development of the *Practical guide for sustainable measures to promote local governance based on transparency and integrity* encouraged the digitization of public interest information, of its offering and of the payment thereof, imposed format standards, cost standards, and specific timelines for FOI requests to prevent abusive practices and designated deadlines for the annual publication of activity reports. Factually, through the completion Milestones 2 and 3, the possibility that public institutions do not publish public interest information due to lack of know-how of what to publish and how to publish it was removed. Nevertheless, the SGG has no statistics on the extent to which the *Practical guide for sustainable measures to promote local governance based on transparency and integrity* is used.

Though Milestone 5 was completed, there are no statistics to show whether the trainings of public servants charged with the application of law 544/2001 were sufficient to ensure the desired implementation of the law.

Finally, Milestones 4 and 7 were not started. Overall, these observations lead to this commitment being assessed as a marginally improving citizens' access to public interest information.

Carried forward?

Parts of this commitment are carried forward in the 2018–2020 national action plan as Commitment 6: "Extending standards on access to public information at the level of local public authorities." In particular, monitoring of the implementation of the Memorandum twice a year and doing trainings of public servants charged with the application of law 544/2001 twice a year are mentioned as action points 6.1 and 6.4. The SGG wishes to use the conclusions of the in-house monitoring to formalize the extension of the standards of the Memorandum to the local administration.[24]

[1] Law 544/2001 (amended 17 July 2016) on the free access to public interest information is available [in Romanian] at https://goo.gl/gQE9oB. Article 2b of 544/2001 states that public interest information is defined as "any information regarding the activities of, or which results from the activities of a public authority or public institution, regardless of the manner in which this information is shared or expressed". Article 3 directs public authorities and public institutions to "provide public interest information pro-actively (ex officio) or upon request, through their Public Relations department or thorough a designated individual".

[2] "M-am decis să mă implic", Academia de Advocacy, 2015, available [in Romanian] at https://goo.gl/HmvsWc.

[3] "Transparența insituțională în România și Republica Moldova: Studiu asupra respectării legilor 544/2001 și 982/2000", Romanian Academic Society, 2016, available [in Romanian] at https://goo.gl/Yefca7.

[4] "Consolidarea unui system efiecient de control pentru prevenirea fraudelor cu fonduri europene în noile membre, în perioada 2014–2020: Romania, Bulgaria, Ungaria, Croatia", The Institute for Public Policies, 2015, available [in Romanian] at https://goo.gl/sCzYf9.

[5] "Creşterea Transparenţei Şi Standardizarea Afişării Informaţiilor De Interes Public", Ministry of Public Consultation and Civic Dialogue, Chancellery of the Prime Minister, Secretariat General of the Government, Ministry of Regional Development and Public Administration, Ministry of Internal Affairs, Ministry of Public Finance, and National Agency of Public Procurements, 2016, available [in Romanian] at https://goo.gl/tj1Xz9.

[6] The information to be provided according to the Memorandum falls into three categories: (1) information about the institution (legislation, leadership, organization, programs and strategies, reports and studies), (2) public interest information (e.g. FOI forms and requests, budget, financial balances, public procurement), and (3) contact information (e.g. contact, address, email, opening time).

[7] Monitorizare Memorandum, 17 November 2016, available [in Romanian] at https://goo.gl/MqEUj8.

[8] "Ministerul pentru Consultare Civica si Dialog va propune in Guvern modificarea normelor de aplicare a legii accesului la informatii de interes public", MCPDC, 2016, available [in Romanian] at https://goo.gl/8nQZgu.

[9] "Practical guide for sustainable measures to promote local governance based on transparency and integrity" MCPDC, 2016, available [in Romanian] at https://goo.gl/fZmBYo.

[10] "Guvernare transparentă, deschisă și participativă – standardizare, armonizare, dialog îmbunătățit – proiect SIPOCA 35", MCPDS, 2018, available [in Romanian] at https://goo.gl/bXWBqR.

[11] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018, and Radu Puchiu, former Secretary of State in charge of OGP, interview by IRM researcher on 13 November 2018.

[12] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[13] Bogdan Manolea, APTI, interview by IRM researcher on 8 November 2018.

[14] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[15] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[16] The MPCDS has two information notes in December 2017 and January 2018 (available [in Romanian] at https://goo.gl/Gw2gkf and https://goo.gl/iVVhnS) in which the Minister Gabriel Petrea stated that such periodic evaluations were conducted and found that 87.8% ministries who signed the Memorandum conformed to the standards of the Memorandum in December 2017 and 90.95% of the local governments who signed the Memorandum conformed in January 2018.

[17] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[18] "Analiza rezultatelor procesului de monitorizare a autorităților și instituțiilor publice cu privire la afișarea din oficiu standardizată a informațiilor de interes public în perioada 2017–2018", SGG, 2018, available [in Romanian] at https://goo.gl/KTkKc9.

[19] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[20] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[21] "Analiza rezultatelor procesului de monitorizare a autorităților și instituțiilor publice cu privire la afișarea din oficiu standardizată a informațiilor de interes public în perioada 2017–2018", SGG, 2018, available [in Romanian] at https://goo.gl/KTkKc9.

[22] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[23] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.
[24] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

2. Centralized publishing of public interest information on the single gateway transparenta.gov.ro

Commitment Text:

In order to facilitate the access of citizens to public interest information and in order to assist public institutions in possession of public interest information, an online platform will be developed for the centralization of information subject to law 544/2001. The pre-requisites for centralized publishing of public interest information will be achieved through the standardization of the publishing format, as well as through the harmonization of relevant laws and norms (as achieved through commitment 1). MCPDC will provide methodological assistance based on its activity and experience, while CPM will develop the platform. Commitment 2 will implement a tool to manage the flow and to improve the communication of public interest information.

Main Objective:

Facilitate the public's access to information of public interest by collecting and publishing it on a single government gateway: transparenta.gov.ro.

Milestones:

2.1. Establish the platform's functionalities
2.2. Development of the portal transparenta.gov.ro
2.3. Pilot testing on a representative sample of central and local public institutions and authorities
2.4. Drafting and publishing a Guide on the use of the portal
2.5. Attract a significant number of central and local authorities to publish on the platform

Responsible Institution: Secretariat General of the Government (SGG)/Chancellery of the Prime Minister (CPM)

Supporting Institution(s): Ministry for Public Consultation and Civic Dialogue (MCPDC), Ministry for Regional Development and Public Administration (MDRAP), NGOs with relevant experience and work in this field

Start date: August 2016   **End date:** June 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding

2. Overall		✔		✔				✔		✔ ✔					✔		

Commitment Aim

This commitment aimed to centralize standardized public interest information, made available by designated public institutions on their webpages (in accordance with the provisions of law 544/2001), on a single governmental gateway, for ease of use. The success of this commitment depended on the successful completion of the previous commitment, that is on public institutions designated by law 544/2001 publishing the relevant information, in a standardized manner.

Status

Midterm: Not started

The commitment was not started at the time of the 2016–2017 IRM progress report. The government's 2018 self-assessment report stated that the budget for the development of the transparenta.gov.ro platform was secured through SIPOCA 35—an EU cofunded project. The start of SIPOCA 35 was delayed, as Romania only accredited the Management Authority needed to secure these funds from the EU on 13 July 2017.[1] Meanwhile, the government changed, MCDPC was dissolved, and the open government agenda of MCPDC Minister Violeta Alexandru lost institutional support.[2]

End-of-term: Not started

According to a SGG representative, the funds allocated for this project were insufficient for its completion.[3] Consequently, when the SGG took over the management of the SIPOCA 35 project in July 2018, it reconsidered its scope. The new vision of the SGG was to write a standardized internal procedure and a technical guide instead that would ensure the standard internal organization of the tasks of the clerks charged with ensuring institutional transparency.[4] The vision materialized into Commitment 6 of the fourth national action plan.

Did it Open Government?

Access to information: Did not change

This commitment was not started and therefore did not lead to any change in government practice.

Carried forward?

This commitment is not carried forward in the 2018–2020 national action plan.

[1] "Trei autoritati de management acreditate de autoritatea de audit", FonduriUE, 13 July 2017, available [in Romanian] at https://bit.ly/2VTIRtb.
[2] Radu Puchiu, former Secretary of State in charge of OGP, interview by IRM researcher on 13 November 2018.
[3] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.
[4] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

3. Promoting Open Parliament principles

Commitment Text:

The government will encourage dialogue between citizens, representatives of the civil society and representatives of the Senate and Chamber of Deputies, in order to adopt policies that ensure the proactive dissemination of information related to the functioning and activity of the institution, including regulations on the format in which the information is made available.

Main Objective:

Increase the transparency of public information and citizens' trust in public institutions.

Milestones:

3.1. Organization of at least 3 public debates on the Open Parliament subject with all interested stakeholders

3.2. Drafting and proposal of an agreement between Government and Parliament, similar to the "Better Regulation Agenda", existing in the European Union between the European Commission and European Parliament, a document focusing on transparency in the decision-making process and public consultation.

Responsible institution: Chancellery of the Prime Minister/ Secretariat General of the Government (SGG)

Supporting institution(s): Department for Liaison with the Parliament, Ministry for Public Consultation and Social Dialogue (MCPDS), Non-government: Fundatia Median Research Centre, National Democratic Institute–Romania, Institutul pentru Politici Publice (IPP), Smart City Association (ASC).

Start date: September 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion			Midterm End of Term	Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✔				✔				✔			✔					✔			
													✔								

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Commitment Aim

This commitment aimed to improve citizens' trust in legislators—both in the Chamber of Deputies and Senate. It sought to encourage a public debate on the principles and on the applicability of the principles of open parliament (Milestone 1), followed by the drafting of an agreement between the Executive and the Parliament that would increase the transparency of the decision-making process and of public consultation (Milestone 2).

Status

Midterm: Not Started

This commitment was not started at the time of the IRM progress report.

End-of-term: Not Started

According to the government's 2018 self-assessment report, this commitment was not started by the end of the action plan.[1]

Did it Open Government?

Civic participation: Did not change

This commitment was not started and therefore did not lead to any change in government practice.

Carried forward?

This commitment is not carried forward in the 2018–2020 national action plan.

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[1] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018, page 19, available [in Romanian] at https://bit.ly/2vv2yw7.

✿4. Improved management of the applications submitted for granting citizenship

Commitment Text:

The commitment regards the development of a computerized system that will give individuals who apply for Romanian citizenship access to information about the status of their application file, as well as the dates set for their oath of loyalty. The information system ROCRIS, dedicated to the Romanian criminal records and launched in 2013, will be used by the ANC to check the situation of the applicants. In addition, statistics regarding the number of accepted citizenship applicants will be uploaded on the open data portal data.gov.ro.

