Independent Reporting Mechanism (IRM): Romania Design Report 2018–2020

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Executive Summary: Romania

Romania's fourth action plan covers a wide range of topics, including some areas where the country has seen a decline in recent years. Notable commitments include standardizing public consultations, improving transparency of national investment funds, and simplifying monitoring of the management of seized assets. Moving forward, Romania could consider increasing transparency of large public spending, improving the effectiveness and independence of the judiciary, and publishing information on all concluded government contracts in open format.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Romania joined OGP in 2011. Since then, Romania has implemented three action plans. This report evaluates the design of Romania's fourth action plan.

General overview of action plan

In recent years, Romania has made significant progress in areas of open data, publishing asset declarations of public officials, and budget transparency. Despite having comprehensive anticorruption legislation, corruption remains a problem in the country due to weak enforcement. The fourth action plan continues to pursue many of the initiatives from previous plans.

The General Secretariat of the Government (SGG) led the development of Romania fourth action plan. Civil society submitted proposals for the action plan during online consultations, though no in-person consultations were held. The OGP coordination team ensured that civil society shaped seven of the final 18 commitments in the fourth action plan.

The commitments in Romania's fourth action plan cover a variety of policy areas that aim to strengthen public participation and government transparency, extend social services, and promote open data.

Table 1. At a glance
Participating since: 2011
Action plan under review: 4
Report type: Design
Number of commitments: 18

Action plan development
Is there a Multistakeholder forum: Yes
Level of public influence: Involve
Acted contrary to OGP process: No

Action plan design
Commitments relevant to OGP values: 17 (94%)
Transformative commitments: 2 (11%)
Potentially starred: 2 (11%)

Action plan implementation
Starred commitments: N/A
Completed commitments: *N/A*
Commitments with Major DIOG*: *N/A*
Commitments with Outstanding DIOG*: *N/A*

*DIOG: Did it Open Government?

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle.
1. Standardization of practices on public consultation processes Expand the e-consultare.gov.ro platform to standardize decisional transparency in public administration.	To ensure effective implementation of this commitment, the SGG could take steps to ensure the e-consultare.gov.ro platform's institutional memory and provide sufficient budget for the platform's development. SGG could also consult civil society and public administrations on the implementation norms for law on decisional transparency in public administration.	*Note: this will be assessed at the end of action plan cycle.*
10. Improve transparency in allocations and acquisitions from national investment funds Identify and open more databases related to national investment funds and organize a public consultation on the National Program for Local Development.	The potential impact of this commitment will depend on which datasets the Ministry of Regional Development and Public Administration (MDRAP) publishes. Moving forward, MDRAP could utilize the public consultations to better understand what information citizens would like to have opened.	*Note: this will be assessed at the end of action plan cycle.*
13. Improve transparency in the management of seized assets Create the national system to record and manage information on seized assets.	This new system envisioned under this commitment could allow for real-time monitoring of granular-level information on the government's management of seized assets. Moving forward, the National Agency for the Management of Seized Assets needs to ensure implementation of the original version of the system.	*Note: this will be assessed at the end of action plan cycle.*
16. Open Education Increase the transparency of the education system and create the Virtual School Library portal for open educational resources.	This commitment could potentially improve the creation of auxiliary educational materials that supplement schoolbooks and help reduce school dropout rates. Moving forward, the Ministry of National Education could standardize the uploading procedures for open educational resources to the Virtual School Library portal and reward schoolteachers that actively contribute their own open educational resources.	*Note: this will be assessed at the end of action plan cycle*

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

Strengthen the institutional framework in which the OGP process takes place.
Set up online participation and deliberation mechanisms to engage with decision makers and facilitate accountability of public officials on specific open government topics.
Increase transparency of large public spending and implement participatory budgeting initiatives.
Conduct an evidence-based evaluation of the Justice Laws reform and propose policies to improve the independence and the effectiveness of the Judiciary.
Publish information on all concluded government contracts as open data in OCDS format.

ABOUT THE AUTHOR

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

Open
Government
Partnership

I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Romania joined OGP in 2011. This report covers the development and design of Romania's fourth action plan for 2018–2020.

The Independent Reporting Mechanism of OGP has partnered with Ioana S. (Hanna) Deleanu, researcher at the University of Utrecht, the Netherlands, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit https://www.opengovpartnership.org/about/independent-reporting-mechanism.

II. Open Government Context in Romania

Romania has made progress in recent years in implementing transparency measures. Notable achievements include opening increasingly high number of government datasets, as well as improving publication of asset declarations of public officials. However, despite having comprehensive anticorruption legislation, its enforcement remains weak, and corruption continues to be a serious problem in the country.

As a participant in OGP since 2011, previous OGP action plans have led to furthering the implementation of legislation on freedom of information and public consultations in decision making.[1] Furthermore, the number of datasets published on data.gov.ro doubled during the third action plan (from 633 in 2016 to approximately 1400 in 2018), and 83.8 percent of the designated datasets were opened. Investigative journalists were able to use some of these datasets to uncover large-scale corruption in the healthcare sector.[2] Romania's participation in OGP has also increased the interest of open government initiatives at the local level. For example, Iași joined the OGP Local Program in 2018.[3]

While the fourth action plan was designed during a challenging political situation, it has nevertheless managed to consolidate initiatives that have proven resilient to political turnover: for example, the national data portal data.gov.ro, management of seized assets, and the initiative to increase the transparency of central and local public administrations.

Transparency and access to information

Romania continues to score 83 out of a possible 150 points for its right to information (RTI) legislation.[4] It also continued to receive the highest score possible in OGP's eligibility criteria for access to information. Commitment 1 in the third action plan (2016–2018) contributed to improvements in monitoring and standardizing transparency and disclosure practices across different ministries and government agencies.[5] Commitment 6 in the fourth action plan continues some of these efforts. The fourth action plan also builds off of the previous action plan's successes in opening data by aiming to open or keep open 535 datasets by public administrations.

Civil liberties and civic space

Romania continued to perform well in the area of civil liberties, according to Freedom House's 2019 Freedom in the World report.[6] Romania has a vibrant civil society, and nongovernmental organizations operate without major formal restrictions. However, according to Freedom House, many human rights and good governance groups experience a lack of sufficient funding and sometimes face smear campaigns from politicians.[7]

Two important developments had implications on civic space and civic participation during the implementation of the third action plan and the design of the fourth.[8] First, in November 2017, the Senate adopted a law that obliged associations and foundations to disclose their sources of funding, and reform the procedure through which they can be granted public utility status.[9] In March 2018, the Venice Commission (VC)[10] criticized this draft law[11] for its negative impact on civil society organizations in particular.[12] In October 2018, Parliament approved legislation to transpose the 5th European Anti-Money Laundering (AML) Directive, obliging NGOs to disclose their funding sources and imposing onerous reporting requirements on NGOs.[13] The VC and civil society recommend against this move.[14] Second, in October 2018, the Prime Minister dismissed 13 of the 15 civil society representatives of the Economic and Social Council (CES)[15] during their mandate.[16] The CES had previously criticized the government's proposed reforms of the pension system.[17]

Thousands of Romanians living abroad could not vote in the 2019 Referendum on the Justice Reforms and in the European elections.[18] This was followed by the petitions of thousands of Romanians[19] and request of the President for the Minister of Foreign Affairs to resign.[20] Finally, police brutality against antigovernment protesters protesting against the Justice Reforms, on 11

August 2018, was criticized by the European Parliament,[21] but authorities never completed a criminal investigation or issued high-level indictments.[22]

Budget transparency

Romania scored highly in the International Budget Partnership's 2017 Open Budget Survey, particularly in areas of transparency and budget oversight.[23] Moreover, the Ministry of Public Finance (MFP) created the platform Trasparenta-Bugetara.gov.ro,[24] aimed at monitoring financial and legal statements of public entities in Romania. Notably, Romania published all the essential budgetary documents except the Citizens' Budget[25]—a less technical version of the proposed or approved budget created to give the broad public essential information. To improve this situation, Romania's third action plan (2016–2018) included a commitment to institutionalize the use of Citizens Budgets for fiscal budgetary transparency in the adoption of public budgets. However, this commitment was not fulfilled by the end of the third action plan period.[26] Similarly, Commitment 3 in the current action plan calls for the gradual introduction of the mandatory Citizens Budgets for the central and local public administrations.

Accountability and anticorruption

Romania has a comprehensive anticorruption legal framework, including criminalizing passive and active bribery, extorsion, abuse of power, and money laundering. However, the enforcement of anticorruption legislation is weak, and corruption remains a problem in the country. In particular, the area of public procurement continues to have high risks of corruption. In 2016, companies with secret shareholders won public contracts totaling 106,570,043 euros.[27] Also in 2016, the National Agency for Public Procurement estimated that 25 to 30 percent of public procurement contracts are suspected of fraud or corruption, including the practice to split large contracts to stay below tender thresholds.[28] Also, Commitment 17 in Romania's third action plan (2016–2018) planned to adopt the Open Contracting Data Standard (OCDS) for procurement data and publish this data on data.gov.ro. While the new portal was launched by the end of the third action plan period, no bulk data on public procurements was published on data.gov.ro after the transition to the new portal.[29]

The National Anticorruption Directorate (DNA) is Romania's chief prosecution agency that has investigated a high number of cases each year.[30] The DNA has been instrumental in discovering, investigating, and prosecuting high-level corruption cases, and in ensuring that assets originating from corruption can be seized upon conviction.[31] As the DNA obtained a final conviction and a preliminary conviction on the charge of abuse in office[32] for top politician Liviu Dragnea in 2016,[33] Dragnea and his political party legislated to decriminalize the offence of abuse in office[34] and to reform the Justice Laws.[35] This was followed by a weakening of the function and independence of the DNA and of the judiciary.[36] Dragnea received a second conviction and was jailed in May 2019.[37] Nevertheless, his reform of the Justice Laws received wide criticism (e.g., from the Venice Commission,[38] the EU,[39] Freedom House,[40] and civil society within[41] and outside Romania[42]) for weakening the rule of law and the economy.[43]

After Dragnea's imprisonment, the same ruling coalition that supported Dragnea voted to retain Tariceanu's (President of the Senate) immunity from prosecution and not allow a criminal investigation into a 800,000 USD bribe.[44] This decision took place less than 10 days after a Referendum on Justice Reforms[45] showed 81 percent of Romanians who voted wanted corrupt politicians to face real consequences.[46]

Romania has a robust system for declaration of assets by public officials.[47] The declarations have been published since 2003 and include information on the wealth of public officials, magistrates, and civil servants. Declarations of wealth cover the public official, spouse, and dependents. The National Institution for the Management of Seized Assets (ANABI) became operational in 2017. The ANABI is mandated by law to disclose, in open format and on a quarterly basis, how the state manages seized assets. Commitment 13 in the current action plan aims to create a National Integrated Information System (SIIN) that will present ANABI's data in a more intuitive way for better public consumption. Also, SIIN will allow the monitoring in real time and at a granular level of the performance of government bodies in seizing and managing seized assets.

Romania was among the countries in the EU to adopt dedicated rules on whistleblower protection, in 2004. According to Transparency International, Romania's whistleblower law is among the strongest in the EU.[48] However, the law only covers public sector employees, meaning that employees of private companies have no legal protection when reporting wrongdoings in their workplaces.[49]

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[1] See Laws 544/2001 and 52/2003 are available [in Romanian] at https://goo.gl/gQE9oB and https://goo.gl/m3Qwqe.

[2] Mc. Grath, S. "Hospital Scandal Brings Down Romanian Pharma Co.", Forbes, 13 May 2016, available at https://bit.ly/2WAE2ZK; and Nedea, A. & Muntean, D. "Video: Dumnezeul achizitiilor", Reporter, 19 February 2019, available at https://bit.ly/2DSyChj.

[3] See: "Iasi, Romania", OGP, https://www.opengovpartnership.org/members/iasi-romania/.

[4] "Romania – Global Right to Information Rating", Country Economy, 28 September 2018, available at https://bit.ly/3a371cM.

[5] "Romania End of Term Report 2016–2018", Independent Reporting Mechanism, 2019, pg. 12 https://www.opengovpartnership.org/wp-content/uploads/2019/09/Romania_End-of-Term_Report_2016-2018_EN.pdf.

[6] Romania, Freedom House, Freedom of in World, 2019, available at https://freedomhouse.org/country/romania/freedom-world/2019.

[7] Ibid.

[8] "Romania End of Term Report 2016–2018", Independent Reporting Mechanism, 2019, https://bit.ly/2MHWSJM.