Main Objective:

Increase transparency and institutional efficiency.

Milestones:

4.1. *Consultations between the government institutions involved (ANC, IGPR, IGI, MAE) and NGOs to understand and assess the needs of public servants working on this matter and the needs of citizenship applicants*

4.2. *Online programming for the submission of files at each regional office and at the central office in Bucharest*

4.3. *Use of the ROCRIS information system, dedicated to the criminal records, to check the status of the applicants*

4.4. *Implementation of the application "Stadiu dosar" (File Status), that will inform the applicants on the status of their file, the phases and the periods allowed for solving the submissions.*

4.5. *Development within the technical specifications of the online platform, of a module that will collect, anonymize and upload the data to the open data portal.*

Responsible Institution: Ministry of Justice (MJ) – National Citizenship Agency (ANC) Open Parliament Principles

Supporting Institution(s): Ministry of Internal Affairs (MAI), Police General Inspectorate (IGPR), Immigration General Inspectorate (IGI), and Ministry for Foreign Affairs (MAE)–diplomatic missions

Start date: September 2016   **End date:** December 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm		Did It Open Government?
					End of Term		

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
✪4. Overall				✔	✔	✔		✔				✔				✔ ✔				✔	

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented, and therefore qualifies as a starred commitment.

Commitment Aim

This commitment aimed to reduce delays for processing requests for Romanian citizenship[1] by identifying the main sources of bottlenecks (Milestone 1), by using online tools to increase the productivity of the public servants processing the applications (Milestone 3), and by transposing the application process online such that applicants can monitor their application in real time (Milestones 2 and 4). The commitment also aimed to streamline the publication of statistics on citizenship applications on the data.gov.ro portal (Milestone 5).

Status

Midterm: Complete

This commitment was completed by the midterm. Consultations to assess the needs of public servants and of citizenship applicants were organized in 2016. They were experienced and constructed both by the public sector representatives and by representatives of the civil society.[2] Software that ensures that citizenship applicants can file the necessary documents online, can schedule their appointments at the ANC online, and can view online the progress made on their requests, were developed. Furthermore, ANC employees were given access to the Romanian Criminal Records Information System (ROCRIS) database, which increases their productivity. Citizenship applicants thus no longer need to first get a hard-copy version of their criminal records and provide it to the ANC. Finally, software was developed to allow the collection, anonymization, and upload of statistics on citizenship applications on the open data portal.

Did it Open Government?

Access to information: Major

Eurostat shows that 9,399 persons acquired Romanian citizenship in 2009, a 168% increase from 2008.[3] According to a civil society representative, the number of requests for Romanian nationality increased after the passing of Emergency Ordinance 36/2009 above the processing capacity of the ANC.[4] Simultaneously, Romania is the only EU member for which no Eurostat statistics on the amount of persons that acquired citizenship exist between 2010 and 2012.[5] According to the civil society representative, this eGovernment solution has significantly increased the productivity and the

transparency of the ANC services and reduced the probability of corruption.[6] By implementing this commitment, public servants of the ANC are allowed access to the Romanian Criminal Records Information System, which increases their productivity. Moreover, it reduces the burden on the citizenship applicants who no longer need to require a hard copy of their criminal records. Citizenship applicants can schedule the necessary appointments online for the submission of files relevant to the application—in ANC's regional offices as well as in its central office in Bucharest.[7] Finally, citizenship applicants can track their application online,[8] which helps them avoid missing the deadlines or not being able to inform the authorities of the foreign state whose citizens they are about the progress made in acquiring dual nationality. According to the government's 2018 self-assessment report, a survey conducted in June 2017 by ANC showed that 97% of the responding applicants were happy with the online appointments scheduling system. Respondents viewed the portal as user-friendly and the digitization of the appointments scheduling as more transparent, reducing waiting times and being more cost-efficient.

Furthermore, although only 6,800 persons acquired Romanian citizenship in 2017[9] (well below the 30,500 persons EU27 average), the statistics on citizenship applications that the ANC periodically publishes on the data.gov.ro portal are important for monitoring the evolution of the electoral base and for understanding and predicting electoral preferences.[10] Increasing the transparency of this group of Romanian and EU (potential) voters is important in the context of the discussions of potential election result manipulations.

Civic participation: Marginal

Consultations between the representatives of the ANC and of the civil society were organized in 2016 and were experienced as constructive by both parties.[11] The commitment had a positive impact on civic engagement, albeit marginal due to the singularity of consultations.

Carried forward?

This commitment was completed and consequently not carried forward in the 2018–2020 national action plan. Nevertheless, building on the successful completion of this commitment, the National Citizenship Agency applied for EU funds to update their computerized system and also allow Romanian citizens living abroad to renounce their citizenship online[12]—thereby lifting the burden imposed on them to travel to Bucharest to submit the required documents in person (see Commitment 8 "Digitalization of consular services performed by diplomatic missions and consular offices of Romania abroad" of the 2018–2020 national action plan.

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[1] Andreea Traicu, "Ministerul Justitiei: Nereguli de legalitate la Autoritatea Naţională pentru Cetăţenie", Mediafax, 3 March 2016, available [in Romanian] at https://goo.gl/ky1jPX.
[2] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018 and Mugurel Dascalu, National Agency for Citizenship, interview by IRM researcher on 14 November 2018.
[3] Eurostat, Romania, available at https://bit.ly/2Y91IXO.
[4] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[5] Eurostat, Romania, available at https://bit.ly/2Y91IXO.
[6] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[7] Ministry of Justice. Programare Online Depunere Dosar. available [in Romanian] at https://goo.gl/2PHZ8C.
[8] Ministry of Justice. Stadiu Dosar – art. 11, Available [in Romanian] at https://goo.gl/ZL24AS.
[9] Eurostat, Romania, available at https://bit.ly/2Y91IXO.
[10] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[11] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[12] Mugurel Dascalu, National Agency for Citizenship, interview by IRM researcher on 14 November 2018.

5. Standardization of transparency practices in the decision-making procedures

Commitment Text:

Transparency of the decision-making process in public administration is regulated by Law 52/2003, one of the most modern laws in the field. However, the act is not put to the best use for the potential to implement democratic, participatory, sustainable, efficient and representative decision-making processes. As current practices still reveal lacks in the activity of public authorities to ensure a representative /participatory decision-making process, following an extensive research on the implementation of legal provisions, the Ministry has developed a Guide for the experts in the public system that, through their work, create a link between citizens and government. In this respect, MCPDC has set up an inter-ministerial working group with representatives of central authorities. Its sessions led to the conclusion that an amendment of the law is not needed. However, it is necessary that there is a uniform interpretation of the law in public consultation processes; and that the practice should be extended to the good practices recommendations. MCPDC will first identify all the deficiencies existing in the implementation of Law no.52/2003,drafting instruments to standardize practices in this field and increase the importance of civil society engagement in the decision-making process.

Main Objective:

Public integrity; Legislative and normative coherence; Accountability of public authorities.

Milestones:

5.1. Identify deficiencies in public consultation processes at public authorities level
5.2. Drafting support documents for the standardization of practices in the implementation of legislation on the public consultation process
5.3. Organize training sessions, based on the support documents, with the public servants in charge with the public consultation process
5.4. Provide technical assistance to central institutions in public consultation practices

Responsible Institution(s): Ministry for Public Consultation and Civic Dialogue (MCPDC)

Supporting Institution(s): Ministry of Regional Development and Public Administration and European Funds (MDRAPEF); Ministry of Justice; Academia de Advocacy; NGOs: Asociația Impreuna pentru Dezvoltarea Comunitatii – AIDC, CMPP – Centrul pentru Monitorizarea Politicilor Publice, Federatia Organizatiilor Ne-guvernamentale pentru Servicii Sociale (FONSS), Fundatia pentru Dezvoltarea Societatii Civile, Romanian Youth Movement for Democracy, Associations of public servants

Start date: August 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall			✔			✔				✔					✔				✔		
															✔						

Commitment Aim

This commitment aimed to improve the implementation of law 52/2003, which requires (1) all government institutions initiating a normative act to publish a draft law proposal for public comment at least 30 days before adoption; and (2) public institutions to organize a public debate if one is formally requested by a legally established organization.[1] This commitment planned to identify the reasons why the law is insufficiently and unevenly applied across the institutions who initiate normative acts (Milestone 1), to make recommendations to address these insufficiencies (Milestone 2), to train the relevant public servants in their application of the law (Milestone 3), and to support public institutions obliged by the law to proactively comply (Milestone 4).

Status

Midterm: Substantial

This commitment was substantially completed at the time of the 2016–2017 IRM progress report. Civil society was consulted in a limited way in the identification of the deficiencies with respect to the application of the law. In June 2016, the MCPDC and MDRAPEF published and disseminated to local public authorities the guide titled *Efficient Public Consultation in the Central and Local Administration—for the implementation of Law no.52/2003* addressing the identified deficiencies.[2] According to the government's 2018 self-assessment report, only one training session was organized by the MPCDC in November 2017 for representatives of all ministries charged with enforcing the law. Finally, the 2016–2017 IRM progress report found limited evidence to support the provision of technical assistance to central institutions in public consultation practices, for example, to the Ministry of Tourism on the public consultation of the 2017 Tourism Law.[3]

End-of-term: Substantial

The IRM researcher was unable to assess the completion of Milestone 4: the provision of technical assistance to central institutions in public consultation practices. The Secretariat General of the Government (SGG) holds no statistics hereof,[4] and the government's 2018 self-assessment report lists it as an ongoing activity. The commitment therefore cannot be considered complete.

Did it Open Government?

Civic participation: Marginal

Public deficiencies in public consultation processes were identified and addressed through the publication of the *Efficient Public Consultation in the Central and Local Administration—for the*

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implementation of Law 52/2003 guide, and through the organization of training sessions on the basis of the guide, for public servants charged with the public consultation process. Nevertheless, several interviewees stated that more needs to be done, for example, create norms of application for law 52/2003,[5] unify the definition of a "normative act" under law 52/2003,[6] include additional discussions and debates in Parliament and opinions expressed by the government and by other key stakeholders in the public domain,[7] and further train public servants to help them internalize the practice of organizing public consultations[8] and of the benefits thereof.[9] Moreover, as expressed in the IRM progress report, this commitment fails to address the increasing use of Emergency Ordinances by the Executive, which constitutes a dangerous development for participatory decision-making and for open government. All these observations add up to this milestone just marginally increasing civic participation.

Carried forward?

The commitment will be continued as Commitment 1: "Standardization of practices on public consultation processes" of the 2018–2020 national action plan.

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[1] The text of law 52/2003 on decisional transparency in public administration is available [in Romanian] at https://goo.gl/m3Qwqe.

[2] "Efficient Public Consultation in the Central and Local Administration – for the implementation of Law no.52/2003", Ministry for Public Consultation and Civic Dialogue and the Ministry of Regional Development and Public Administration, 2016, available [in Romanian] at https://goo.gl/ZcMFM7.

[3] "Legea Turismului in Dezbatere Publica Regionala", MCPDS, 2017 available [in Romanian] at https://goo.gl/spRxWG.

[4] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018. According to her, the SGG created a list of public servants responsible with the implementation of the laws 544/2001 and 52/2003 to facilitate the provision of technical support.

[5] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018 and Octavian Rusu, IssueMonitoring, interview by IRM researcher on 12 November 2018.

[6] Marian Damoc, Romanian Youth Movement for Democracy, interview by IRM researcher on 8 November 2018. He suggested that without a standardization of what constitutes a normative act, it is too easy to arbitrarily apply the law. While interpretation discrepancies can be uncovered by the civil society, his research shows that they are large enough among counties (e.g. among Bacau and Oradea) to require a coercive exercise from the central public administration. His research has been shared with the MCDPC and the MRDPA. (see "M-am decis sa ma implic", Campaniile Coaliției 52, Conștientizare, Monitorizare, Consolidare, Influențare, Academia de Advocacy, 2015).

[7] Octavian Rusu, IssueMonitoring, interview by IRM researcher on 12 November 2018. He suggested the model of IssueMonitoring.ro a paid service that enhances the transparency of all policy relevant actions not only the normative acts but also other highly relevant policy decisions, e.g. debates in Parliament and reactions on the public domain that different stakeholders express.

[8] Bogdan Manolea, APTI, on 8 November 2018.He gives examples of public institutions that were models of best practice long before this commitment, because their institutional culture required them to be open—e.g. ANCOM: The National Authority Regulating Communications.

[9] Marian Damoc, Romanian Youth Movement for Democracy, interview by IRM researcher on 8 November 2018.

6. Centralized publication of legislative projects on the single gateway consultare.gov.ro

Commitment Text:

By developing the online platform consultare.gov.ro, legislative projects of public institutions will be collected on a single gateway, according to the phases of the process: public consultation, institutional opinion, approval and publication of the official form. Such a gateway would allow citizens to send comments directly to the ministry or agency that is in charge with a particular public consultation. The portal will also be used for consultation on other matters of public interest. Furthermore, depending on the result of this process, new legislative documents may be initiated.

Main Objective:

Increasing the transparency of the decision-making process by streamlining access to the legislative projects on debate.

Milestones:

6.1. Establish the platform's functionalities with the methodological assistance of the MCPDC and based on interactions with public authorities and NGOs
6.2. Development of the portal http://consultare.gov.ro
6.3. Launch of the platform and public promotion actions
6.4. Pilot testing on a representative sample of central and local public institutions and authorities
6.5. Drafting and publishing a User Guide for the portal
6.6. Development of a mobile app for the consultation process in central administration

Responsible Institution: Chancellery of the Prime-Minister, later assumed by the Ministry for Public Consultation and Civic Dialogue (MCPDC)

Supporting Institution(s): Secretariat General of the Government (SGG); NGOs with relevant experience and work in this field

Start date: 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

		None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall				✔		✔	✔					✔				✔			✔			
																✔						

Commitment Aim

This commitment aimed to publish legislative projects and draft laws on a single online platform consultare.gov.ro where citizens can monitor and track progress and provide feedback on draft laws.

Status

Midterm: Substantial

This commitment was substantially completed. GovITHub was tasked with the construction of the platform.[1] The functionalities were made available by the development team under "Despre e-consultare," as well as the user's guide. Legislation from all ministries' websites was manually centralized on the platform and updated weekly, and the platform was successfully piloted on a small sample of public authorities and had more than 2,000 subscribers. Only the mobile application was not developed.

End-of-term: Substantial

The public procurement process necessary for the completion of the mobile application was delayed due to Romania's late accreditation of the Management Authorities needed to secure the EU funds.[2] Meanwhile, the members of the GovITHub resigned in February 2017,[3] following the government's adoption of the Emergency Ordinance OUG 13/2017. The public procurement for the completion of Milestone 6 was stopped when the MCPDS was dissolved in January 2018. After the MCPDS was dissolved, the SGG gained the administration rights to the platform and abandoned the completion of Milestone 6 in favor of reconfiguring the platform.[4]

Did it Open Government?

Access to information: Did not change
Civic participation: Did not change

Prior to this commitment, citizens could not easily find legislative information. Until April 2018, the platform was publishing legislative projects and draft laws in a single central online repository. Citizens were thus able to monitor, track progress, and provide feedback on draft laws. According to the SGG representative, the maintenance of the platform was labor-intensive due to the necessity of manual weekly updating,[5] and did not fulfill its intended role—namely that of a sustainable and resilient communication channel between the public and the public authorities. According to an SGG representative, the SGG stopped updating the platform in April 2018, but plans to reconfigure it to allow for better communication.[6] A former member of the GovITHub argued that while redesigning

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the platform was necessary, the new platform should have been built in a beta version to allow for the necessary prototyping and testing, while ensuring the commitment's continuation.[7]

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 1: "Standardization of practices on public consultation processes."

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[1] GovITHub was a 2016 scholarship project of the Romanian government that sought to attract Romanian IT talent to support the administration. GovITHub would collaborate with the permanent IT staff of the government and their knowledge would spill over. Consequently, GovITHub members were often outsourced to other departments of the administration and mandated them to provide them with fast IT solutions, thereby effectively circumventing cumbersome, lengthy, and expensive public procurement procedures. Many of the GovITHub projects remain operational, though they did not reach full maturity. See Ionut Popa, CivicTech, interview by IRM researcher on 14 November 2018 and Radu Puchiu, former Secretary of State in charge of OGP, interview by IRM researcher on 13 November 2018.

[2] "Trei autoritati de management acreditate de autoritatea de audit", Fonduri-UE., 13 July 2017, press release available [in Romanian] at https://bit.ly/2VTIRtb.

[3] "Specialiștii IT din GovITHub nu mai colaborează cu Guvernul", Digi24, 1 February 2017, available [in Romanian] at https://goo.gl/h2oupU.

[4] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[5] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018. According to her, the SGG staff monitored the state of the public consultations by manually scanning the websites of the central public authorities and of their subordinates on a weekly basis.

[6] Madalina Mitroi, SGG, interview by IRM researcher on 6 November 2018.

[7] Ionut Popa, CivicTech, interview by IRM researcher on 14 November 2018.

7. Citizens Budgets

Commitment Text:

The commitment aims to promote Citizens' Budgets – public budgets presented in a manner that is understandable to the public, in both central and local administration, to ensure fiscal and budgetary transparency. The commitment is introducing an efficient tool to facilitate citizen engagement in one of the most important decision-making processes: the adoption of public budgets.

Main Objective:

Initiate the use of Citizens Budgets as a compulsory mechanism of fiscal budgetary transparency in the adoption of public budgets.

Milestones:

7.1. Draft a model for the Citizens Budget based on the 2016 national budget
7.2. Gather citizens and civil society feedback on the proposed Citizens Budget model and develop a Guide for drafting Citizen Budgets
7.3. Pilot Citizen Budgets in at least 15 municipalities (varied types)
7.4. Drafting and presenting the Citizen Budget for the 2018 national budget
7.5. Public awareness actions to promote the Citizen Budget
7.6. Drafting and adoption of norms introducing Citizen Budgets for all public authorities
7.7. Develop, start and implement a training / assistance program for public authorities regarding Citizen Budgets

Responsible Institution: Ministry of Public Finance (MFP)

Supporting Institution(s): Chancellery of the Prime-Minister (CPM), Secretariat General of the Government (SGG), Ministry of Regional Development and Public Administration (MDRAP), Ministry for Public Consultations and Civic Dialogue (MCPDC), Funky Citizens, Centre for Public Innovation

Start date: 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did It Open Government?				
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	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Overall			✔		✔	✔					✔		✔								

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Commitment Aim

This commitment started from a proposal of civil society and aimed to create more opportunities for citizens to participate in the budgeting process by providing plain-language budget information and publishing it alongside the official annual budget.[1] The commitment aimed to design a template narrative to explain national budgets and a guide for how to design narratives for public budgets. It also aimed to pilot the explanation of local budgets, raise public awareness on explained budgets, require public authorities to explain their budgets, and train and assist them to comply with this obligation.

Status

Midterm: Not Started

This commitment was not started. The MFP had to collaborate with civil society on this commitment, as it could not hire graphic designers or acquire graphic design software necessary for the editing of the Citizen Budgets brochure.[2] Therefore the MFP met in 2016 and 2017 with representatives of civil society to discuss the cocreation of the template narrative. According to the MFP representative, although the MFP put forward several drafts text and numbers for the template narrative, civil society did not graphically edit the brochure, as they promised during the 2016 meeting.[3]

End-of-term: Not Started

This commitment has not advanced beyond what was accomplished at the midterm assessment.[4]

Did it Open Government?

Access to information: Did not change
Civic participation: Did not change

As the commitment was not started, it cannot have opened government. However, a civil society representative argues progress was booked on the principles behind citizen budgets. For instance, the MFP created Trasparenta-Bugetara.gov.ro—a national platform aimed at monitoring financial and legal statements of public entities in Romania—and added an educational video that explains how to work your way through the open budget data effectively.[5] Additionally, in 2018 the MFP started publishing in bulk and automatically updating a set of performance indicators and contact details for all taxpaying operators in Romania. These performance indicators and contact data are extracted from the annual financial statements the economic operators disclose.[6] Nevertheless, the data identifiers (i.e. the column headers of the .csv files) are missing, making the interpretation of the data very difficult.[7]

Though the portal Trasparenta-Bugetara.gov.ro is not user-friendly, it provides large and good quality datasets[8] that some NGOs have used to build monitoring applications on—e.g. OpenBudget.ro. According to the MFP representative, the MFP was unable to create synergies with a similar private sector initiative www.OpenBudget.ro, which explains national budgets through graphics and charts.

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 3: "Citizens Budgets."

[1] Bogdan Grunevici, Ministry of Public Finances, interview by IRM researcher on 14 November 2018. According to the interview with Grunevici, the commitment was proposed by Mr. Codru Vrabie, from Funky Citizens.

[2] Government Emergency Ordinance 26/2012 on certain measures to reduce public expenditure and enhance financial discipline and on modifying and complementing certain normative acts, is available [in Romanian] at https://goo.gl/ngTEtz. Article 3 does not allow the MFP to dedicate resources to acquire goods for protocol or representation purposes

[3] Bogdan Grunevici, Ministry of Public Finances, interview by IRM researcher on 14 November 2018.