[9] Andras, R. "Inițiativa privind modificarea OG 26/2000, adoptată tacit de Senat" Prompt Media, 28 November 2017, available [in Romanian] at https://goo.gl/yLyzpm.

[10] European Commission for Democracy Through Law (Venice Commission) (2018) "Opinion 914/2017 on draft law no. 140/2017 on amending governmental ordinance no. 26/2000 on associations and foundations", available at https://goo.gl/rMDXQQ.

[11] Government Ordinance 26/2000 is available [in Romanian] at https://bit.ly/30XrVW6, and the text of the draft law 140/2017 is available [in Romanian] at https://bit.ly/2MkMzMC.

[12] European Commission for Democracy Through Law (Venice Commission) & OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) (2018) "Joint Opinion on Draft Law no. 140/2017 on amending Governmental Ordinance No. 26/2000 on Associations and Foundations", Opinion no. NGOROU/322/2018, CDL-AD (2018)004, Venice 114 Plenary Session, available at https://bit.ly/2WxUKZF.

[13] ONPSCB. "Obligaţiile legale ale persoanelor juridice si fizice prevăzute la art. 8 din Legea nr. 656/2002", available [in Romanian] at https://goo.gl/w8QMcy.

[14] "129 de ONG-uri îi cer lui Iohannis să nu promulge Legea pentru combaterea spălării banilor", Mediafax, 5 Novemver 2018, available [in Romanian] at https://goo.gl/SfTodw.

[15] The Economic and Social Council (CES) is an independent institution that unites trade unions, workers' councils, and civil society representatives in order to vet proposed legislation initiated by Government or by individual Senators or Deputies. Law 62/2011 on regulating social dialogue first changed the composition of the CES to include representatives of civil society. Law 248/2013 on the regulation and functioning of CES subsequently details the appointments of 15 representatives of civil society.

[16] Ghinghes, C. "Guvernul a dinamitat ieri Consiliul Economic și Social", Romania Curata, 12 October 2018, available [in Romanian] at https://goo.gl/3P59Xz.

[17] Negrea, L. "Consiliul Economic și Social, critici pentru noua Lege a pensiilor: solicită discuții extinse în Parlament", Stiri pe Surse, 10 October 2018, available [in Romanian] at https://goo.gl/augJE1.

[18] Jamison, A. "Angry Romanians protest after being denied European vote", Euronews, 27 May 2019, available at https://bit.ly/2EyFQZ6.

[19] On 31 May 2019, the "Teodor Meleșcanu - DEMISIA!" petition of Pojoranu, C. had gathered more than 120.000 signatures. The petition can be viewed and signaed at https://bit.ly/2KfnHD7.

[20] "Klaus Iohannis cere demiterea „imediată" a miniștrilor Teodor Meleșcanu și Carmen Dan", HotNews, 29 May 2019, available [in Romanian] at https://bit.ly/2W083Oo.

[21] Rosca, I. "Parlamentul European a adoptat rezoluția la adresa României privind statul de drept", Hotnews, 13 November 2018, available [in Romanian] at https://bit.ly/2Zxx9Gb.

[22] "Parchetul militar pasează Dosarul 10 august la DIICOT, la un an de la violențele Jandarmeriei asupra protestatarilor din Piața Victoriei", Radio Europa Libera, 1 July 2019, available [in Romanian] at https://bit.ly/2NK7lpD.

[23] See "Romania – Open Budget Survey 2017", International Budget Partnership, https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=ro

[24] The website can be accessed at http://www.transparenta-bugetara.gov.ro/transparenta-bugetara/index.htm.

[25] "Romania – Open Budget Survey 2017", International Budget Partnership, https://bit.ly/1hHEpcL.

[26] "Romania End of Term Report 2016–2018", Independent Reporting Mechanism, 2019, pg. 30 https://www.opengovpartnership.org/wp-content/uploads/2019/09/Romania_End-of-Term_Report_2016-2018_EN.pdf.

[27] This data was compiled by FUNKY Citizens from data available on the Open Data Platform data.gov.ro.

[28] "One in four direct hospital procurement contracts in Romania, suspicious", Romania Insider, 7 December 2016, https://www.romania-insider.com/one-four-direct-hospital-procurement-contracts-romania-suspicious/.

[29] "Romania End of Term Report 2016–2018", Independent Reporting Mechanism, 2019, https://www.opengovpartnership.org/wp-content/uploads/2019/09/Romania_End-of-Term_Report_2016-2018_EN.pdf.

[30] DNA website at https://bit.ly/2T8rFk1.

[31] Summary of 2018 Activity Report, available in English at https://bit.ly/2PhKZKf.

[32] See "Romania's Liviu Dragnea sentenced over fake jobs scandal", Deutsche Welle, 21 June 2018, available at https://bit.ly/2P0rUe3. The timeline of the judicial case file and a summary of its contents are well exposed by Popescu A. "Cum a folosit Dragnea tot statul ca să scape de sentință. Odiseea dosarului în care șeful PSD a fost condamnat la închisoare cu executare." G4media, 27 May 2019 available [in Romanian] at https://bit.ly/2XnP4P2.

[33] The decision is presented in "Liviu Dragnea, doi ani de inchisoare cu suspendare in Dosarul Referendumul, sentinta e definitiva", Hotnews.ro, 22 April 2016, available [in Romanian] at https://bit.ly/2Wf4aKc.

[34] The text of EO 13/2017 is available [in Romanian] at https://bit.ly/2Mid8lp.

[35] The reforms (1) stimulated early retirement and lengthened the process of becoming a magistrate, (2) erased from the statute of prosecutors any reference to their independence, (3) allowed members of the CSM to be revoked through petition by courts and prosecution offices, (4) created an institution that investigates the crimes of magistrates, (5) disposed of new ways in which magistrates are materially liable, (6) forbid magistrates from defamatory expression in relation to the other state powers, and gave the Minister of Justice exceptional powers in naming the chief prosecutors.

[36] GRECO (2019) "Follow-up report to the Ad hoc report on Romania", adopted by GRECO at its 83rd Plenary Meeting (Strasbourg, 17–21 June 2019), pp 8-9, available in English at https://bit.ly/3bWVRHg.

[37] Gurzu, A. "Romanian Social Democrat leader Dragnea sentenced to jail", POLITICO, 27 May 2019, available at https://politi.co/2Z37Lbg.

[38] European Commission for Democracy Through Law (Venice Commission) (2018) "Opinion On Amendments to Law No. 303/2004 on The Statute of Judges and Prosecutors, Law No. 304/2004 On Judicial Organization, and Law No. 317/2004 on The Superior Council for Magistracy", available at https://bit.ly/2ZzVwml.

[39] European Commission (2018) "Document De Lucru Al Serviciilor Comisiei România: Raport Tehnic Care Însoţeşte Documentul. Raport al Comisiei Către Parlamentul European Și Consiliu Privind Progresele Înregistrate În România În Cadrul Mecanismului De Cooperare Și De Verificare", available [in Romanian] at https://bit.ly/2NNhKRu.

[40] Freedom House (2018) "Nations in Transit: Romania country profile", available at https://bit.ly/30FNOsj notes a deterioration of democracy in Romania as a result of "sustained attempts to decriminalize corruption […], as well as due to the promotion of populist policies and an escalation of illiberal discourse".

[41] See Vrabie, C. & Vanghele, O. (2017) "Analiza privind propunea legislativa de modificare a legilor justitiei", (Reviewer Calistru, A.), Funky Citizens, available [in Romanian] at https://bit.ly/2WvAAzD; see Funky Citizens (November 2017) "Judiciary Laws: Metamorphosis", available at https://bit.ly/2JQdptU; and Funky Citizens (2019) "Analiza: LegileJustitiei la Inceput de 2019", available [in Romanian] at https://bit.ly/2XdyCBa.

[42] "Diaspora către Dăncilă: OUG pe tema legilor justiției nu ar face decât să slăbească a treia putere în stat", G4Media, 14 October 2018, available [in Romanian] at https://bit.ly/2Lbsjt3.

[43] Ciutacu, A. "Jaewoo Lee, şeful FMI în România: În timp ce creşterea economică va rămâne la circa 4% în 2019, alimentată de creşteri salariale şi consum, deficitul de cont curent va depăşi 5% din PIB. „Este necesară o schimbare a politicilor guvernului pentru a reduce posibilitatea unui scenariu de recesiune"", Ziarul Financiar, 9 June 2019, available [in Romanian] at https://bit.ly/34aPxs3 ; see also Comisia Europeană: România a deviat de la ținta menținerii unui deficit de 3%", Digi24, 14 June 2019, available [in Romanian] at https://bit.ly/2UaoSH6 ; see also "Ionuţ Dumitru: Deficitul bugetar ar putea ajunge la 3,5%", Digi24, 29 June 2018, available [in Romanian] at https://bit.ly/2ZA6o7X and Consiliul Fiscal (2019) "Opinia Consiliului Fiscal cu privire la proiectul de rectificare a bugetului general consolidat pe anul 2019 și Raportul semestrial privind situația economică și bugetară", available [in Romanian] at https://bit.ly/2MENgQl ; See also Rosu, R. "Avertismentele transmise de guvernatorul BNR Mugur Isărescu la prezentarea raportului asupra stabilităţii financiare", Ziarul Financiar, 5 June 2019, available [in Romanian] at https://bit.ly/2Ht09sw ; see also EY (2019) "How can Europe raise its game? EY Attractiveness Survey Europe", pg. 11, available at https://go.ey.com/2MUJhQu ; and "Fabrici închise în vestul țării, mii de oameni fără loc de muncă. Mai multe companii străine și-au anunțat retragerea din România", ProTV, 15 February 2019, available at https://bit.ly/348IDTN.

[44] Grigoras, A. "Senators Reject Waiver Of Immunity Against Their Leader Tariceanu. President Iohannis: PSD-ALDE Coalition Is Obstructing Justice", Romania Journal, 4 June 2019, Available at https://bit.ly/2L301IG.

[45] See "Referendumul pentru justiție 2019. Care sunt întrebările de pe buletinul de vot", Digi24, 25 May 2019, available [in Romanian] at https://bit.ly/2WDedbH.

[46] 81% of the voters voted yes to both questions (see Necsutu, M. "Romania Justice Referendum Deals Blow to Ruling Party", Balkan Insights, 27 May 2019, available at https://bit.ly/2JTFKzz). The Referendum was validated by the 41 percent voter turnout (see Marinas, R.S. &Ilie, L. "Romanians punish ruling party in anti-graft referendum, EU poll", Reuters, 26 May 2019, available at https://reut.rs/2QRyeWJ).

[47] Right2Info. https://www.right2info.org/testing/deleted-stuff/asset-declarations.

[48] Chêne, Marie, "Whistleblowing protection in Romania and Hungary", Transparency International, 23 October 2015, pg. 4, https://www.transparency.org/files/content/corruptionqas/Whistleblowing_regulations_in_Romania_and_Hungary_2015.pdf

[49] Ibid.

III. Leadership and Multi-stakeholder Process

The General Secretariat of the Government (SGG) led the development of Romania's fourth action plan. Civil society submitted proposals for the action plan during online consultations, though no in-person consultations were held. Civil society shaped seven of the final 18 commitments included in the fourth action plan.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Romania.

In January 2017, the government integrated the previous responsible institutions into the General Secretariat of the Government (SGG), the latter becoming the institution formally responsible with the coordination of the OGP agenda.[1] The administrative reforms consumed resources, generated uncertainty, and yielded little gains in terms of staffing or political influence,[2] generating criticism from civil society.[3] The State Councilor on Foreign Policy took over OGP coordination until July 2019 and supervised the creation of the fourth action plan, participated in two multi-stakeholder forum meetings, and led the Romanian delegation to the OGP Global Summit in Ottawa, in May 2019.

In the current institutional setup, the OGP leadership does not have enforcement powers and relies on willing participation and cooperation from other public institutions. For this reason, the government adopted the fourth action plan on 15 November 2018 via a nonbinding memorandum.[4] Furthermore, the budget of the OGP in Romania is not specified, as is part of the SGG budget. As of 12 July 2019, one person is in charge of OGP coordination, namely the OGP point of contact.

However, as of February 2020, with the publishing of the Government Decision 137/2020, the OGP process is now also ensured by a Secretariat composed of civil servants from the Department for Open Government in collaboration with the SGG point of contact.[5] Furthermore, starting in 2020, OGP activities, public debates, and consultations will be conducted according to the calendar in the OGP Participation and Co-creation Standards.[6]

3.2 Multi-stakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and cocreation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish participation and cocreation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. Romania **did not** act contrary to OGP process.[7]

Please see Annex I for an overview of Romania's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[8] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborate."

Level of public influence		During development of action plan
Empower	The government handed 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	

Multi-stakeholder forum

Romania has two forums for dialogue on OGP matters: (1) an informal OGP Club, which was established in February 2014 as a meeting place for all the stakeholders interested in open governance, and (2) a National Steering Committee that was created in November 2017 through a Memorandum of Understanding and which serves as Romania's multi-stakeholder forum (MSF).[9] The MSF has an advisory role on OGP matters and ensures the equal representation of public administration and civil society. 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 nongovernmental organizations and associations 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. Civil society representatives were invited to apply and were selected competitively.[10]

While experts and observers can attend the MSF meetings, only the represented institutions (or their delegated replacements) have voting rights. Thus far, the MSF has met once a year, in person, in Bucharest.[11] Following the meeting, a summary of the minutes was published on the ogp.gov.ro website.[12]

Participation and engagement throughout action plan development

The General Secretariat of the Government (SGG) leadership in Romania collaborated with civil society to develop the fourth national action plan. On 14 March 2018, the SGG circulated (among civil society, MSF and the public administration) their intent to commence consultations for the fourth national action plan,[13] and published on the ogp.gov.ro website the necessary materials for citizens and public administration to send their proposals.[14]

The first consultation period lasted from 14 April to 15 May 2018 and involved online consultations only. The MSF and SGG did not organize in-person meetings to collect feedback or suggestions on the development of the new action plan.[15] Only Expert Forum and the Centre for Public Innovation (CPI) sent proposals for commitments (e.g. CPI proposed 15 commitments, and Expert Forum proposed one commitment).[16] Once the first round of consultations ended, the SGG selected from the commitments that were put forward by the public administration those that were most ambitious and were deemed most relevant to most OGP values. All the proposals received from civil society were forwarded to the responsible ministries. Finally, the SGG compiled the reviewed proposals into the draft action plan and sent it to MSF for review before publishing it. The first draft was published on 12 July 2018.[17] According to a SGG representative, several comments put forward by civil society were accepted and incorporated into the first draft, such as for Commitments 1, 3, 6,

9, 10, 15, and 16[18] while others were put forward by the public administration or were continued from the previous action plan. Once the consultation period ended, and once the comments received from civil society organization, Funky Citizens and Kosson, were integrated (in Commitments 3 and 14 respectively), the SGG approved Romania's fourth action plan on 22 November 2018.[19]

While the fourth action plan was cocreated though a transparent process, the inputs of the CSOs were selected by the government, and this selection was not subject to discussion. Finally, only a few civil society actors were involved, and consultations took place online, which limited the exchange of ideas and feedback. The IRM researcher was not given any explanation for why no in-person consultations were organized, or on how this impacted the CSO's involvement.

Cocreation and participation recommendations throughout development
In order to improve the fifth action plan's development, the IRM researcher suggests the following actions be taken for the MSF:
- Expand participation opportunities in the MSF by organizing more meetings and allowing for remote participation;
- MSF members could select a set of open governance problems that they would like to focus on and find and propose clear solutions—e.g., by creating a working group per problem, with a clear timeframe, with appointed problem owners, etc;
- The MSF could ensure full disclosure of their work and progress—e.g., by publishing "redacted" minutes or by publishing their working agenda and conclusions.

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[1] 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.

[2] The OGP coordination team had Radu Puchiu, Andrei Nicoara, Angela Benga and Larisa Panait in its composition, when the third action plan began implementation, whereas the OGP coordination team was composed only of Andreea Pastarnac and Larisa Panait, when the fourth action plan began implementation.

[3] Interviews with Bogdan Manolea, APTI, on 8 November 2018 and Andrei Nicoara, Open Data Coalition, on 15 November 2018.

[4] "Informatie de presa privind proiectele de acte normative adoptate sau de care Guvernul a luat act în ședința Guvernului României din 15 noiembrie 2018", Romanian Government, 15 November 2019, available [in Romanian] at http://bit.ly/2mklvjX.

[5] See: http://legislatie.just.ro/Public/DetaliiDocument/223115.

[6] See: http://ogp.gov.ro/nou/arhiva-2/.

[7] Acting Contrary to Process - Country did not meet (1) "involve" during the development or "inform" during implementation of the NAP (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

[8] "IAP2's Public Participation Spectrum," IAP2, 2014. http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

[9] A new Memorandum for the MSF will clarify its role, attributes, participation procedures, and the selection of its members. The new Memorandum has been opened to public consultation and is available [in Romanian] at http://bit.ly/2lEksLN.

[10] See "Invitație adresată organizațiilor societății civile privind înscrierea în Comitetul Național de Coordonare a implementării Parteneriatului pentru Guvernare Deschisă în România", OGP Romania, 31 August 2017, available [in Romanian] at http://bit.ly/2mDXzrO.

[11] The MSF only met three times in the past three years (March 2019, March 2018, and November 2017).

[12] "Consultare publică Draftul Planului Național de Acțiune 2018-2020", OGP Romania, 12 July 2018, available [in Romanian] at http://bit.ly/2lCTzb5.

[13] "Sesiune de consultare publică PNA 2018-2020 și calendar 2018", OGP Romania, 14 March 2018, available [in Romanian] at http://bit.ly/2mz5s1N.

[14] The documents are available at "Romania Action Plan 2018–2020", OGP, https://www.opengovpartnership.org/documents/romania-action-plan-2018-2020/.

[15] Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), on 20 September 2019.

[16] "Propuneri PNA 2018-2020 primite până la data de 15 mai 2018", OGP Romania, 17 May 2018, available [in Romanian] at http://bit.ly/2lztoC4.

[17] "Consultare publică Draftul Planului Național de Acțiune 2018-2020", OGP Romania, 12 July 2018, available [in Romanian] at http://bit.ly/2lCTzb5.

[18] Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), on 20 September 2019.

[19] "Noul Plan Național de Acțiune OGP 2018-2020", OGP Romania, 12 July 2018, available [in Romanian] at http://bit.ly/2n6E2Rg.

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's/entity's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.[1] The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[2] A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
  - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
  - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
  - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
  - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
  - Identify the social, economic, political, or environmental problem;
  - Establish the status quo at the outset of the action plan; and
  - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report.*
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report.*

What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "Doubling response rates to information requests" is a stronger goal than "publishing a protocol for response.")?

Starred commitments

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/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment's design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report.*

General Overview of the Commitments

Romania's fourth action plan focused on four key areas: improving citizens' participation and the consultation between citizens and public administration, increasing transparency, promoting justice and integrity, extending social services and promoting open data.

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[1] "Open Government Partnership: Articles of Governance", OGP, June 2012, updated March 2014 and April 2015, https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf.
[2] "IRM Procedures Manual", OGP, https://www.opengovpartnership.org/documents/irm-procedures-manual.

1. Standardization of practices on public consultation processes

Commitment Text: "With a view to fostering a culture of transparency and public consultation in the public administration and improving the public perception on the legitimacy of the decision-making process, the SGG will propose the improvement of the legal framework in the field by developing implementing rules leading to more efficient mechanisms of decisional transparency, as provided by Law no. 52/2003."

Milestones:

1.1. Monitoring the public consultation processes of all ministries – as a relevant target group for public authorities (as main issuers of draft normative acts with a general impact at national level): filling questionnaires for statistical data at the level of all ministries + 1 meeting

1.2. Identifying the most serious malfunctions in the public consultation process: online questionnaire addressed to civil society on each ministry's website for 30 days + 1 meeting with the non-governmental sector.

1.3. Establishing additional functionalities of the e-consultation platform through interaction between public authorities and the non-governmental sector: 1 meeting with representatives of ministries and 1 with non-governmental organizations

1.4. Elaboration of the implementing rules for increasing the efficiency of the decision-making mechanisms provided by the Law no. 52/2003.

Start Date: 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔		✔						✔	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment is a continuation of Commitments 5 and 6 of Romania's third action plan (2016–2018).[1] While the transparency of the decision-making process in public administration is ensured by law 52/2003,[2] academic research,[3] monitoring reports,[4] and interviews with civil society representatives,[5] all reveal that this law is insufficiently and not-uniformly applied. According to the representative of the Secretariat General of the Government (SGG), while the public administration implements much of the feedback it receives, they do not communicate how and why that feedback was used or not.[6] This lack of communication can create the impression that the public is not heard and inhibit civic participation.

Therefore, this commitment aims to (1) standardize the interpretation and the application of law 52/2003, (2) enhance the ability of public administrations to validate feedback, (3) increase citizen awareness on transparent decision-making laws and practices, and (4) improve the delivery of public services. The first objective responds to the recommendation of the earlier IRM Progress Report for the 2016–2018 action plan and addresses the problem of inefficient application of the transparent

decision-making law.[7] The second and third objectives address the communication problems between the public administration and feedback-giving citizens.

This commitment is specific enough to be verifiable. The SGG representative provided the IRM researcher with a list of meetings and dates that correspond to the detailed milestones in the commitment text.[8] The representative also argued for the training of public servants to better communicate how they consider the feedback they receive could increase the level of information and satisfaction of the general public and further encourage civic participation.[9] According to the SGG representative, the SGG aims to expand the e-consultare.gov.ro platform to (1) allow the institution that initiates the normative act to directly manage the public consultation process on the platform, (2) make feedback and answers visible to all, (3) automatically synchronize the websites of the institutions that initiate normative acts with the platform, and (4) generate qualitative and quantitative statistics on feedback received and answered to. The commitment is therefore relevant to civic participation.

If implemented as written, the commitment could transform the public consultation process. While a new round of crowdsourcing feedback is unlikely to produce new insights for SGG, ensuring that feedback and communication over feedback dismissal or valorization is made visible to takes place within the platform, in a transparent manner, could significantly lower the barriers to, and increase the quality of civic participation. This aspect of public accountability is viewed by the SGG representative views that this accountability component is a major gain for ensuring meaningful consultations and collaborations between civil society and public administration.[10] The issuance of application norms could also reduce the possibility that public authorities do not apply the law uniformly. As suggested by the SGG representative, training of public officials, a central repository of public consultation practices where they can instantly compare their performance to their peers (the e-consultare.gov.ro platform), and norms of application are more effective tools than sanctioning noncompliance, at this stage.[11]

Next steps
This commitment is important considering the low levels of communication between civil society and public administration. The following recommendations can help guide the implementation of this commitment:

Ensure the platform's traction and its institutional memory.
- SGG could create a permanent institutional memory of proposed improvements to the e-consultare.gov.ro platform with reasons for why they are not being implemented or the timeline according to which they will be implemented, in an open repository. To this end, SGG could consult with the Ministry of Transport to find synergies with their Register of Proposals.
- SGG could make sure the e-consultare.gov.ro platform will be used by both public administration and civil society. To this end, SGG may refer to the e-consultare.gov.ro platform in the implementation norms of law 52/2003.

Ensure sufficient budget for the platform's development.
- The government could allocate enough budget for the timely implementation of the additional functionalities of the e-consultare.gov.ro platform. According to the SGG representative, its IT department will analyze the proposals and create an action plan for those that fit the time and budget that SGG can allocate.[12]

Consult on the draft implementation norms.
- Although not explicitly included in the action plan text, according to its representative, SGG will propose the draft for the implementation norms for law 52/2003. The norms will incorporate the feedback received from civil society and from public authorities and will be subject to public consultation.[13] This is a good approach that could be implemented.

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[1] The government experimented with a pilot website consultare.gov.ro, where legislative projects of public institutions were collected and made available to the public in a centralized and uniform manner. Despite its

popularity, due to a lack of technical and physical resources, this pilot was stopped in April 2018, allowing the Government to redesign and rebuild it. See "IRM Romania End-of-Term Report 2016–2018", OPG, pp. 23-28, https://bit.ly/36loycR.

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

[3] Academia de Advocacy (2015) M-am decissămăimplic", available [in Romanian] at https://goo.gl/HmvsWc.

[4] Interview with Madalina Mitroi, General Secretariat of the Government (SGG), 17 April 2019.

[5] Interview with Marian Damoc, Romanian Youth Movement for Democracy, 8 November 2018.

[6] Interview with Madalina Mitroi, SGG, 17 April 2019.

[7] "IRM Romania Progress Report 2016–2017", OGP, pg. 55, available at https://goo.gl/AHqzEe.