[4] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018, page 33, available [in Romanian] at https://bit.ly/2vv2yw7.

[5] Elena Calistru, Funky Citizens, interview by IRM researcher on 13 November 2018.

[6] Bogdan Grunevici, Ministry of Public Finances, interview by IRM researcher on 14 November 2018.

[7] Economic operators identifiers, clustered by county are available at https://bit.ly/2WgYb75.

[8] Bogdan Grunevici, Ministry of Public Finances, interview by IRM researcher on 14 November 2018.

8. Improve youth consultation and public participation

Commitment Text:

The commitment aims to implement a series of actions that will strengthen collaboration between public authorities, young people and organizations working with youth, to produce specifically targeted action plans, through dialogue and use of new technologies. The implemented actions and tools will lead to development of skills in both young people and public servants working in this field, contributing to an open, diverse, intercultural and connected society.

Main Objective:

Achieve an open decision-making process in developing youth public policies at national level.

Milestones:

6.1. Hold public consultations initiated by the National Working Group and youth workers
6.2. Setting up 83 local consultative councils for young people
6.3. Selection of at least 1000 beneficiaries of MTS youth projects, on objective criteria and transparent methodologies, using online apps.

Responsible Institution: Ministry of Youth and Sport (MTS)

Supporting Institution(s): Ministry for Public Consultations and Civic Dialogue (MCPDC); Non-government: Consiliul Tineretului din Romania, Asociatia Impact Bistrita, Asociatia Tinerilor Bucuresteni, Asociatia Altium, Asociatia Viitorul Tinerilor

Start date: 2016   **End date:** December 2017

Editorial Note: The commitment text is abridged. The full text can be found in the 2016–2018 OGP national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall		✔				✔				✔					✔ (Midterm) ✔ (End of Term)			✔			

Commitment Aim

This commitment aimed to improve government engagement with youth through consultations (Milestone 1) and by increasing their participation opportunities at the local and regional level (Milestones 2 and 3).

Status

Midterm: Substantial

Through the EU cofunded projects Structured Dialogue and Youth Worker, several public consultations with youth and youth organizations were organized in 2016. In 2016, the Ministry of Youth and Sport implemented 22 projects at the national level, involving 1,488 participants that were selected using objective criteria and with transparent methodologies. Milestone 2 saw limited completion, as law 350/2006 did not mandate the establishment of local youth consultative councils. In December 2017, only 10 youth consultative councils were functioning in Arges, Bistrita Nasaud, Covasna, Neamt, and Suceava at the county level, and in Constanta, Targoviste, Deva, Ploiesti and Timisoara at the municipal level.

End-of-term: Substantial

According to the government's self-assessment report, no further progress was made.[1]

Did it Open Government?

Civic participation: Did not change

The IRM midterm report has been skeptical of the effectiveness of the public consultations.[2] This skepticism was reaffirmed by a representative of civil society who stated that consultations felt like a tick-the-box exercise, rather than a real effort to improve youth participation. Moreover, the civil society representative argued that the youth councils that existed prior to the action plan provided a theoretical exercise in civic participation for a very limited number of students and provided only limited practice in managing civic projects.[3] Finally, another civil society representative argued that the new consultative councils (Milestone 2) were not yet functional.[4]

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 4: "Improve consultation and public participation for youth."

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[1] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, pages 36-38, available [in Romanian] at https://bit.ly/2vv2yw7.
[2] The IRM progress report noted that the effectiveness of the public consultations was brought into questioning, as they often were informational events, and did not constitute genuine participation or youth engagement. (See "Romania progress report 2016–2017", IRM, 2017, page 48, available at https://bit.ly/2vvxoou.)
[3] Diana Moldovan, Asociatia Impact Bistrita, interview with IRM researcher on 7 November 2018.
[4] Marian Damoc, Romanian Youth Movement for Democracy, interview by IRM researcher on 8 November 2018.

9. Subnational open government

Commitment Text:

A set of recommendations regarding open local government will be drafted based on the OGP principles, and a pilot program modeled on the OGP Subnational Pilot will be initiated for 8 local governments.

Main Objective:

Increase citizen engagement in the decision-making process of local authorities and increase the involvement of local authorities in the OGP process.

Milestones:

9.1. Co-creation of set of recommendations on OGP principles for local public administration
9.2. Dissemination of information regarding these recommendations to local authorities
9.3. Organize regional information sessions with public authorities, NGOs, academia and other stakeholders to promote the OGP subnational principles (8 sessions)
9.4. Based on the model of the OGP Subnational Program process, launch an application session followed by the selection of 8 local public authorities that will be assisted in the development and implementation of local action plans
9.5. Implementation of local action plans developed by the local governments, with the support of NGOs and the OGP Coordination Unit: (1) hold local public debates and consultations;(2) identify local specific problems and priorities with the participation of all stakeholders; (3) set up local mixed action teams to draft and propose projects / solutions and implement them.
9.6. Select and award the best practices in OGP Subnational
9.7. Based on gained experience, develop an OGP action plan for local authorities for 2018-2020
9.8. Analysis of the opportunity and necessity, as well as identification of funding sources, for the development of a set of standardized, open-source tools to facilitate the online presence of local public authorities (website based on the provisions of the Memorandum on transparency; user interface allowing the update of the page even without having technical expertise; widgets that automatically retrieve particular information from centralized databases; instruments for participatory democracy; the development of a cloud service, managed by the MDRAP, including maintenance, that will hostfree of charge the local public authorities' websites that use the standardized solution

Responsible Institution: Ministry of Regional Development and Public Administration (MDRAP)

Supporting Institution(s): Chancellery of the Prime-Minister (CPM), Ministry for Public Consultation and Civic Dialogue (MCPDC), County Councils, Open Data Coalition, Smart City and other NGOs with relevant experience

Start date: September 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall			✔		✔	✔					✔			✔ ✔					✔		

Commitment Aim

This commitment aimed to increase citizen engagement in decision-making at the local level. It aimed to create—together with civil society—a set of recommendations on OGP principles for local public administration and promote their application through regional information sessions and pilot exercises. On the basis of the pilot application of the recommendation, the commitment aimed to distill the best practices and to develop an action plan for implementing the OGP principles at the level of all local public administrations.

Status

Midterm: Limited

In June 2017, the *Guide for Open Government Partnership at the Subnational level* was published.[1]

End-of-term: Limited

According to the government's self-assessment report, MDRAP emailed the *Guide for Open Government Partnership at the Subnational level* to all local administrations. Moreover, the guide was made available on the MDRAP website.[2] Additionally, 111 local public administrations were selected[3] after they responded to the call of the MDRAP for local public administrations willing to implement this commitment.

All other milestones have not been started, although according to the government's self-assessment report, funds were allocated to Milestones 3, 5, 6 and 8 through the SIPOCA 61 EU cofunded project.[4]

Did it Open Government?

Access to information: Marginal

The completion of Milestones 1 and 2 secured the development and the dissemination of a set of recommendations that local authorities can use to improve transparency and participation in the decision-making processes, including opening data (e.g. available platforms, tools, resources and support to implement open government reforms). However, these measures alone did not lead to the opening of data. According to two civil society representatives, the difficulty lied in the diverging interests of the local and the central administrations. For instance, local public authorities would have joined OGP if they could build their own more flexible local portal to engage the local IT community (e.g. to reutilize the data or collect more data on the basis of widgets),[5] and use it in their political

campaigns.[6] Alternatively, central authorities wanted control over the local data (to ensure their reliability, safe storage, management, and homogeneous publication, etc.) because they, in turn, had to populate the European Data Portal in accordance to the European System of Open Data. Central authorities therefore preferred local data to be published on data.gov.ro.[7]

Consequently, the central administration had to persuade the local administration to join the OGP efforts. The solution was to publish them in two places: locally and on the national data portal.[8] To this end, outside Milestones 1 and 2, the Secretariat General of the Government (SGG) wrote the texts that local public administrations could use to accompany their data, and allowed the national portal to be embedded in other portals, thus eliminating the need for double updates.[9] Furthermore, the open data methodology developed for Commitment 18 of this action plan included recommendations for procedures and publishing of data at the local level, without the obligation to publish on the national portal. Other local initiatives (e.g. in Alba Iulia[10] and in Timisoara[11]) that were started by the local civil society and IT industry, together with the local public authorities, have produced few datasets because of internal disagreements, or have produced unique datasets gathered by the widgets and sensors spread through the city.[12]

Civic participation: Did not change

The guide was coauthored by MDRAP, the Center for Public Innovation and Smart City Timisoara.[13] Nevertheless, according to a civil society representative, civil society was not involved in its dissemination.[14]

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 2: "Open Government at local level."

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[1] Guvernul Romaniei, "Recomandări privind Parteneriatul pentru Guvernare Deschisă la nivel local", Centrul pentru Inovare Publică, Smart City Timișoara, 2017, available [in Romanian] at https://bit.ly/2VOZTsh.

[2] "Peste 100 de unitati administrativ-teritoriale vor beneficia de indrumare metodologica in vederea implementarii valorilor Parteneriatului pentru o Guvernare Deschisa (OGP) la nivel local", MDRAP, 1 November 2017 press release available [in Romanian] at https://bit.ly/2Y5sYks.

[3] "List of selected local public administrations", MDRAP, 2017, available [in Romanian] at https://bit.ly/2PQOU00.

[4] "SIPOCA 61: Consolidarea Sistemelor De Integritate – Cea Mai Buna Strategie De Prevenire A Coruptiei În Administratia Publica", MDRAP, 27 October 2017, available [in Romanian] at https://bit.ly/2J4LEy3; "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, pages 40-41, available [in Romanian] at https://bit.ly/2vv2yw7.

[5] Dan Bugariu, SmartCity, interview by IRM researcher on 14 November 2018.

[6] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[7] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[8] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[9] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[10] Civic Tech Romania describes the Open Data Alba Iulia [in Romanian] at https://bit.ly/2H9TXqF.

[11] "Primăria Timișoara – prima instituție locală ce contribuie la data.gov.ro", Open Government Partnership Romania, 21 April 2014, available [in Romanian] at https://bit.ly/2NRIw7H.

[12] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[13] "Recommendations regarding the open government partnership at local level", Open Government Partnership, Centre for Public Innovation, Smart City Timisoara, 2017, available [in Romanian] at https://bit.ly/2Voi0Kc.

[14] Dan Bugariu, SmartCity, interview by IRM researcher on 14 November 2018.