[8] Interview with Madalina Mitroi, SGG, 30 August 2019.

[9] Interview with Madalina Mitroi, SGG, 17 April 2019.

[10] Interview with Madalina Mitroi, SGG, 17 April 2019.

[11] Ibid.

[12] Interview with Madalina Mitroi, SGG, 30 August 2019.

[13] Interview with Madalina Mitroi, SGG, 17 April 2019.

2. Open Government at local level

Commitment Text: "Starting from the set of OGP principles, recommendations for open local government were developed and an enrolment session will open in a pilot program with 8 administrative-territorial units based on the OGP Local Program model."

Commitment Milestones:

2.1. Regional information sessions for promoting the Open Government Recommendations for Local Authorities (8 sessions – 111 local public authorities)

2.2. Implementation by the selected authorities of local action plans for their proposed projects with the support of the OGP central unit and NGOs already involved in the OGP process: (i) Local consultations; (ii) Identifying local level issues and priorities by involving all stakeholders; (iii) Establishing local teams for developing and implementing collaborative projects / solutions.

2.3. Awarding the OGP at the local level Best Practice Award

Start Date: 2018

End Date: October 2019

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔				✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The Ministry of Regional Development and Public Administration (MDRAP) conducts yearly monitoring activities of the implementation of Romania's National Anticorruption Strategy (SNA) 2016–2020.[1] These monitoring rounds show that at the level of the local public administration authorities, the degree of information provision, and engagement on open government is low.[2] This commitment, a continuation of Commitment 9 from the previous plan (2016–2018), aims to: (1) increase the number of local public authorities committed to implementing OGP values and (2) increase the number of social actors (e.g., local civil society organizations) involved in the decision-making process. The latter makes the commitment clearly relevant to citizen participation, while the former, by pressing local public administrations to apply the 2017 "Guide for Open Government Partnership at the Sub-national level,"[3] supports the access to information.

The commitment proposes three verifiable milestones. However, the planned activities are of minor potential impact because:

- Some of the 111 local public administrations had already been given technical support[4] on their open governance projects, during earlier on-site visits.[5] Moreover, some (e.g., Timisoara and Oradea) have already taken steps to further OGP principles locally. The MDRAP representative argued that training sessions are essential to helping local civil servants internalize the concept of open governance and putting additional institutional pressure on them to adhere to the Guide's recommendations.[6] Nevertheless, the commitment does not specify the amount of local action plans that need to be implemented,

and does set minimum targets for action plan developments. Moreover, while institutional pressure is important, the potential impact of this activity, when the trained sample is 3.5 percent of the 3,228 total public administration, is limited.

- Similarly, while MDRAP will launch a call for local civil society organizations to attend the information sessions, the experience of collaborating with civil society organizations on the SNA, suggests few will participate.[7]
- Finally, the competition is sponsored through an EU cofounded project, aiming to create a network of good practices and to reward and to disseminate them.[8] In the presence of "sticks," in the form of a periodic monitoring on the progress made on implementing the SNA, the "carrot" of a prize may offer a complementary motivation for the local public administrations that perform above average.[9]

Next steps

This commitment is important considering the opaque governance of local public authorities, and the decision making, acquisition, and spending of public funds (additionally illustrated through Commitment 10 in this action plan). As the training sessions were also used as sources of inspiration as to how to best further OGP values at the local level,[10] the following recommendations can help improve the commitments' implementation as well as the design if continued in the next action plan:

- **Reach more administrations.** MDRAP and SGG should extend the training to reach more than the 3.5 percent of the total local public administrations currently proposed by this commitment by providing more (in-person) trainings, using online tools, or by selecting trainers among the "Integrity Champions" to dissipate the knowledge to the neighboring administrations.
- **Consult more diverse administrations.** MDRAP and SGG could connect with, train, and consult with "noninterested" local public administrations (not only with the 111 that self-selected themselves into the program). To this end, they can identify the administrations with the poorest performance in the annual SNA monitoring rounds.
- **Understand why some CSOs are no longer engaging.** MDRAP could consult with previously cooperative civil society organizations (in the context of the SNA-monitoring activities) who are not eager to engage now, to identify and resolve ongoing issues and restart cooperation with the civil society.
- **Promote evidence-based civic engagement efforts.** Earlier IRM suggestions and recent academic work[11] suggest that public servants need to first open governance and then solicit the collaboration of civil society. To this end, MDRAP could encourage local public administrations to first credibly commit to opening governance (e.g., by opening sample datasets) before attempting to forge partnerships and build collaborative projects.
- **Set open governance targets to the 111 local public administrations and beyond.** MDRAP and SGG could monitor the open governance performance of local public administrations on an annual basis, and then impose targets for local action plans to further the OGP values, especially among the 111 trained administrations.
- **Allow civil society to co-select the indicators and co-validate performance.** In order to avoid a "box-ticking" exercise, MDRAP and SGG could motivate local CSOs to co-select the open governance targets and co-validate the performance of their local administrations.

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[1] The National Anticorruption Strategy 2016–2020 is available [in Romanian] at https://bit.ly/2Nt7pd8.
[2] The MDRAP monitoring reports are available [in Romanian] at https://bit.ly/2LAiG92.
[3] Guvernul Romaniei, Centrul pentru Inovare Publică, Smart City Timișoara (2017) "Recomandări privind Parteneriatul pentru Guvernare Deschisă la nivel local", available [in Romanian] at https://bit.ly/2VOZTsh.
[4] The MDRAP representative argued that the MDRAP gives (1) Direct Technical Assistance (e.g., support during on-sight visits), and (2) Indirect Technical Assistance (e.g., email and telephone support) through the SNA.
[5] Interview with Andreea Grigore, Ministry of Regional Development and Public Administration (MDRAP), 19 April 2019.
[6] Interview with Andreea Grigore, MDRAP, 19 April 2019.
[7] Ibid.
[8] "Reteaua Campionilor Competition", MDRAP, 1 July 2019, available [in Romanian] at https://bit.ly/2xvyilV.
[9] "Carrot and Stick Approach of Motivation", Business Jargons, available at https://bit.ly/2k7UU9a.
[10] Interview with Andreea Grigore, Ministry of Regional Development and Public Administration (MDRAP), on 4 September 2019.

[11] Rodrik, D. (2013) "When ideas trump interests: preferences, world views, and policy innovations", Institute for Advanced Studies, working papers, available at https://bit.ly/2YyKoqi.
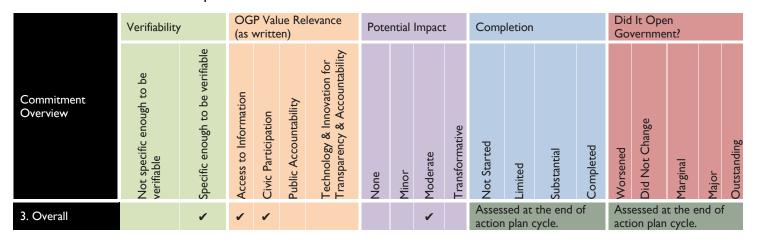
3. Citizens Budgets

Commitment Text: "The commitment aims to gradually introduce, for the central and local government, the mandatory budgets for citizens, a narrative form of public budgets."

Milestones:
3.1. Preparing a Budget for Citizens from the state budget for the year 2019 and presenting it during the consultation period
3.2. Making and presenting the Citizens' Budget for the 2019 budget
3.3. Drafting and adopting rules that introduce the Citizens' Budget obligation for all public authorities
3.4. Preparing, initiating and implementing a support program regarding the use of the Citizens' Budget for public authorities

Start Date: September 2018

End Date: To be determined

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔					✔		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The International Budget Partnership's (IBP)'s 2017 Open Budget Survey revealed that Romania scored highly on fiscal transparency, yet poorly on citizen engagement. For instance, Romania published all the essential budgetary documents except the Citizens' Budget[1]—a less technical version of the proposed or approved budget created to give the broad public essential information. Few citizens comment on the published draft state budget, although they are legally permitted to do so,[2] which according to a civil society representative is because they do not have any infographics or narrative to help them understand the proposed expenditures or the choices to be made for the budget.[3] In 2017, a visualization was compiled for the 2018 approved state budget, based on the data published by the Ministry of Public Finances (MFP), by a Romanian NGO—Open Budget[4]—which also created an interactive application to visualize and modify the 2018 and 2019[5] approved state budgets. Their user-friendly explanation constitutes a possible form of a Citizens' Budget.

With this commitment, MFP will further give access to budgetary information by publishing on its website[6] another user-friendly explanation of the 2019 approved and rectified state budget in the autumn of 2019. This will resemble the 2018 Citizens' Budget brochure that the MFP published,[7] following IBP's best practice model.[8] More importantly, MFP will prepare and submit for public consultation a Citizens' Budget for the 2019 draft state budget, thereby furthering citizen participation.

There are some early signals that implementation of this commitment will have challenges. According to the MFP representative, despite Milestone 3.3, MFP does not have the instruments or

the resources to oblige other institutions of the public administrations to present their budgets in a user-friendly way.[9] An interviewed Ministry for Regional Development and Public Administration (MDRAP) representative stated that MDRAP's role is to support the MFP's initiatives to build the Citizens' Budgets for public administration.[10] It remains unclear which rules are required, who will design them, and whether this milestone will be continued in the absence of direct intervention from the government. Thus, it remains unclear who will take responsibility for this milestone and in which form.

Nevertheless, if MFP and MDRAP could (as written in the commitment) collaborate and produce explanatory brochures at the level of public administration and support efforts of the public administration to showcase their prospective and realized budgetary decisions via user-friendly infographics, this commitment could improve budgetary participation in Romania. According to a civil society representative, citizens' budgets are particularly relevant for participatory budgeting, as they give citizens a better understanding of how the decisions to spend the state budget were made.[11] Nevertheless, it is important to note that Citizens' Budget brochures that are published after the budget has been approved and rectified do not further budgetary participation (though they do offer additional information on the budgetary choices that have been made).

Next steps
This commitment addresses an important policy area, considering the limited citizen engagement in budgetary decisions in Romania. The following recommendations can help guide its implementation as well as its possible continuation in the next action plan:

Publish more explanatory brochures for the 2020 budget.
- The MFP has not been able to publish an explanatory brochure for citizens next to the draft state budget of 2019.[12] Although this opportunity was missed in 2019, an explanatory brochure could still encourage budgetary participation if it would accompany the 2020 draft budget, ideally at the end of the 2019 calendar year.
- More importantly, MFP could publish an explanatory brochure to accompany the adopted budget at the beginning of the 2020 calendar year, and another to accompany the revised budget in the second half of the 2020 calendar year.

Have more conversations on the topic of budgetary participation.
- Civil society has been critical towards the current budgetary participation practices and originally proposed this commitment. MFP could actively involve them in improving the practice of budgetary participation by:
  (1) organizing a series of discussions or working groups on the explanatory brochures and analyze the 2018 and 2019 published brochures (e.g., assess their usefulness, ways to improve their content, narrative, and/or design; assess their visibility and find ways to promote them among the wider public);
  (2) organizing a series of discussions or working groups on the practice of budgetary participation to find the best practices and see under which circumstances they could be implemented.
- MFP could raise public awareness of the concept of budgetary participation and the role and responsibility of the citizen. This can be done via trainings—e.g., school lectures, university seminars, online masterclasses, brochures, etc. Civil society could be involved as facilitators or content creators.[13]

Pilot budgetary participation on smaller samples.
The government could set up an inter-ministerial working group (with experts from MFP and MDRAP) to:
- Identify the (local) public administrations that would be interested in the topic of and implementation of budgetary participation and select the most suitable administrations. For example, the survey MDRAP conducted among local public administrations (see Commitment 2) revealed that budgetary participation was desired by many local public administrations.
- Design a protocol for budgetary participation for the institutions piloting it,

- Secure the technical and financial support for piloting budgetary participation at the level of these administrations,
- Evaluate the pilot and disseminate the knowledge.