10. Promoting transparency in the decision-making process by setting up a Transparency Register (RUTI)

Commitment Text:

Improve the transparency of the public decision-making process by disclosing interactions between high public officials and interested parties from the private sector that promote their interests in relation to various legislative initiatives. RUTI is a register of interest for representatives from the private sector that willingly provide data about the entity they represent. RUTI also includes information about the registrants' interactions with decision-makers from the public sector. In this respect, dignitaries, high-level public servants and general directors of state companies will also publish on this platform information about their meetings with groups from the private sector, the subject of the meeting and brief conclusions. This aspect is a continuation of MCPDC's efforts to publish the agendas of high-level officials from the central government, a requirement that was included in the Memorandum for on improving transparency and standardizing public interest information. The register will managed by the MCPDC, in partnership with the MJ and CPM.

Main Objective:

Transparency and integrity of the decision-making process

Milestones:

10.1.   *Develop the concept of the Unique Transparency of Interests Register (RUTI)*
10.2.   *Development of the ruti.gov.ro platform*
10.3.   *Public consultation with the civil society and private sector on the proposed mechanism*
10.4.   *Launch and testing of the platform*
10.5.   *Assessment of the results*

Responsible Institution: Ministry for Public Consultation and Civic Dialogue (MCPDC)
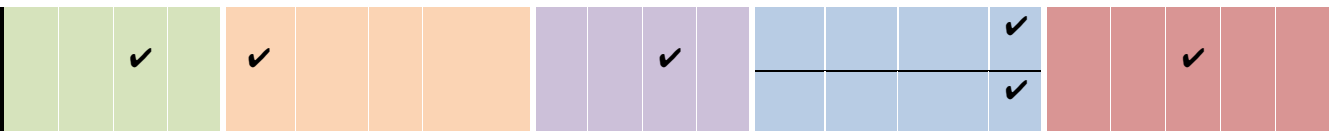
Supporting Institution(s): Ministry of Justice, Chancellery of the Prime-Minister

Start date: 2016   **End date:** February 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm	Did It Open Government?			
																	End of Term				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding

10. Overall		✔	✔		✔			✔			✔			
								✔						

Commitment Aim

This commitment aimed to increase transparency of meetings between public officials and groups or individuals seeking to influence political decision makers, by publishing meetings between public officials and private sector members that seek to promote their interests in relation to various legislative initiatives. This commitment aimed to design and develop the RUTI platform (Milestones 1 and 2), in consultation with civil society and private sector stakeholders (Milestone 3). The commitment also aimed to launch and test the platform where meetings between companies and legislators can be registered (Milestone 4) and to evaluate the results of the platform (Milestone 5).

Status

Midterm: Complete

RUTI (the concept and platform) was developed in consultation with civil society and was launched and tested by midterm. The assessment of the platform's impact on increasing transparency and integrity in the decision-making process was not started.

The assessment of the platform's impact was completed. The government's 2018 self-assessment report provides some statistics on the degree to which RUTI is used—i.e. the platform has 194 registered public officials, 2,020 registered special interest groups, and approximately 2,300 registered meetings—all of which show the platform is steadily receiving traction among public servants and potential lobbyists.[1]

Did it Open Government?

Access to information: Marginal

At the time of writing this report, 194 decision-makers have their information on the RUTI platform.[2] However, the platform has not been used by any major watchdog or anti-corruption NGOs, as information provided on RUTI is insufficient to uncover abuse of power.[3] Ideally, the information provided on the RUTI portal would be high-quality, centralized, and downloadable in a machine-readable format, and rich in data-points, would cover all relevant actors in real time and could be used to corroborate other information on members of the public administration (e.g. the transparency register or the register of financial declarations), such that "anomalies" could be detected.[4]

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 6: "Extending standards on access to public information at the level of local public authorities."

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[1] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, pages 43-44, available [in Romanian] at https://bit.ly/2vv2yw7.
[2] The Memorandum on the Establishment of the Single Register of Transparency of Interests concerns only the decision-makers in the central public administration (e.g. Prime Minister, Head of the Chancellery of the Prime Minister, Secretary General of the Government, State Securities, State Councilors, leaders of rank of dignitaries of other institutions or central bodies of the public administration subordinated to the Government or ministries). The Memorandum is available [in Romanian] at https://bit.ly/2Z0Ag98.
[3] "IRM Romania Progress Report 2016–2017", IRM, 2018, page 55, available at https://goo.gl/AHqzEe.
[4] See as example "Open data to fight corruption. Case study: the EU and lobbying", Transparency International, 2016, available at https://bit.ly/2V4xZHZ.

11. Access to performance indicators monitored in the implementation of the National Anti-corruption Strategy (SNA)

Commitment Text:

Ensuring access to information regarding the implementation of anti-corruption preventive measures and the SNA indicators.

Main Objective:

Institutional transparency.

Milestones:

11.1.   *Develop the new SNA platform to ensure the centralized collection of open data*
11.2.   *Develop a guide for the upload of data*
11.3.   *Publish data in an open format on sna.just.ro and data.gov.ro*
11.4.   *Develop IT applications to facilitate the implementation of the SNA*
11.5.   *Revision of the monitoring indicators (once every 2 years), in collaboration with civil society*

Responsible Institution: Ministry of Justice (MJ)

Supporting Institution(s): Open Data Coalition

Start date: September 2016   **End date:** December 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm / End of Term	Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall			✔		✔						✔				✔					✔		
															✔							

Commitment Aim

As part of Romania's National Anti-Corruption Strategy (SNA), more than 4,000 national and local public institutions are required to conduct mandatory self-assessments of their progress implementing anti-corruption measures mentioned in the SNA until 2020.[1] This effort aimed to create 488,000 data points that track the self-reported efforts to prevent corruption as measured by the 122 survey indicators—e.g. conflicts of interests, incompatibilities, ethical code, and random distribution of service tasks. To this end, the commitment planned to develop a platform to centralize the reports (Milestone 1), to develop a delivery guide for the reports (Milestone 2), and automate the collection of the reports (Milestone 4), to open the results of this assessment— previously only available to the Technical Secretariat of the SNA—in a user-friendly format (Milestone 3), and to collaborate with civil society to periodically review the indicators (Milestone 5).

Status

Midterm: Substantial

Milestones 1 (the new SNA platform), 2 (a guide for how to upload the data on the SNA platform), and 4 (IT applications to facilitate the implementation of the national anti-corruption strategy) were substantially completed at the time of the IRM progress report. A limited number of datasets were submitted to the SNA portal.

End-of-term: Substantial

A small dataset containing the answers for the 122 SNA survey indicators of 283 local public administrations was published on sna.just.ro.[2] Further, Milestone 3 (opening the public administration's self-reported efforts to prevent corruption on two data portals) and Milestone 5 (revising the indicators used to measure the public administration's efforts to prevent corruption) were still not started according to the government's self-assessment report.[3]

Did it Open Government?

Access to information: Marginal

The commitment opened access to the results of the mandatory self-assessment that the public administration has to undergo as part of the SNA in a user-friendly format. Nevertheless, the publication of a single dataset limits the scope of this commitment, as it does not allow the measurement of the progress of national and local institutions in implementing the necessary anti-corruption measures.

Carried forward?

This commitment is not continued in the 2018–2020 national action plan.

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[1] The text of the Romanian National Anti-Corruption Strategy is available [in Romanian] at https://goo.gl/9pZ7xz.
[2] "Chestionar Masuri Preventive Online", Ministry of Justice, 2017, available [in Romanian] at https://goo.gl/uUTvT5.
[3] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, pages 46-47, available [in Romanian] at https://bit.ly/2vv2yw7.

12. Improve transparency in the management of seized assets

Commitment Text:

ANABI will develop a platform that will ensure access to information regarding the management of proceeds of crime.

Main Objective:

Institutional transparency.

Milestones:

12.1.   *Develop the ANABI website, including publishing open data and public interest information.*
12.2.   *Develop the national integrated system for the registration of proceeds of crime.*

Responsible Institution: Ministry of Justice (MJ) through the National Agency for the Management of Seized Assets (ANABI)

Supporting Institution(s): National Agency for Fiscal Administration (ANAF)

Start date: 2016   **End date:** June 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm End of Term	Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding
12. Overall			✔		✔						✔				✔ (Midterm) / ✔ (End of Term)					✔		

Commitment Aim

The National Agency for the Management of Seized Assets (ANABI) is required by law 318/2015 to publish information on seized assets and properties in an open format on a quarterly basis. The information must be disclosed on the ANABI website until the National Integrated Information

System (SIIN) is in place.[1] This commitment aimed to establish the ANABI website and the SIIN for the registration of proceeds of crime.

Status

Midterm: Substantial

By July 2016, the ANABI website was already operational and publishing public interest information on a regular basis.

The development of the national integrated system for the registration of proceeds of crime was only partly completed. Its funding was secured through the "Support for achieving the objectives of the National Anticorruption Strategy by increasing the recovery of proceeds from crime" project, which ANABI conducts in partnership with the Basel Institute for Governance. According to the government's self-assessment, in May 2017, the Swiss experts presented a report on the IT instruments necessary for the management and mapping of the management of seized assets. ANABI then distributed the report to the relevant stakeholders (e.g. judiciary, public prosecutor, ANAF) and asked for comments.

End-of-term: Substantial

The national integrated system for the registration of proceeds of crime is not completed. According to the government's self-assessment, until its completion, ANABI retains the data it receives from the public prosecutor and the judiciary.[2]

Did it Open Government?

Access to information: Marginal

ANABI offers reliable information to the general public about the amount of seized assets and the amount the state was able to sell and recover as public money. This data allows the countering of fake news in relation to the efficiency of the judiciary,[3] which is particularly relevant when public opinion is split on this matter.[4] Nevertheless, the ANABI system is not yet detailed enough to support detailed, evidence-based policymaking or the proactive detection of white-collar crime patterns, thereby contributing to the effective countering of corruption and of its ancillary crimes.

Carried forward?

This commitment is continued in the 2018–2020 national action plan as Commitment 13: "Improving transparency in the management of seized assets."

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[1] The text of law 318/2015 for the establishment, the organization and the functioning of the National Agency for the Administration of Seized Assets and for the amendment and supplement of certain normative acts, is available [in Romanian] at https://goo.gl/YRKsRR.

[2] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, pages 49-50, available [in Romanian] at https://bit.ly/2vv2yw7.

[3] For instance, in 2018 the work of the National Anti-corruption Directorate (DNA) antagonized the mass-media. Several national news outlets (e.g Antena 3) and former politicians (e.g. Udrea, Ponta) described their work as "abusive," "politically motivated," and "fabricated" evidence and indictments. ("Ponta: "Știam că se fabrică probe la DNA Ploiești. Grav este că deși sunt dezvăluiri nu se întâmplă nimic"", Antena3, 12 February 2018, available [in Romanian] at https://bit.ly/2Y9wE4B.) Other international outlets (e.g. Politico) and politicians (e.g. Macovei) describe their work as an example to be followed by other countries as well. (Andrew Macdowall, "The DNA of Romania's anti-corruption success", POLITICO, 15 April 2016, available at https://politi.co/2Viv7wf.)

[4] According to a 2017 European survey, 54% of Romanians tend to not trust the Romanian justice and legal system. (See "Designing Europe's future: Trust in institutions Globalisation. Support for the euro, opinions about free trade and solidarity", European Commission, 2017, Special Eurobarometer 461, available at https://goo.gl/48Ntq6).

13. Annual mandatory training of civil servants on integrity matters

Commitment Text:

The Ministry of Justice will provide the e-learning platform and will develop the supporting materials for the online training courses on integrity. These interactive modules will improve the knowledge the users already have and will provide new information on the topics of ethics and integrity. Participants will take a test upon finishing the courses.

Main Objective:

Improve the level of anti-corruption knowledge among public servants.

Milestones:

13.1. *Develop partnerships with institutions competent in professional training*
13.2. *Develop the training program*
13.3. *Develop guidance for the public servants that will take the mandatory courses*
13.4. *Develop the courses*
13.5. *Ensure participation of at least 50% of central and local public institutions and authorities' staff to online training provided through this platform.*

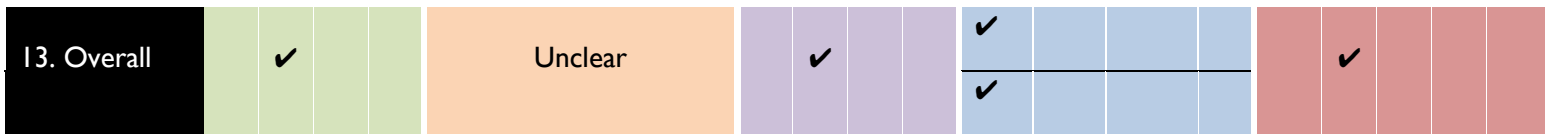**Responsible Institution:** Ministry of Justice (MJ)

Supporting Institution(s): Ministry for Regional Development and Public Administration (MDRAP) – The National Agency of Civil Servants, National Institute of Magistracy, Al. I. Cuza Police Academy, University of Bucharest – Faculty of Philosophy

Start date: September 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
															Midterm						
															End of Term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding

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13. Overall		✔		Unclear			✔		✔ ✔				✔		

Commitment Aim

This commitment aimed to improve the level of anti-corruption knowledge among public servants. Nevertheless, this commitment is inward-facing, and does not include a public-facing element relevant to opening government.

Status

Midterm: Not Started

This commitment was not started at the time of the 2016–2017 IRM progress report.

End-of-term: Not Started

According to the government's self-assessment, this commitment has not made any progress.[1] According to the self-assessment, the activities for this commitment were included in an EU funded project, and the delays were due to the mandatory procedures and public procurement process.

Did it Open Government?

Access to Information: Did not Change
Civic Participation: Did not Change
Public Accountability: Did not Change

This commitment was not implemented and did not lead to any changes for opening government.

Carried forward?

Despite not being related to the OGP values, this commitment was carried forward to the 2018–2020 national action plan as Commitment 11: "Annual mandatory training of public servants on integrity matters."

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[1] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018), pages 52-53, available [in Romanian] at https://bit.ly/2vv2yw7.

14. Improving access to cultural heritage

Commitment Text:

The massive digitization of cultural resources (particularly the movable heritage) that will be done within the eCultura project will focus on (1) the development of a single online platform that will host a catalogue and a digital library and will be available to all cultural institutions in Romania and open to the public; (2) the digitization and publishing online (until 2020) in the Digital Library of Romania and the European Digital Library (europeana.eu) of over 750.000 digital objects.

Main Objective:

Improve accessibility and re-use of cultural heritage through digitization.

Milestones:

14.1.   *Development of a single online platform that will host a catalogue and a digital library and will be available to all cultural institutions in Romania and open to the public*
14.2.   *Digitization and publishing online (until 2020) in the Digital Library of Romania and the European Digital Library (europeana.eu) of over 750.000 digital objects.*
14.3.   *Analysis and drafting of an action plan for the development of a collaborative tool regarding the publication of cultural digitized resources of public cultural institutions as open works*

Responsible Institution: Ministry of Culture and National Identity (MCNI)

Supporting Institution(s): Public cultural institutions under the subordination of the Ministry of Culture, Devolved departments of the Ministry of Culture, National Archives Open Data Coalition, Initiativa Romania

Start date: September 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm	Did It Open Government?				
																	End of Term					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding
14. Overall		✔			✔					✔				✔					✔			
														✔								

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Commitment Aim

This commitment aimed to increase the amount of cultural resources digitized for preservation and use by the public. To this end, the commitment aimed to create the culturalia.ro portal (Milestone 1) to store the catalogue of 750,000 digitized items (Milestone 2)[1] and make it available to the public in Romania (culturalia.ro) and in Europe (europeana.eu). Finally, the commitment also aimed to create an instrument independent of eCultura to digitize video cultural heritage (Milestone 3).

Status

Midterm: Limited

The development of an online platform was part of the *E-Culture: Digital Library of Romania*—an EU cofunded project.[2] As of July 2017, the MCNI bought the culturalia.ro domain.

End-of-term: Limited

This commitment remained limited in completion. According to the government's self-assessment report, the E-Culture project—which secures the budget for the commitment—now follows a new timeline. The accreditation of the Management Authorities needed to secure the EU cosponsorship suffered big delays,[3] and therefore delayed all EU cofunded projects. In November 2018, the acquisitions of the necessary human capital were underway and the tender specifications for the acquisition of the necessary equipment were being finalized.[4] Moreover, Milestone 3—the design of a collaborative tool for the publication of digitized video cultural heritage—was incorporated in the eCultura project.[5]

Did it Open Government?

Access to information: Did not change

Due to the project delays, citizens will only have access to the digitized items in 2020, at the earliest. The commitment therefore did not facilitate any changes for greater access to information at the end-of-term.

Carried forward?

This commitment is not continued in the2018–2020 national action plan.

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[1] According to the MNCI, this commitment had two different targets: (1) within the National Strategy regarding the Digital Agenda for Romania (2014) where the target for digitization was 750.000 items (by 2015), and (2) within the eCultura project, where the target was set to 550.000 items. See: https://www.umpcultura.ro/proiecte-in-implementare_doc_883_e-cultura-biblioteca-digitala-a-romaniei_pg_0.htm

[2] "Government Launches Romania's Digital Library project", Romania Insider, 6 September 2018, available at https://goo.gl/B6iFfq.

[3] Iulian Anghel, "Un lucru nespus în polemica premierilor privind absorbţia fondurilor UE. Autorităţile de management nu sunt acreditate, iar România nu poate cere decontări de la Bruxelles", Ziarul Financiar, 22 February 2017, available [in Romanian] at https://goo.gl/XEmXmy.

[4] Cristina Cotenescu and Mihai Monoranu, Ministry of Culture and National Identity, interview by IRM researcher on 8 November 2018.

[5] Cristina Cotenescu and Mihai Monoranu, Ministry of Culture and National Identity, interview by IRM researcher on 8 November 2018.

15. Open data and transparency in education

Commitment Text:

The objective of the commitment is the publishing in an open format of the education data and indicators owned by the MENCS and subordinate institutions.

Main Objective:

Improving transparency in the public education system.

Milestones:

15.1.   Identification of all computer systems and databases of the MENCS and subordinate institutions that are either already in use, being implemented or being prepared.
15.2.   Determine, following public consultation, which are the essential datasets from the education system that are to be published on the national open data portal.
15.3.   Establishing the internal procedures and publishing the datasets.
15.4.   Regulation of an internal policy of the MENCS to establish that any new computer system to be introduced will have a compulsory component that will allow export of data to the open data portal

Responsible Institution: Ministry of National Education and Scientific Research (MENCS)

Supporting Institution(s): Subordinate agencies of the ministry (ARACIS, ARACIP, UEFISCDI, UTIE), school inspectorates, Open Educational Resources Coalition Romania

Start date: September 2016   **End date:** June 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did It Open Government?				
															End of Term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
15. Overall			✔		✔			✔			✔			✔					✔		
															✔						

Commitment Aim

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This commitment aimed to improve the open data available in education, by creating an inventory of computer systems and databases available at the level of the MENCS and of its subordinate institutions (Milestone 1), and by selecting those that can and should be published on data.gov.ro (Milestone 2). Moreover, it aimed to strengthen educational policies and improve the perception of citizens about the public education system by publishing certified information about the system (Milestones 3 and 4), in particular through the two systems: (1) The Integrated Information System of the Romanian Educational System (SIIIR); and (2) The Registry System for Universities (RMU).

Status

Midterm: Limited

MENCS had not started identifying all its computer systems and databases, establishing internal procedures to publish them, nor mandating that all new computer systems have a data export component at the time of the 2016–2017 IRM progress report. Two public consultations took place in 2017 and resulted in the identification of the essential datasets to be opened. Moreover, a civil society representative argued that the MENCS made an inventory of its datasets and consulted with civil society on which ones could be legally published.[1]

End-of-term: Substantial

According to the government's self-assessment report, MENCS conducted the inventory of all of its computer systems and databases and established the internal procedures necessary to publish them. The procedures remain to be vetted by a designated commission and some datasets (e.g. exam grades, school network, and teacher scales) were published on data.gov.ro.[2] According to the civil society representative, Milestone 4 was not completed due to the fact that the software behind SIIIR[3] is retained by the private supplier. Owing to this privileged position, the supplier charges high support and maintenance fees, thereby discouraging efforts to open more educational datasets.[4]

Did it Open Government?

Access to information: Marginal

According to a civil society representative, after the inventory, MENCS published only the easy-to-publish datasets, while the more complex ones were not published. MENCS lacked the necessary staff to correctly anonymize the data, and there was no political will.[5] Moreover, the opened datasets are not often updated—for example, in November 2018 the latest data on exam grades was from 2017.[6]

Carried forward?

This commitment will not be continued in the 2018–2020 national action plan.

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[1] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[2] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018, page 59, available [in Romanian] at https://bit.ly/2vv2yw7.
[3] SIIIR is the information system used by MENCS to collect and manage the data that the subordinate institutions of MENCS have to periodically provide. More information is available [in Romanian] at https://goo.gl/7HRJ4y.
[4] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[5] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.
[6] The datasets are available at https://goo.gl/qrDX5t.