[1] Open Budget Survey 2017 Romania, IBP, available at https://bit.ly/1hHEpcL.
[2] Interview with Bogdan Grunevici, Ministry of Public Finances (MFP), 19 September 2019.
[3] Interview with Ovidiu Voicu, Center for Public Innovation (CPI), 16 April 2019.
[4] Funky Citizens (2018) "Romania Open Budget Survey 2017: summary", available [in Romanian] at https://bit.ly/2ZMI0xJ.
[5] Open Budget 2019 application, available [in Romanian] at https://bit.ly/31JSDlj.
[6] "State budget", Ministry of Public Finances, available [in Romanian] at http://bit.ly/2kJEIeE.
[7] Ministerul Finantelor Publice (2018) "Bugetul pentru Cetateni", available [in Romanian] at http://bit.ly/2mpVsb9.
[8] Interview with Bogdan Grunevici, MFP, 19 September 2019.
[9] Interview with Bogdan Grunevici, MFP, 19 September 2019.
[10] Interview with Andreea Grigore, Ministry of Regional Development and Public Administration (MDRAP), 4 September 2019.
[11] Interview with Ovidiu Voicu, CPI, 16 April 2019.
[12] Interview with Bogdan Grunevici, MFP, 19 September 2019.
[13] An interesting exercise in Budgetary Participation is proposed by CPI. See "Bugetare Participativa la Scoala", Centrul pentru Inovare Publica, available [in Romanian] at http://bit.ly/2kX9wZl.

4. Improve consultation and public participation for youth

Commitment Text: "The commitment aims to undertake actions which lead to a collaborative relationship between authorities, youth and structures that work with young people, in order to generate dedicated action plans, with the help of dialogue mechanisms and tools, including ICT. The implemented actions and tools used will lead to the development of the social and civic competences of young people and to the increase of the decision makers' capacity, in order to contribute to building an open, diverse, intercultural and tolerant society."

Commitment Objective:

- Strengthen the structured dialogue for policy making in the youth field, taking into account the views of young people;
- Establishing and functioning of at least 83 youth advisory councils at local level: 41 advisory councils for youth at the level of county councils, 41 advisory councils for youth at the level of the local councils and of the county seat municipalities, 1 advisory council at the level of CGMB;
- Selection of at least 300 projects for youth and students based on objective criteria and transparent methodologies;
- Selection of at least 2000 participants, young people and students, on the basis of objective criteria and transparent methodologies, using ICT tools.
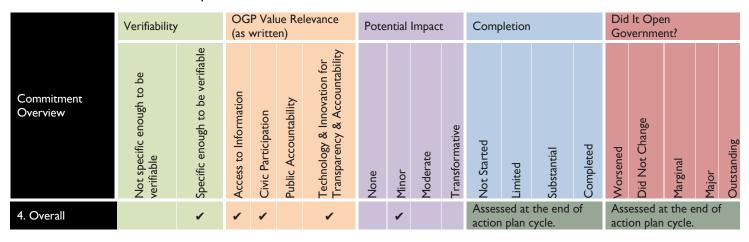
Milestones:

4.1. Conducting public consultations by the National Working Group on Structured Dialogue and the network of youth workers with competences in the structured dialogue process
4.2. Elaboration of contest methodologies for youth projects of ONGT/ONGS
4.3. Creating an online platform for selecting youth / student projects at the central level
4.4. Establishing youth advisory councils at the level of county councils and town halls of county residences
4.5. Funding by competition of at least 300 projects

Start Date: December 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔		✔		✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The commitment was continued from Romania's third action plan (2016–2018).[1] Currently, youth in Romania is insufficiently involved in decision-making processes, in Ministry of Youth and Sports (MTS) projects, as well as in projects for youth at both county level and in Bucharest.[2] An interviewed civil society representative argued that under the EU Structured Dialogue, youth find it difficult to track which of their suggestions were implemented, while in the case of national consultations, the Inter-ministerial Council on Youth should consult the National Consultative

Council more, especially on cross-sectorial policies.[3] Moreover, although law 350/2006 recommends that local public administrations create youth consultative councils, the recommendation has been weakly implemented because it was not compulsory and there were no secondary norms to make its implementation compulsory.[4] Only 15 local and regional consultative councils have been created.[5]

This commitment aims to strengthen the youth consultation process, ensure that the required youth advisory councils are set up, fund at least 300 projects for youth and students, and transparently select participants for youth and student competitions (e.g., the National Competition for Youth and the National Competition for Students). According to an MTS representative, the online platform the MTS will build (Milestone 4.3) will also offer youth information regarding workplaces, jobs, education, finances, competitions, as well as list the projects that MTS funded through its national and local competitions together with their achievements. The commitment therefore uses IT tools to promote civic participation and access to information, and its objectives and stated milestones make its implementation specific enough to be verifiable.

However, this commitment is likely to have a minor impact on youth engagement in decision making, and on the youth's ability to access relevant information. The commitment's objectives address the dysfunctions in the consultation process at the EU and at the local level, but do not explicitly address those at national level. According to an interviewed civil society representative, it is unclear what influence youth have through the Structured Dialogue consultations on national or European policymaking.[6] Furthermore, according to both the MTS and civil society representatives, the contest methodologies for youth projects are adjusted yearly to reflect feedback from NGOs who compete for the funding, as well as the priorities of the MTS.[7] Consequently, Milestone 2 reflects the functioning of MTS rather than an advancement of civic participation or access to information. According to the civil society representative, the digitalization of the application for funding would reduce the costs and bureaucracy associated with the current paper-based submissions.[8] Moreover, centralizing information on the platform on the winning projects and their achievements would help expose the work of the MTS and increase monitoring of the funding.

Nevertheless, MTS has not yet secured funding for the platform,[9] and while MTS is setting up a collaboration with a university to build the platform, it remains unclear which information from other ministries can and will be integrated into the MTS platform, as well as how the platform will be populated. MTS re-organized the National Consultative Council for youth in 2018 through government decision 141/2018. Nevertheless law 350/2006 law did not clearly stipulate that local administration and county councils must constitute a consultative council.[10] The Law of Youth[11] still being discussed in Parliament will enforce that requirement,[12] and once ratified, MTS will monitor its application.[13] But since the Law of Youth does not specify sanctions for not creating the local councils, an interviewed civil society representative pointed out that MTS will still have to lobby the local administration to apply the law, or will have to apply naming-and-shaming strategies to increase pressure on nonperformers with the support of the Government's representative in the county (the institution of the Prefect).[14] Without a benchmark, it is difficult to assess the potential impact of having 3,000 funded projects with at least 2,000 beneficiaries on youth participation in the decision-making process.

Next steps
Given the limited youth participation in decision making in Romania and the current absence of a National Youth Strategy, this commitment is important and should be continued in the next action plan. The following recommendations can help guide its implementation as well as its continuation in the next action plan:
o MTS could clarify the role of the consultative councils (e.g., their mandate in relation to their constituting administration), their composition and operating procedures (e.g., frequency of meetings and topics covered), and expected output (e.g., an annual report and written recommendations).
o According to a civil society representative, MTS could increase the transparency of its funded activities—e.g., by publishing summaries of the projects that were funded at national and local level on its website and by publishing aggregated statistics on the types of activities and projects that were funded.[15]

- o It should be clear before the start of a new round of Structured Dialogue how previous consultation recommendations are considered and where—e.g., in the European context, at the level of the national strategy for youth, or at the level of methodologies, procedures, etc. The Inter-ministerial Council for Youth could therefore discuss the suggestions that came up from the Structured Dialogue process and reveal how they will be used in designing and implementing the National Youth Strategy 2020–2025.
- o As the new Romanian National Youth Strategy will have to be compiled in 2020, the Inter-ministerial Council for Youth could start consulting the National Consultative Council and the national youth associations on the MTS policies as well as on the public policies relating to youth of the other ministries (Ministry of National Education, Ministry of Labour and Social Justice, Ministry of Health, etc), that will enforce the government's policy on youth through the new National Strategy on Youth.

[1] Commitment 8 of Romania's 3rd national action plan: see "IRM End-of-Term Report on Romania 2016–2018", OGP, available at www.opengovernmentpartnership.org.

[2] See problem description of the commitment, available at http://ogp.gov.ro/nou/wp-content/uploads/2018/11/Romania-2018-2020_NAP_EN.pdf

[3] Interview with Mihai Dragos, Romanian Youth Council (CTR), 9 September 2019.

[4] "2016–2017 IRM Progress Report on Romania", OGP, www.opengovernmentpartnership.org.

[5] Interview with Marcel Sabados, Ministry of Youth and Sports (MTS), 10 September 2019.

[6] Interview with Mihai Dragos, CTR, 9 September 2019.

[7] Interview with Marcel Sabados, MTS, 10 September 2019; Interview with Mihai Dragos, CTR, 9 September 2019.

[8] Interview with Mihai Dragos, CTR, 9 September 2019.

[9] Interview with Marcel Sabados, MTS, 10 September 2019.

[10] Law 350/2006, art. 4e, available [in Romanian] at http://bit.ly/2kUatlg.

[11] Article 16 of PL-x 716/2018, available [in Romanian] at http://bit.ly/2kygSlK.

[12] "PL-x nr. 716/2018, Proiectul Legii Tineretului", Camera Deputatilor a Romaniei, available [in Romanian] at http://bit.ly/2mubVLl.

[13] Interview with Marcel Sabados, MTS, 10 September 2019.

[14] Interview with Mihai Dragos, CTR, 9 September 2019.

[15] Interview with Mihai Dragos, CTR, 9 September 2019.
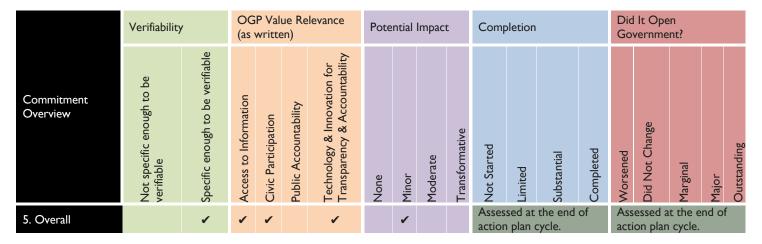
5. Register of civil society proposals

Commitment Text: "On the website of the Ministry of Transport, www.mt.gov.ro, a section will be published for the proposals received from the civil society regarding draft normative acts initiated by the ministry. The section will be periodically updated with documents received from civil society."

Milestones:
5.1. Development of the section Register of Proposals
5.2. Uploading proposals received from civil society
5.3. Updating with new proposals received from civil society

Start Date: 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔		✔		✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

According to an interviewed representative of the Ministry of Transport (MoT), from the approximately 240 draft normative acts placed yearly by MoT under consultation, only 10 receive sufficient public feedback, while the rest receive none or too little. Moreover, without a public Register of Proposals (RP), it is difficult for MoT to prove it has responded to all the feedback it received, "a situation that unnecessarily lends itself to suspicion and confusion."[1] With this commitment, MoT aims to publish such a registry to allow civil society to verify whether their proposals have been received, under which registration number, as well as see the arguments of the specialized departments for the nonaccepted amendments. The commitment therefore is relevant to the OGP values of access to information and civil participation. The milestones are specific enough to be verifiable.

MoT uses visualization metrics for each draft normative act as well as the number of proposals received as metrics for the impact of this commitment, and early results suggest that the transformations will significantly increase citizen participation.[2] Moreover, this commitment has the potential to serve as best practice for SGG as to how communication between citizens and the administration can be made more transparent and seamlessly integrated into the consultation process.

Next steps

Early indications are that significant progress has already been made, with the register of proposals being completed within the website of the MoT,[3] and now undergoing some user-friendliness improvements to be completed by October 2019.[4] Given the advanced degree of completion of this

commitment, the IRM researcher recommends the following recommendations be taken into the fifth national action plan:

o The MoT could compile a report documenting this "best practice." Attention could be given to the impact this commitment has had on improving civic participation in the decision-making process, using the aforementioned metrics. Moreover, the MoT could document the technical form that underpins their user-friendly portal, such that it can be easily replicated by other members of the central and local public administration.

o The MoT could consider collaborating with SGG to add an RP section to their e-consultare.gov.ro platform that centralizes and publishes all comments received during the public consultation process as well as the answers of the public administrations.

[1] Interview with Adrian Olteanu, Ministry of Transports (MoT), 17 September 2019.
[2] Interview with Adrian Olteanu, MoT, 17 September 2019.
[3] Registry of Proposals is available at http://bit.ly/2m6n2Kl.
[4] Interview with Adrian Olteanu, MoT, 17 September 2019.

6. Extending standards on access to public information at the level of local public authorities

Commitment Text: "SGG will continue to develop and expand the application of standards developed in the "Memorandum on Enhancing Transparency and Standardizing Public Interest Information" and in the "Memorandum for the Establishment of the Single Register of Transparency of Interests" at the level of municipalities and cities."

Milestones:
6.1. The half-yearly monitoring of the compliance of the target group practices covered by this commitment (municipalities) with the provisions of the two Memorandums
6.2. Identifying the most frequent issues in the ex-officio provision of public interest information in a standardized manner by the target group: 1 public consultation, online questionnaire
6.3. Developing and updating the RUTI platform to include interactions between target group representatives covered by this commitment (municipalities) and specialized groups
6.4. Half-yearly training sessions for the persons in charge with implementing the provisions of Law no. 544/2001 regarding the access to information of public interest within the target group covered by this commitment

Start Date: 2018

End Date: 2020

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

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔				✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

In 2016, an inter-ministerial Memorandum was signed,[1] according to which the signatories agreed to publish the same type of information and in the same format under law 544/2001 and agreed to publish the agendas of their high-level officials on the Unique Transparency of Interests Register (RUTI). The information to be provided, according to the Memorandum, falls into three categories: (1) information about the institution (i.e., legislation, leadership, organization, programs and strategies, reports and studies), (2) public interest information (e.g., Freedom of Information [FOI] forms and requests, budget, financial balances, public procurement), and (3) contact information (e.g., contact, address, email, opening time). The Secretariat General of the Government (SGG) periodically monitors the implementation of the Memorandum that was considered the benchmark of good practices for transparency.[2] In 2018 only 49.7 percent of local public authorities (which are autonomous and did not sign the Memorandum) conformed with the Memorandum requirements,[3] in contrast to 85 percent of central public authorities.[4]

This commitment aims to increase transparency through trainings, aid in using the RUTI platform, and identify structural particularities of local public administration that may prevent compliance with

the 2016 Memorandum. Milestone 6.2 includes some consultations with local civil society organizations, which is relevant to the OGP value of civic participation (even though they are not designed on a recurring basis). All four milestones are sufficiently specific that the commitment can be verified.

Like Commitment 2 of this action plan, to which this commitment is closely related,[5] the sample of 111 local public authorities that are consulted, trained, and monitored constitutes approximately 3 percent of the total population of local public authorities in Romania. This could limit the impact of this commitment.[6] Since this sample is not randomly selected (see the assessment of Commitment 2 in this report), and therefore it is unclear how representative its findings are for other local public authorities. Moreover, the impact of this commitment is limited by the autonomous nature of the local public administration.

An interviewed SGG representative acknowledged these limitations, arguing that this commitment is intended as a first step towards extending the standards of the 2016 Memorandum at the local level.[7] Currently, either local administrations needs to be convinced to join voluntarily the list of Memorandum signatories, or the Memorandum needs to be transferred into law. Voluntary compliance is preferred at this stage, as it allows SGG to understand what (if anything) needs to be changed in the 2016 Memorandum to meaningfully apply it at local level.[8]

Next steps
Moving forward, the IRM researcher suggests the following:
- SGG does not have the budget to train or monitor the public information provision of the entire population of local authorities. Therefore, SGG and Ministry for Regional Development and Public Administration (MDRAP) could select among the 111 local public authorities, several "transparency champions," and empower them to train and consult other local authorities within their network or geographical reach in order to create a multiplier effect.
- SGG could summarize and organize the feedback received from the 111 local public authorities, and then check (by means of a larger public consultation) if they reflect well the needs of the entire population of local public authorities in Romania. Input could therefore be required from the part of national-level CSOs (e.g., Center for Public Innovation [CPI]) that are now listed as implementation partners, but whose contributions have not been requested[9] or clearly envisioned.

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[1] 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). "Creşterea Transparenţei Şi Standardizarea Afişării Informaţiilor De Interes Public", available [in Romanian] at https://goo.gl/tj1Xz9.
[2] Interview with Madalina Mitroi, General Secretariat of the Government (SGG), 17 April 2019.
[3] SGG (2018) "Analiza rezultatelor procesului de monitorizare a autoritatilor si institutiior publice cu privire la afisarea din oficiu, standardizata a informatiilor de interés public in perioda 2017–2018", pg. 15, available [in Romanian] at https://bit.ly/2WRY4v2.
[4] SGG (2018) "Analiza rezultatelor procesului de monitorizare a autoritatilor si institutiior publice cu privire la afisarea din oficiu, standardizata a informatiilor de interés public in perioda 2017–2018", pp. 26–29., available [in Romanian] at https://bit.ly/2WRY4v2.
[5] Interview with Madalina Mitroi, SGG, 30 August 2019.
[6] SGG (2018) "Analiza rezultatelor procesului de monitorizare a autoritatilor si institutiior publice cu privire la afisarea din oficiu, standardizata a informatiilor de interés public in perioda 2017–2018", pp. 26-29, available [in Romanian] at https://bit.ly/2WRY4v2.
[7] Interview with Madalina Mitroi, SGG, 17 April 2019.
[8] Interview with Madalina Mitroi, SGG, 17 April 2019.
[9] Interview with Ovidiu Voicu, Center for Public Innovation (CPI), 16 April 2019.

7. Improve the online information available for the national and international business sector

Commitment Text: "To improve the methods of promoting and informing the target audience in relation to the work of the MMACA."

Milestones:
7.1. Increase transparency in the communication process between applicants and the MMACA by developing a forum-type platform.
7.2. Training sessions for the enforcement of Law no. 544/2001 regarding the access to information of public interest.
7.3. Developing information management guidelines
7.4. Good Practice Contest at the MMACA to boost progress in this field with official recognition (award of excellence diplomas) at internal ceremonies.
7.5. Managing and constantly updating published information

Start Date: September 2018

End Date: December 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔			✔		✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives
The Ministry for the Business Environment, Commerce and Entrepreneurship (MMACA) is charged with supporting small and medium enterprises (SMEs), commerce, entrepreneurship and foreign investment. MMACA is required to disseminate all information relating to these topics.[1] This commitment aims to create an interactive platform to proactively share this information and increase citizen awareness of the activities of MMACA. In addition to access to information, according to an interviewed MMACA representative, the platform's interactive functionalities will enable citizens to log in, pose questions—e.g., on grants, projects and business opportunities—comment on legal drafts, and then monitor the responses they receive from other users or from the MMACA staff.[2] The commitment therefore also intends to improve citizen participation, though this is not explained in the commitment text.

As several links on the MMACA portal (www.imm.gov.ro) do not work (e.g., Ministry reports, Programs and Strategies, Annual report on transparent decision making), the commitment may result in some necessary improvements. Moreover, the forum-type platform may serve to engage the key audience of MMACA more and to improve the communication between MMACA and the public.

However, it is unlikely that the trainings will help improve transparency under law 544/2001, since much of the required information is already published, and the Secretariat General of the Government (SGG) already provides biannual trainings and monitoring sessions for all members of the central public administration. It is unclear what additional training the MMACA staff will receive. While Milestone 4 tries to address the lack of specialized IT staff to maintain its website and the forum-type platform,[3] tasking general public servants with this responsibility and motivating the ones that display the highest online activity[4] may not be sufficient to overcome complex IT challenges. It is also unclear what the competition methodology is, as well as how big the remunerations are. Consequently, this commitment is likely to have a positive, but minor, impact.

Next steps

A higher degree of specificity could improve the implementation of this commitment. For instance, MMACA could detail the number and content of training sessions it will offer to its public servants dedicated to maintaining the platform and to managing public interest information online. Additionally, MMACA could reveal how it plans to quantify excellence among its staff—e.g., how much online activity and what type of online activity will be rewarded, how much, and whether the online activity is sufficient to the scale of the task. Finally, MMACA could report on the amount of public interest information that it opened in the course of implementing this commitment, on the visibility and traction of the platform among MMACA's key audience, and on the number of interactions between the MMACA staff and citizens that took place on the forum.

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[1] HG 23/2017, available [in Romanian] at http://bit.ly/2kGBmsE.
[2] Interview with Cerasela Patrascanu, Ministry of Business Environment, Commerce and Entrepreneurship (MMACA), 9 September 2019.
[3] Interview with Cerasela Patrascanu, MMACA, 9 September 2019.
[4] Ibid.

8. Digitalization of consular services performed by diplomatic missions and consular offices of Romania abroad

Commitment Text: "Promotion of the Online Consular Counter (www.econsulat.ro), which is the external portal of the IT System for Integrate Management of Services for Citizens (ISIMSC), so that an increasing number of people can have access to these modern tools in order to get information about the required consular services, forwarding the online request and schedule their visit to the consulate."

Milestones:
- 8.1. Organization of meetings with members of Romanian communities abroad for the presentation of the E-Cons platform
- 8.2. Popularizing the Online Consular Desk on online social media (Facebook sessions for questions and answers, tutorial posts and audio-visual promotion materials, private messages, etc.).
- 8.3. Organization of joint information campaigns MAE-MAI for Romanian citizens to request timely renewal of travel documents
- 8.4. Popularization of the Contact and Support Centre for Romanian Citizens Abroad (CCSCRS) among Romanian communities outside the borders
- 8.5. Feedback campaign on the services offered through the platform, as well as on what other services should be added
- 8.6. Further development of the platform to include the newest and most required services

Start Date: 2018
End Date: December 2020
Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔		✔			✔		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

According to Eurostat, in 2018, 21.3 percent of Romanian citizens of working age resided abroad, as opposed to only 9.5 percent in 2008.[1] This increase has led to many more requests for consular services addressed to diplomatic missions and consular offices. To address the higher volumes of requests for consular services, the Ministry of Foreign Affairs (MAE) has created an integrated E-Cons platform and the Contact and Support Center for Romanian Citizens Abroad. However, according to an interviewed MAE representative, these e-consular services are not sufficiently used, and some citizens do not know of them, while others are reticent about employing these tools.[2]

This current commitment aims to better inform Romanian citizens residing abroad regarding the consular services available to them, in addition to making a variety of administrative improvements. Such improvements include reducing the number of necessary interactions between the consular offices and the public, better management of the requests for consular services, and reducing cueing

time at consular offices. While the commitment primarily focuses on administrative improvements, technology and innovation are being used to ensure that information is better provided, and this commitment increases civic participation by allowing citizen to suggest improvements for the digital consular services.

While the commitment's milestones are verifiable, they lack certain details to determine if the commitment could have transformative potential impact. For example, it is unclear how many cultural or educational events will be organized in 2020. Moreover, many audiovisual promotion materials and video campaigns have already been executed before the start of this action plan,[3] disseminated on the webpage, Facebook page, and YouTube channel of the Consular Directorate of the MAE.[4] According to a MAE representative, the information campaigns include flyers and posters posted at the local Directions for Passports and the consular offices.[5] However, it is unclear whether new video campaigns will be executed in 2019–2020. Similarly, according to the representative of the MAE, the surveys and polls will assess the usefulness of the digital tools, their user friendliness, and whether they can be used by people with disabilities. It is nevertheless unclear how these feedback campaigns will be constructed, and how many responses are required.[6]

If fully implemented, the commitment could have a moderate impact on the usage of online consular services, on the time needed to obtain the requested documents and on the processing capacity of the consular offices. The awareness campaigns could generate more online requests, although with 49 percent of online requests in 2018,[7] the citizens likely to be reached may have already been reached. It may also increase the willingness of citizens to follow SMS instructions about when to renew their documents and update the database containing their mobile details, which currently contains many errors and missing information.[8]

Next steps
The IRM researcher views this commitment as a priority, considering the increasing pressure for consular services. The following recommendations can help improve the commitments' implementation, as well as the design of its continuation in the next action plan, especially in making it more clearly relevant to open government:
- The Consular Directorate of MAE could try to assess the efficiency of the information campaigns it runs, to be able to fund the most effective ones. Consequently, it could require citizens that request documents online to fill in a very short questionnaire and disclose what motivated them to transition from "in person" to "digital."
- The Consular Directorate of MAE could assess the user satisfaction of their digital tools after each user session, and independently assess user satisfaction from the feedback campaign and from the awareness campaigns.
- The Consular Directorate of MAE could publish a summary of the recommendations it receives from the feedback campaign, form the user satisfaction surveys, and organize discussions with local communities of Romanians on their webpage together with a short description of their plans to implement the recommendations.
- The Consular Directorate of MAE could respond to and address the negative comments that users of the digital tools have expressed on their Facebook page. The Facebook page currently has a rating of 3.5/5.