16. Virtual School Library and Open Educational Resources

Commitment Text:

By creating the Virtual School Library and defining a national policy regarding open educational resources, the commitment aims to increase access to quality education and foster innovation. The sources for these materials will be: (1) documents produced by the MENCS and subordinate agencies, particularly curricula and textbooks that the ministry buys directly; (2) resources produced in EU funded programs, regardless of the beneficiary. The financing contracts will include clauses stating that the produces resources will be published under an open license and will be uploaded on the national portal; (3) new resources created by teaches and used for teaching activities, including school inspections. It is well known that teachers are permanently creating a host of teaching materials, and these materials can also be uploaded to the portal; (4) resources that are already developed by teachers and are distributed to other communities. The users of these communities will be encouraged to transfer the most valuable resources to the national portal; (5) educational resources that resulted from the implementation of EU funded projects will be part of this library; (6) starting a public consultation process regarding the acquisition of textbooks, so that the content of the textbooks is also bought and becomes the property of MENCS. The implementation terms will be discussed and agreed within the MENCS.

Main Objective:

Create a Virtual School Library and populate it with open educational resources.

Milestones:

16.1. Create the technical support for the Virtual School Library
16.2. Collect, from public and private sources, and publish the initial repository for the Library
16.3. Select an open license for the Library
16.4. Introduction in all operational programs funded from the EU of a contractual clause stating that any educational resource that is created will be published under an open license and uploaded to the Library
16.5. Regulation of the way in which educational resources will be entered in the Library, a mandatory clause for projects developed with public funds and on demand for private projects
16.6. Review, following public debates, of the procedures for buying school textbooks, so that they are available to the public under an open license
16.7. Draft and adopt a national strategy for the development of the Virtual School Library and the use of OER in the public education system

Responsible institution: Ministry of National Education and Scientific Research (MENCS)

Supporting institution(s): National Centre for Assessment and Examination Education Sciences Institute, Open Educational Resources Coalition Romania

Start date: 2016   **End date:** September 2017

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
16. Overall			✔		✔						✔			✔				✔			
														✔							

Commitment Aim

Already part of the 2014–2016 national action plan, this commitment aimed to create a Virtual School Library online environment (Milestone 1), and to populate it with educational resources (Milestone 2) under open license (Milestone 3). The commitment also aimed to mandate that publicly-funded educational resources be published under open licensing and uploaded to the Library (Milestones 4 and 5), and that MENCS can buy the author rights of school textbooks to then publish the content under open licensing (Milestone 6). Finally, it planned to mandate the use of open resources in the public education system (Milestone 7).

Status

Midterm: Limited

A repository for the Virtual Library[1] has been set up and populated with data gathered at the level of the School Inspectorates. Moreover, public debates were organized to review the procedures for buying school textbooks to then publish them under open license. These discussions resulted in the government submitting a law proposal[2] to Parliament to regulate the statute of basic school manuals as public goods,[3] thereby making them available on the MENCS's website, afterwards on the Virtual School Library portal.

End-of-term: Limited

According to a civil society representative, MENCS has written the project to create the necessary infrastructure for the Virtual Library in consultation with the civil society (Milestone 1), but the allocations of funds has been delayed.[4] The Virtual Library repository collects open educational resources that were published on the websites of the MENCS subordinate institutions.[5] According to the government's self-assessment report, choices that would give the Virtual Library open license, as well as the insertion of a clause mandating open license for all EU-funded projects where educational resources are funded this way, were not yet made.[6] Furthermore, the government's self-assessment report states that MENCS has approved the procedure to certify the open educational materials that will enter the Virtual Library, and that uploading sections were put in place in all the County School Inspectorates.[7] Finally, following discussions with civil society, MENCS initiated a draft law of the School textbook[8] in September 2017 that reached Parliament in December 2017, and was adopted in June 2018, only to be rejected by the Constitutional Court, because the Parliament did not adopt it following the correct administrative procedure. The law returned to Parliament in September 2018.[9]

Did it Open Government?

Access to information: Did not change

The only finalized milestone of this commitment was the creation of the Virtual Library repository, where information that was already open to the public (as it was published under open licensing) is collected.

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 16: *"Open Education."*

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[1] "Resurse Educationale Deschise", Virtual Library, available at https://goo.gl/AQ5oYo.

[2] Draft law "Legea Manualului Scolar" is available [in Romanian] at https://goo.gl/667R3Q.

[3] According to Mr. Nicoara, this would place the manuals under open licensing, such that teachers could build on the basis of these open licenses their manuals and course materials. See Andrei Nicoara, Open Data Coalition, interview with IRM researcher, on 15 November 2018.

[4] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

[5] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

[6] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018, page 62, available [in Romanian] at https://bit.ly/2vv2yw7.

[7] "National Action Plan 2016–2018: Self-assessment report", Open Government Partnership, 2018, page 62, available [in Romanian] at https://bit.ly/2vv2yw7.

[8] Draft law "Legea Manualului Scolar" is available [in Romanian] at https://goo.gl/667R3Q.

[9] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

17. Open Contracting

Commitment Text:

The commitment is a continuation of one of the priorities of the 2014-2016 NAP and its objective is to increase the transparency and efficiency of public spending by opening data collected through the electronic procurement system in the OCD standard, as well as by engaging citizens in the process. Data will cover planning, award, implementation, performance, and completion of public contracts. OCDS data will be directly accessible in the e-Licitatie (e-Procurement) platform, even for users unskilled in automatic data collection / processing, by applying search filters on criteria such as contracting authority, economic operator, procurement name etc.

Main Objective:

Increase the transparency and efficiency of public spending.

Milestones:

17.1. *Informing and training the public procurement staff in local and central public institutions*
17.2. *Implementation of the OCDS in the e-licitatie.ro portal (public procurement portal). Following the JSON standard, a webservice will serve API calls according to the OCDS, covering: Buyer Information, Tender/Initiation, Award, Contract, Implementation, Planning, Document, Budget, Item, Amendment, Classification, Contact Point, Value, Period.*
17.3. *Publishing the datasets resulted from the OCDS implementation, on the data.gov.ro portal*
17.4. *Selection of one or more public institutions for the implementation of a pilot on applying the OC principles (for all phases of the contracting process)*
17.5. *Piloting the implementation of OC principles in one public institution, in collaboration with civil society, in all phases: development / planning, awarding, execution, implementation / monitoring, completion, assessment*

Responsible institution: National Agency for Public Procurement (ANAP) Digital Agenda Agency (AADR)

Supporting institution(s): Chancellery of the Prime-Minister, Funky Citizens; Open Society Foundation

Start date: September 2016   **End date**: June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
17. Overall			✔		✔	✔						✔	✔	✔				✔			

Commitment Aim

With this commitment, AADR—the Romanian Digital Agenda Agency that is in charge of the public procurement e-licitatie.ro portal—pledged to adopt the Open Contracting Data Standard (OCDS) for its procurement portal (Milestones 1 and 2) and publish it on data.gov.ro (Milestone 3). Finally, the commitment aimed to pilot the application of the open contracting principles (Milestones 4 and 5). This commitment was considered potentially transformative for making procurement information publicly accessible.

Status

Midterm: Not Started

This commitment was not started at the time of the IRM progress report.

End-of-term: Limited

According to the government's self-assessment report, only the implementation of the OCDS in the e-licitatie.ro portal was started. In order to implement the OCDS in the procurement process in Romania the SEAP—the Electronic System for Public Procurement (eProcurement)—had to be redesigned. The tender specifications of SICAP—The Collaborative Information System for an Effective Public Procurement Environment—clearly mentioned that procurement data needed to comply with the OCDS.[1] A demo of the OCDS export facilities of SICAP was presented during an OGP Club meeting.[2] Nevertheless, UTI—the private contractor—had major delays in delivering SICAP, in part because of the UTI leadership being investigated for corruption.[3]

SICAP was launched in April 2018, but the data export component is not working, therefore SICAP cannot export the bulk data on data.gov.ro.[4] In December 2018, no bulk data on public procurements was published on data.gov.ro after the transition from SEAP to SICAP was completed.

Did it Open Government?

Access to information: Worsened

Although, SICAP—the new public procurement portal of the AADR that replaces SEAP—has a more user-friendly interface than SEAP, it remains largely an eProcurement system, not an open contracting system (i.e. the public consultations prior to tendering, the procurement contract, the additional documents to the contract, etc. are not included.[5]). SICAP also has not been able to publish bulk data to the national data portal, as SEAP did before.

The experts interviewed by the IRM researcher confirmed that SICAP had to be made in accordance to the OCDS. Nevertheless, since its releases in April 2018, and until November 2018, it did not export its bulk data to the national data portal.[6] Conversely, the previous system, SEAP, did publish the data in bulk, in an open format, and under an open license, every three months. Bulk data has proven to be essential for investigative journalists. Some of the biggest corruption scandals in Romania (Club COLECTIV[7] and the Disinfectants Scandal[8]) were triggered by investigative journalists analyzing the bulk data on data.gov.ro. A civil society representative argued that with some good programmers and the bulk data, corruption and bribery in public procurement can easily be uncovered. Otherwise, investigative journalists need to know exactly what to look for in order to uncover corruption.[9]

One interviewee suggested that manual searches and copy-paste exercises can still retrieve the bulk data from SICAP, though these can be tedious and very costly exercises.[10] To this end, it is easier to query in SICAP than in SEAP.[11] Furthermore, opinions were mixed as to whether SICAP really has implemented the OCDS principles. Some believe that SICAP simply has several technical problems to prevent the bulk data.[12] The IRM researcher was not able to find out the government position on this, as the leadership of the AADR did not respond to the two email invitations to discussion that the IRM researcher sent.[13]

Civic participation: Did not change

As the piloting of the implementation of the OCDS principles in one public institution, in collaboration with civil society, did not take place, this commitment did open government with respect to civic participation. Nevertheless, the absence of bulk data factually restricts civic participation in the broader fight against corruption.

Carried forward?

This commitment will not be continued in the 2018–2020 national action plan.

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[1] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018, Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018, and Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[2] Minute 40 of the "Debate on the open governance of the NAP 2014–2016", available [in Romanian] at https://goo.gl/CBCW1T.

[3] "Seful UTI Tiberiu Urdareanu retinut de DNA", Economica, 29 October 2017, available [in Romanian] at https://goo.gl/LEsN7G.

[4] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018, and Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[5] Elena Calistru, Funky Citizens, interview by IRM researcher on 13 November 2018.

[6] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018, Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018, and Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[7] "Colectiv nightclub fire", Wikipedia, available at https://en.wikipedia.org/wiki/Colectiv_nightclub_fire.