[1] Eurostat (2019) "EU citizens living in another Member State - statistical overview", available at https://bit.ly/2lG4pwM.
[2] Interview with Sorin Badulescu, Ministry of External Affairs (MAE), 6 September 2019.
[3] "The Consulate, closer to home", video available [in Romanian] at http://bit.ly/2krRgap; "Travel documents", video available [in Romanian] at http://bit.ly/2m3I9wJ; "Request a birth certificate", video available [in Romanian] at http://bit.ly/2kE2f0d; "First steps on the portal", video available [in Romanian] at http://bit.ly/2k7eq5u.
[4] The information campaigns about the SMS notification that citizens whose travel documents will expire in the next six months will receive from the Consular Directorate of the MAE, are available [in Romanian] at http://bit.ly/2kEoFhR, http://bit.ly/2k9u1lb and http://bit.ly/2lIwmDY.
[5] Interview with Sorin Badulescu, MAE, 6 September 2019.
[6] Interview with Sorin Badulescu, MAE, 6 September 2019.

[7] Ibid.

[8] Ibid.

9. Transparency in the funding of political parties

Commitment Text: "Publishing in an open format the information provided by political parties on their sources of financing and expenditures, as provisioned by law."

Milestones:
9.1. Development of standards and specifications for reporting the required data to the AEP by political parties, as provisioned by law.
9.2. Development and approval of draft legislation to complement the secondary legislation already in place, with the aim of simplifying the reporting procedures and formats, as well as to introduce the mandatory reporting of data to the AEP in an open format, as provisioned by law.
9.3. Publishing the data as submitted by political parties as open data.

Start Date: 2018

End Date: July 2019

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔						✔		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Law 334/2006 requires political parties to provide information about the sources of their funding and about their spending, both during and between the electoral campaigns to the Permanent Electoral Authority (AEP).[1] According to an interviewed AEP representative, AEP publishes a fraction of the electronic reports it receives from political competitors (in accordance to law 334/2006) on its website and on the finantarepartide.ro portal since 2019.[2] All forms of electronic documents were uploaded, including noneditable documents (e.g., scanned copies of printed documents that cannot be machine read). While many reports published in 2019 were in editable formats, civil society representatives argued that prior to 2019, most reports were published in noneditable formats.[3] According to a representative of the Center for Public Innovation (CPI), in order to view trends or conduct investigations, the data needs to be transformed into an editable (open) format—e.g., where computers can distinguish numbers, signatures, names, and where similar metrics are used.[4]

Since 2015, the law has been amended several times to provide extra public funding to political parties—e.g., in May 2015, Article 38 was amended to reimburse the campaign costs of parties and candidates who obtained 3 percent or more of the votes, and in January 2018, Article 18 was amended to increase the state funding allocated to political parties to 0.01–0.04 percent of the GDP. Expert Forum and the CPI therefore proposed this commitment, arguing that the large allocation of public funds[5] warrants a greater degree of transparency and openness in format.[6] Currently, data on these funds take time to gather, and are hard to access, search, compare, and correlate with other data.[7]

While verifiable, some of the commitment's milestones do not explain how they will advance beyond current practice or achieve the commitment's goal. According to the AEP representative, law 334/2006, HG 10/2016, and the "Guide for electoral campaign financing for the election of the Romanian Members of the European Parliament 26 May 2019"[8] already detail the types of documents that political parties need to present to AEP in editable format.[9] It is unclear which standards and specifications will be further developed, and AEP is still considering how to obligate political parties to supply their reports in an open format. Moreover, AEP reports on the controls of reimbursements to political parties for their campaign expenditures are added on a rolling basis,[10] although not always in an open format. If implemented, therefore, this commitment could have a moderate potential impact by allowing civil society to more easily monitor political spending, electoral fairness, and possibly uncover more fraud and corruption cases.[11]

Next steps

With 37,000,000 euros allocated in 2018 for funding political parties, Romania has the highest level of political subsidy in the EU.[12] Transparency of these subsidies is therefore crucial to the prevention of cronyism and to the preservation of democracy. Consequently, the IRM researcher recommends continuing to increase the transparency of political party finances in future action plans. The following suggestions can help improve this commitment's design in the next action plan and the scope of intended activities during implementation.

- **Milestone 9.1:** AEP could clearly define which reporting standards and specifications it will develop. Expert Forum has expressed concerns that law 334/2006 does not clearly stipulate whether unspent political subsidies must be returned to the state budget or can be kept by political parties, or if subsidies can be used for financing EU parliamentary campaigns according to ordinance (OUG) 6/2019.[13] AEP could therefore develop standards and specifications for political parties to detail how they have spent the state subsidies in during their political campaigns.

- **Milestone 2:** AEP could publish the analysis and the recommendations put forward by the the ARGUS project's diagnostic analysis of the process of controlling the financing of political parties and electoral campaigns.[14] This could allow the public to understand where the bottlenecks lie and what the best solutions to tackling them could be.

- **Milestone 2:** As AEP does not have the resources to transform the reports in noneditable formats into editable (open) formats, it could persuade political parties to provide this data directly in an editable (open format) through a normative act[15] or by collecting the reports only through the web platform. If AEP were to collect the reports only through its web platform, it could indirectly impose the editable open formats onto the reports it receives.[16]

- **Milestone 3:** AEP could upload historical datasets on the same platform—preferably in open formats and, if not possible, in noneditable formats—to ensure that financial reports of political parties are centralized in a single repository.

Finally, according to the AEP representative, the deadline for the implementation of this commitment may need to be extended to the second half of 2020 because of the frequency of legislative modifications in the field of political finances (i.e., law 148/2019, OUG 6/2019, and OUG 29/2019), cumulated with the Parliamentary Elections in November 2019.[17]

[1] Law 334/2006 on the funding of the activities of political parties and of political campaigns, available [in Romanian] at https://bit.ly/2ZOlenW.

[2] Interview with Octavian Chesaru, Permanent Electoral Authority (AEP), 28 August 2019.

[3] Interview with Septimiu Parvu, Expert Forum, 23 April 2019; Interview with Ovidiu Voicu, Center for Public Innovation (CPI), 16 April 2019.

[4] Interview with Ovidiu Voicu, CPI, 16 April 2019.

[5] Romania has one of the highest budgets allocated for the financing of political campaigns in the EU. See Expert Forum (2019) "Bugetele partidelor româneşti", policy brief 74, available [in Romanian] at http://bit.ly/2lXLduA.

[6] Interview with Ovidiu Voicu, ibid.

[7] Interview with Septimiu Parvu, Expert Forum, 23 April 2019; Interview with Ovidiu Voicu, CPI, 16 April 2019.

[8] "Ghidul Finanţării Campaniei Electorale La Alegerea Membrilor Din România În Parlamentul European", Autoritatea Electorala Permanenta, April 2019, available [in Romanian] at http://bit.ly/2mjW81J.

[9] Interview with Octavian Chesaru, AEP, 28 August 2019.

[10] Interview with Octavian Chesaru, AEP, 28 August 2019.

[11] Interview with Ovidiu Voicu, CPI, 16 April 2019.

[12] Expert Forum (2019) "Bugetele partidelor româneşti", policy brief 74, pg. 3, available [in Romanian] at http://bit.ly/2lXLduA.

[13] Expert Forum (2019) "Bugetele partidelor româneşti", policy brief 74, available [in Romanian] at http://bit.ly/2lXLduA.

[14] AEP carries out, as a beneficiary, the ARGUS project "Integrity, ethics, transparency, anticorruption in the financing of political parties and electoral campaigns," a project co-financed from the European Social Fund through the Operational Program Administrative Capacity 2014–2020.

[15] Interview with Ovidiu Voicu, CPI, 16 April 2019).

[16] Interview with Septimiu Parvu, Expert Forum, 23 April 2019.

[17] Interview with Octavian Chesaru, AEP, 28 August 2019.

10. Improving transparency in allocations and acquisitions from national investment funds

Commitment Text: "The commitment is to increase transparency on the allocation and public procurement of the National Program for Local Development, as well as to increase the number of indicators and databases published in open format."

Milestones:
10.1. Identification of data sets that can be put together based on legal regulations and the information produced in the procedures for the awarding, contracting, implementation and evaluation of investments
10.2. Organize a public debate on data sets and related procedures, including necessary legislative changes
10.3. Define procedures and publish data sets
10.4. Updating the data sets

Start Date: 2018

End Date: 2020

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

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔					✔		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The National Program for Local Development (PNDL) 2017–2020 is the main financing source for local infrastructure in Romania, and has dedicated 30 billion RON (6.3 billion euros) to fund 9,500 local projects.[1] There are limited data on how the funds are allocated or projects implemented, and investigative journalists have found that several large projects implemented under PNDL were severely overpriced and of low quality,[2] sparking a criminal investigation into their potential use as a source for large kickbacks for high ranking members of the clergy and of the ruling political party.[3] Expert Forum has also published several reports[4] that suggest national investment funds falling under the PNDL are politically spent. An interviewed Ministry of Regional Development and Public Administration (MDRAP) representative argued instead that when a large fraction of local public administrations belongs to a certain party, that party will receive a proportionally large part of the investment funds. Simply looking at the amounts of funds spent per political party gives a false impression of political clientelism.[5] Increasing the transparency of the allocations of national investment funds and of corresponding public procurement contracts is therefore crucial to assess, beyond doubt, the effectiveness of this 6.3 billion euro program.

This commitment aims to identify and open more databases related to the national investment funds than what MDRAP currently publishes, and organize a public consultation or debate on the transparency, efficiency, and evaluation of the PNDL. These goals are relevant to the OGP values of

access to information and civic participation. This commitment's activities are specific enough to be verified, however the specific datasets that will be made available are not given.

The potential impact of this commitment largely depends on the datasets it will make available and the level of civil society input involved during the consultation. According to a representative from civil society, the potential impact of the consultation is difficult to assess, as it is a complex technical discussion that does not usually attract many civil society organizations.[6]

In terms of datasets, before the commitment, MDRAP published and updated the following:
- the broad procedures for the allocation of funds,[7] as mandated by HG 624/2016;
- the list of investments per local public administration that have been allocated funds—e.g., name of local public administration, title of investment, total funds allocated;[8]
- the list of contact persons (with contact details) responsible for the allocation of national funds allocations at county level;[9]
- summary statistics of the PNDL investments;
- a list of aggregate monthly transfers made, in accordance with ordinance (OUG) 28/2013, each month to the local public administrations.[10]

As part of this commitment, MDRAP will first analyze which datasets can be legally opened, in accordance to its own mandate. According to the MDRAP representative, a formal discussion between Expert Forum and MDRAP is necessary to distill which of the new datasets are relevant to civil society.[11] MDRAP does not publish the following information, which the Expert Forum representative suggested would be of interest:[12]
- The selection methodology for projects put forward by the local public administration. MDRAP does not publish the markers and the weights thereof that are used to select among competing projects.
- The list of local public administrations that applied for funding under PNDL but were not granted it. Transparency would help civil society monitor the allocation of funds to prevent political clientelism. MDRAP only publishes the list of local public administration that have been allocated funds.
- The official justification note that local public administrations put forward in order to receive the funds. Transparency would reveal how well the local public administration reflects the needs of the local community in requesting funding. According to the MDRAP representative, this can be retrieved together with other explanatory documents by sending a freedom of information (FOIA) request to the local public administration,[13] but according to the Expert Forum representative, the waiting times and the response rates make the FOIA requests to the local administration endeavor too difficult.[14]
- A list of public procurements that local administrations have made, based on the national investment funds (as mentioned in the annexes of OUG 28/2012). Transparency would reveal the quality of the competition for the execution of public works as well as the real absorption rate for the PNDL funds. According to the MDRAP representative, MDRAP does not oversee public procurements that local public administration organizes, and cannot publish data related to these procurements.[15] According to the Expert Forum representative, this data can be collected through FOIA requests, but at great costs of time and effort.[16]

Because of the lack of details on the specific datasets to be published, this commitment could have a moderate potential impact, if implemented as written. However, should the MDRAP make significant progress on the above list or the following recommendations, this commitment could significantly improve access to information on the implementation of PNDL.

Next steps
The IRM researcher recommends carrying this commitment forward to future action plans, considering the size and scope of these investment funds, their importance for the sustainable development of local communities, and numerous controversies that have been brought to light in

relation to their allocation. The following recommendations can help guide the implementation of this commitment in the current, as well as in future, action plans:

o MDRAP could publish the reasons why certain datasets can or cannot be opened. This data review exercise will reveal the opportunities and the impediments and will help focus the public consultation sessions on how to practically open the data.

o MDRAP could utilize the public consultations to: (1) understand what information citizens consider relevant and would like to have open, and (2) understand why this information cannot be obtained from other sources or at which costs it could be obtained from different sources. MDRAP could then publish the feedback it receives.

o MDRAP could publish as many of the items in the list recommended by the Expert Forum as are in its remit to release, especially the selection methodology for projects and the list of local public administrations that applied but were not granted funding.

o MDRAP could also publish the official justification notes that local public administrations put forward in order to receive funding, for both those that were granted as well as for those that were not granted funding.