[8] Anealla Safdar, "Diluted disinfectant scandal hits Romania hospitals", AlJazeera, 14 May 2016, available at https://goo.gl/2kDcRR.

[9] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

[10] Bulk data refers to the entire dataset of public procurements. This bulk dataset can be recreated from the search portal if the user identifies each entry, separately by searching manually for the right keyword, and then by copy-pasting each entry onto their local hard drive. Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

[11] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018 and Elena Calistru, Funky Citizens, interview by IRM researcher on 13 November 2018.

[12] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[13] Emails were sent to the address liviu.stoica@aadr.ro on 6 November 2018 and on 11 November 2018.

18. Increasing the quality and quantity of published open data

Commitment Text:

The commitment is part of the project" Improving the quality and number of datasets published by public institutions" that will be funded through the European Social Fund 2020 and aims to: (1) improve the open data publishing methodology; (2) provide a series of training sessions and support documents for open data management for the staff in public central and local institutions; (3) improve the quality of data published on data.gov.ro; (4) Encourage the re-use of data; (5) increase the number of datasets published on data.gov.ro.

Main Objective:

Promote and increase transparency in public administration and improve citizen dialogue by improving the means and procedures to publish open data from the public institutions and authorities.

Milestones:

18.1.   Improve the open data publishing methodology by updating and improving the 2015 Guide and assessing the framework for a public policy proposal that would ensure implementation of procedures in all public institutions, publication of datasets on a regular basis and correlation with the linked governmental strategies.

18.2.   Organize 13 training session for staff in local and central public administration (200 persons)

18.3.   Pilot the automatic publishing on the data.gov.ro portal of open data from public procurement (open contracting), tax registers and air quality (through APIs)

18.4.   Encourage and assist public institutions in organizing competitions (hackathons) using open data, to develop solutions for specific issues. At least 4 hackathons will be organized, in sectors where institutions already showed interest in promoting the re-use of data, and civil society representatives agreed on the utility of such competitions (culture, education, local government, anticorruption, citizens' budgets etc.)

18.5.   Centralized publishing on the national open data portal of priority, high value datasets (budget, education, culture, health, labor, environment and others). Monitoring of regular updates of datasets that are already published. Identify and publish new datasets, in collaboration with civil society.

Responsible institution: Chancellery of the Prime-Minister/ Secretariat General of the Government (SGG)

Supporting institution(s): Ministries; Local public authorities, Coalition for Open Data

Start date: September 2016   **End date:** June 2018

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2016–2018 national action plan.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
18. Overall			✔		✔	✔					✔			✔	✔					✔	

Commitment Aim

The commitment aimed to improve the methodology, train national and local government staff, and improve the quality and quantity of data published on data.gov.ro (Milestones 1 and 2). It envisions piloting automatic publishing of data on procurement, tax registers, and air quality (through application programming interfaces [APIs]) (Milestone 3), and organizing thematic hackathons (milestone 4), while centralizing and improving access to high value datasets as determined through consultation with civil society (Milestone 5).

Status

Midterm: Limited

The first three milestones were not started at the time of the IRM progress report, due to delays in the procurement of consulting services. Milestone 4 was substantially completed; three hackathons were organized in 2016 and 2017 with the goal of creating apps for healthcare, social policies, environment, smart cities, policies/strategies, education, and culture. The IRM progress report noted that the number of opened datasets increased, although the quality remained uneven.

End-of-term: Substantial

The SGG wrote the open data publishing methodology and published it under open license in July 2018.[1] According to the government's self-assessment report, the SGG analysis revealed that designing a public policy for open data is not desirable in the context of the current European and national technical and legal frameworks.[2] 200 public servants, in particular leadership, and 200 IT experts (20 from local administrations, and 180 from the central public administration, including the subordinated institutions[3]) were trained in June–July 2018.[4] According to the OGP representative, the target group was members of the central public administration to consolidate the SGG's prior efforts to stimulate and incentivize them to open public interest data.[5] Moreover, training course materials were published under open license in May 2018.[6] Milestone 3 is not started, according to the government's self-assessment report.[7] The OGP representatives, however, argued that the data.gov.ro portal already offers an API that public institutions can use to upload and download data, but that the problem lies with the IT departments of the public institutions that do not have the ability to handle large datasets through APIs.[8]

Milestone 4 was partially completed, as three hackathons were organized in September 2016,[9] March 2017,[10] and March 2018[11] on the following themes: health, public policies, environment, smart city, culture, and education. According to the government's self-evaluation report, Milestone 5 is also partially completed as, in March 2018, data.gov.ro contained approximately 1,400 datasets (an

increase from 633 datasets in 2016). Moreover, 217 of the 259 datasets that public institutions committed to have been published.[12] Moreover, the government's self-assessment report[13] finds that datasets that need updating monthly are updated, but that those that require a more frequent update lag behind. Finally, the OGP representative stated that the quality of the data published on the national portal has also increased, though datasets that are not of high quality, and that may include errors, still exist.[14]

Did it Open Government?

Access to information: Major

According to OGP representatives, changing the mentality of public servants, as well as the development of their know-how (i.e. how to open datasets or which IT system allows this best) is a cumbersome and lengthy process. Consequently, training public servants on how to exercise the opening of new datasets that are relevant for the public has been instrumental for the current (and future) increase in new opened datasets.[15] The opened datasets already doubled during the implementation of the third national action plan (from 633 in 2016 to approximately 1400 in 2018), and 83.8% of the designated datasets were opened. Furthermore, data from the national portal has been used by an NGO to build an app (baniitai.info) that has been instrumental in uncovering the hospitals that bought the counterfeit detergent in the landmark corruption case Hexi Pharma.[16]

Civic participation: Marginal

In spite of the progress noted on the organization of three hackathons to engage the public in the development of custom solutions for the public administration, these activities did not succeed in generating long-term engagement. For instance, The Ministry of Culture and National Identity (MCNI) representative argued that political changes impeded a deeper collaboration between civil society and the MCNI, and that the MCNI did not monitor the development of the applications that won the hackathon.[17] Moreover, a civil society representative argued that hackathons can only be a first step to stimulate the building of new products on the open data.[18]

Carried forward?

This commitment will be continued in the 2018–2020 national action plan as Commitment 18: "Publication of open data."

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[1] Metodologie de publicare a datelor deschise – v. 02.2019 is available [in Romanian] at https://goo.gl/GbBTz7.
[2] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, page 67, available [in Romanian] at https://bit.ly/2vv2yw7.
[3] "Sesiuni de instruire date deschise", Open Government Partnership, 6 June 2018, press release available [in Romanian] at https://bit.ly/2LEvmNZ.
[4] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018.
[5] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018.
[6] Open Data Resources are available at https://goo.gl/vbdAHr.
[7] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, page 68, available [in Romanian] at https://bit.ly/2vv2yw7.
[8] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018.
[9] "Diplohack – 9 septembrie 2016", OGP Romania, 11 August 2016, press release available [in Romanian] at https://bit.ly/2CcxlMw.
[10] "ZiuaDatelorDeschise – București, 4 martie 2017", Open Government Partnership, 24 February 2017, available [in Romanian] at https://goo.gl/j1v4FN.
[11] "Înscrie-te la Culture Hack! Scoatecultura din tipare!", OGP Romania, 21 November 2017, available [in Romanian] at https://bit.ly/2Uu2rfr.
[12] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, page 68, available [in Romanian] at https://bit.ly/2vv2yw7.
[13] "National Action Plan 2016-2018: Self-assessment report", Open Government Partnership, 2018, page 68, available [in Romanian] at https://bit.ly/2vv2yw7.
[14] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018.
[15] Larisa Panait and Angela Benga, OGP Romania, interview by IRM researcher on 6 November 2018.
[16] Andrei Nicoara, Open Data Coalition, interview by IRM researcher on 15 November 2018.

[17] Cristina Cotenescu and Mihai Monoranu, Ministry of Culture and National Identity, interview by IRM researcher on 8 November 2018.
[18] Ovidiu Voicu, Centre for Public Integrity, interview by IRM researcher on 8 November 2018.

Methodological note

This report is based on a desk review of governmental programs, (draft) laws and regulations, governmental decrees, the written commitments, the text of the fourth national action plan, the government's self-assessment reports, and the IRM progress report 2016–2017. The IRM researcher also relied upon written consultations and interviews with civil society experts, governmental representatives and reports from the media to evaluate completion of the national action plan. The interviews were conducted in November 2018 and proofread by the interviewees, as listed below:

1. Larisa Panait — OGP Romania — Bucharest, Romania, 6 Nov. 2018
2. Angela Benga — OGP Romania — Bucharest, Romania, 6 Nov. 2018
3. Madalina Mitroi — SGG — Bucharest, Romania, 6 Nov. 2018
4. Diana Moldovan — Asociatia Impact — Bistrita, Romania, 7 Nov. 2018
5. Simona Adam — Former IRM — Bucharest, Romania, 7 Nov. 2018
6. Cristina Cotenescu — MCNI — Bucharest, Romania, 8 Nov. 2018
7. Mihai Monoranu — MCNI — Bucharest, Romania, 8 Nov. 2018
8. Ovidiu Voicu — CPI — Bucharest, Romania, 8 Nov. 2018
9. Marian Damoc — RYMFD — Bucharest, Romania, 8 Nov. 2018
10. Bogdan Manolea — APTI — Bucharest, Romania, 8 Nov. 2018
11. Octavian Rusu — IssueMonitoring — Bucharest, Romania, 12 Nov. 2018
12. Cornel Calinescu — ANABI — Bucharest, Romania, 12 Nov. 2018
13. Elena Calistru — Funky Citizens — Bucharest, Romania, 13 Nov. 2018
14. Ale Stoica — Calup — Bucharest, Romania, 13 Nov. 2018
15. Radu Puchiu — Former SGG — Bucharest, Romania, 13 Nov. 2018
16. Bianca Muntean — AEIS — Cluj, Romania, 13 Nov. 2018
17. Simona Calapodescu — AsociatiaCivica — Iasi, Romania, 13 Nov. 2018
18. Codrin Nisioiu — ASE — Bucharest, Romania, 13 Nov. 2018
19. Bogdan Grunevici — Min. Public Finances — Bucharest, Romania, 14 Nov. 2018
20. Ionut Popa — CivicTech — Bucharest, Romania, 14 Nov. 2018
21. MugurelDascalu — ANC — Bucharest, Romania, 14 Nov. 2018
22. Codru Vrabie — Former IRM — Bucharest, Romania, 14 Nov. 2018
23. Dan Bugariu — Smart City — Alba Iulia, Romania, 14 Nov. 2018
24. Andrei Nicoara — ODC — Cluj, Romania, 15 Nov. 2018

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, to empower citizens, to fight corruption, and to harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

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