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[1] MDRAP (19 July 2017) "Programul National de Dezvoltare Locala – PNDL, etapa a II-a", available [in Romanian] at https://bit.ly/2u9ksF2.

[2] Nedea, A. & Muntean, D. (2019) "Dumnezeul Achizitiilor", Recorder, available at https://bit.ly/2DSyChj.

[3] Nedea, A. (2019) "Efectul investigației Recorder: DNA s-a autosesizat și a deschis dosarul „Dumnezeul achizițiilor", Recorder, available at https://bit.ly/2SLe8Qq.

[4] Ionita, S., Stefan, L., Nutu, O. & Parvu, S. (2016) "Prioritati politice in Romania, prioritati politice in Moldova", Expert Forum annual report, available [in Romanian] at https://bit.ly/2JnTfEW; "Banii și achizițiile: unde au ajuns contractele din PNDL în județul Constanța?", Expert Forum, 9 December 2019, available [in Romanian] at https://bit.ly/2KZWshn.

[5] Interview with Andreea Grigore, Ministry of Regional Development and Public Administration (MDRAP), 19 April 2019.

[6] Interview with Septimiu Parvu, Expert Forum, 23 April 2019.

[7] MDRAP (19 July 2017), "Programul National de Dezvoltare Locala – PNDL etapa a II-a", slides 9-12, available [in Romanian] at http://bit.ly/2k75pt8.

[8] "Lista Obiectivelor de Investitii si sumele alocate acestora pentru finantarea Programului National de Dezvoltare Locala", MDRAP, available [in Romanian] at http://bit.ly/2krGEs1.

[9] "Lista responsabililor judete PNDL", MDRAP, available at http://bit.ly/2lQEjqD.

[10] "Plati activitate curenta, plati programe europene", MDRAP, available [in Romanian] at http://bit.ly/2mcTMBT.

[11] Interview with Andreea Grigore, MDRAP, 19 April 2019.

[12] Interview with Andreea Grigore, MDRAP, 19 April 2019.

[13] Ibid.

[14] Interview with Septimiu Parvu, Expert Forum, 23 April 2019.

[15] Interview with Andreea Grigore, MDRAP, 19 April 2019.

[16] Interview with Septimiu Parvu, Expert Forum, 23 April 2019.

11. Annual mandatory training of civil servants on integrity matters

Commitment Text: "MJ will provide the e-learning platform and will develop support materials for online training in the field of integrity, accessible from the eLearning platform of the Ministry of Justice. Leaders and executives from local and central public institutions and authorities will be able to access e-learning modules based on usernames and passwords. Participants who will follow on-line training sessions will need to take a test to complete the course. These interactive modules will consolidate the information already held by users and will provide new information on ethics and integrity. Participants will take a test after completing the courses."

Milestones:
11.1. Developing the training program
11.2. Develop the e-learning format for the professional training courses

Start Date: November 2018

End Date: August 2019

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2010 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	Unclear					✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Implementation of the National Anticorruption Strategy (SNA) 2012–2015 revealed that the level of anticorruption knowledge among public servants is low. Consequently, one of the objectives of the 2016-2020 SNA was to train management and executive staff in central and local public authorities as well as in the subordinated structures on how to prevent corruption. Continued from Romania's previous action plan (2016–2018), this commitment adds an anticorruption element to the curricula used in the mandatory trainings of public servants.

As written, the anticorruption training in this commitment represents internal government accountability efforts that lack a public-facing element. Nevertheless, according to an interviewed representative of the Ministry of Justice (MoJ), the public will be given access to the anticorruption e-learning materials used to train the public servants, as they will be published on the MoJ website and will be referred to during the awareness raising campaigns that MoJ will coordinate in the context of Commitment 12 of this action plan.[1] The training program and e-learning format are clearly written and verifiable.

This commitment could increase the knowledge of public servants on how to prevent conflicts of interests and eventual crimes of corruption. However, it does not specify the content of the training, and without any specified enforcement mechanism or other way to change incentives, it is unclear what impact it will have on changing bad practices. Consequently, this commitment has a minor potential impact.

Next steps

While training civil servants on integrity matters, and raising internal awareness on corruption may contribute to preventing corruption, the IRM researcher recommends adding a public-facing component to this commitment if it is carried forward. To this end, MoJ could open the training materials to the public and raise awareness on the training efforts of the MoJ, the amount of trainings provided, the number of public servants that have successfully completed the trainings, and the training materials. If these elements are made public, this commitment may marginally increase citizens' trust in public administration.

Overall, however, given the low potential impact of this commitment, the IRM researcher does not recommend carrying this commitment forward to the next national action plan.

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[1] Interview with Ruxandra Banica, Ministry of Justice (MoJ), 28 August 2019.

12. Raising public awareness on the impact of corruption

Commitment Text: "The Ministry of Justice will carry out a public information campaign, which will consist of an initial survey on the perception of corruption in Romania, in order to be able to choose a particular sector or a central theme that can be used to create deliverables and achieve the results: a TV spot, an audio spot, press releases, flyers and posters."

Milestones:
12.1. Perform an initial survey regarding the perception of corruption in Romania
12.2. Develop materials to be disseminated
12.3. Effective rollout of the campaign (media and press release)
12.4. Performing a follow-up survey regarding the perception of corruption in Romania

Start Date: May 2019

End Date: September 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔					✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

According to Transparency International, public perception of corruption in Romania is among the highest in the European Union.[1] The lack of information on the relevant legislation, on what represents an act of corruption in daily practice, and on what to do when one observes it helps perpetuate corruption in the country. The most recent awareness raising campaigns on corruption are those of Transparency International (TI) in 2007, and of the General Directorate Anticorruption (DGA) of the Ministry of Internal Affairs in 2014.[2] Consequently, this commitment aims to carry out a new awareness raising campaign that informs citizens on the legal obligations of institutions and civil servants and on how to fight corruption through available legal and civic means.[3] The milestones are verifiable, and by raising awareness on and facilitating access to anticorruption resources, the commitment furthers access to information.

The specifics of the campaign are lacking in the action plan. For example, according to an interviewed Ministry of Justice (MoJ) representative, this initial survey envisioned under Milestone 12.1 will differ fundamentally from the corruption barometer and the corruption perception indices of TI.[4] However, it is unclear what the desired sample size is, which sampling methodology will be employed (e.g., will only citizens be asked to fill in the questionnaire or also members of the public administration? Will it be an anonymous survey? Will the same sample be monitored twice, or will the two surveys be based on random drawings? etc.), and whether the survey questions and the survey results will be published after the awareness raising campaign is completed. Through this information campaign, MoJ wishes to have a lasting impact on the target group,[5] but the literature shows that awareness raising and persuasion campaigns have short-lived effects.[6] This is especially true when the target group is varied, as the MoJ representative explained, such as citizens that

request public services, youth, business sectors, and employees of the public administration.[7] Because all of these groups have different motivations and incentives to care about, partake in, or report on corruption,[8] without a more targeted, continuous campaign, the potential impact of the commitment is likely to be minor.

Next steps

Representatives from both MoJ and TI recognize the importance of raising awareness on the impact of corruption and on how to prevent it.[9] Nevertheless, given their short-lived effects, their repetition is essential to changing mindsets and business-as-usual practices. If this commitment is carried forward to the next action plan, it could be designed and executed in the following ways:

- MoJ could open the survey methods, samples, results, and the analyses thereof, and allow citizens to understand how many people were surveyed, how they were selected, what questions were they asked, what metrics were employed, etc. This metainformation will provide the information necessary to judge the efficiency of the campaign and to inform on the design of future campaigns.
- MoJ could require that all information materials created by the private contractor (radio, TV, and printed materials) be published under open access—so that the ministry and other interested parties can reuse them freely.
- Given the short-term effects of the awareness raising campaigns, MoJ could consider repeating them more frequently. To this end, MoJ could partner with civil society[10] and with the media, to ensure that viable old promotional materials (e.g., from the current campaign, from the 2014 DGA campaign, etc.) are recycled and brought to the public's attention on a more permanent basis. According to the TI representative, there are many useful tools and solutions that TI holds, but there are also solutions that come from other public institutions—e.g., the Romanian railway system has a "General Complaints Telephone Number" printed on its tickets that can be used to report corruption.[11]

[1] Transparency International (2018) "Corruption perception index", available at http://bit.ly/2kINIjS.
[2] The 2007 TI campaign "Don't bribe" is presented [in Romanian] at http://bit.ly/2kkXkkS, and the 2014 campaign "Don't bribe and don't receive bribes! Avoid and denounce corruption" of the General Directorate Anticorruption (Ministry of Interior) is presented [in Romanian] at http://bit.ly/2kLlapU.
[3] Interview with Irina Lonean, Transparency International: Romanian Chapter (TI), 29 August 2019.
[4] Interview with Ruxandra Banica, Ministry of Justice (MoJ), 29 August 2019.
[5] Interview with Ruxandra Banica, MoJ, 29 August 2019.
[6] Alan S. Gerber, James G. Gimpel, Donald P. Green, Daron R. Shaw (2011) "How Large and Long-lasting Are the Persuasive Effects of Televised Campaign Ads? Results from a Randomized Field Experiment", American Political Science Review, vol. 105 (1), pp. 135–150.
[7] Interview with Ruxandra Banica, MoJ, 29 August 2019.
[8] Institute of Medicine (US) Committee on Communication for Behavior Change in the 21st Century: Improving the Health of Diverse Populations. Speaking of Health: Assessing Health Communication Strategies for Diverse Populations. Washington (DC): National Academies Press (US); 2002. 3, Health Communication Campaigns Exemplar, available at https://www.ncbi.nlm.nih.gov/books/NBK222234/.
[9] Interview with Irina Lonean, TI, 29 August 2019 Interview with Ruxandra Banica, MoJ, 29 August 2019.
[10] According to the TI and MoJ representatives, MoJ has not partnered with or elicited the support of civil society in the creation or dissemination of the current information materials (Interview with Irina Lonean, TI, 29 August 2019; Interview with Ruxandra Banica, MoJ, 29 August 2019.)
[11] Interview with Irina Lonean, TI, 29 August 2019.

13. Improving transparency in the management of seized assets

Commitment Text: "ANABI will develop a platform that will ensure access of public institutions from the judiciary to information regarding the management of proceeds of crime. The development of such an application will increase the national institutional capacity to manage the seized assets by providing detailed and up-to-date evidence of these assets in Romania. In addition, the system will increase transparency in the debt recovery process by providing open data to the public and generating reliable statistics for tracking the debt recovery process."

Milestones:
13.1. Develop the national integrated system for the registration of proceeds of crime.

Start Date: National Action Plan 2016–2018

End Date: December 2019

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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
13. Overall		✔	✔			✔				✔	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment was continued from Romania's third action plan (2016–2018). As described in the IRM progress report for the third action plan, prosecutors investigating white collar crimes freeze suspected proceeds of crime in order to confiscate them if the final conviction is issued.[1] The National Agency for the Management of Seized Assets (ANABI) was established through law 318/2015, and mandated to disclose in an open format, on a quarterly basis, how the state manages seized assets. To this end, this commitment aims to create the National Integrated Information System (SIIN) to record and manage the information required, which will clearly improve the public's access and specialized authorities' access to information on seized proceeds of crime. Moreover, SIIN will allow the public and the government to evaluate the performance of ANABI and the efficiency of the management of seized assets. The solution is specific enough to be verified, with the full text of the commitment providing a detailed list of the various data the platform will make available.

Although citizens can already assess the performance of ANABI from its yearly reports and from data already published on its website,[2] the topic of seized assets is difficult for the public to understand. According to an interviewed ANABI representative, SIIN will present ANABI's data in a more intuitive way (e.g., relying on visuals and storytelling) and will help explain to the public what the seizing of assets means, why it matters, how it is conducted and by whom, etc.[3] Also, SIIN will allow the monitoring in real-time (as opposed to the current annual monitoring) and at a granular level (as opposed to what is now macro-level information) of the performance of stakeholders such as the police, public prosecution, the Ministry of Justice, and judiciary in seizing and managing seized assets. This could also generate new insights, such as trends and new leads for law enforcement.[4] As

a result, this commitment has the potential to be transformative in what constitutes judicial transparency.

ANABI already modelled SIIN, in partnership with experts from the Basel Institute in Switzerland,[5] in 2018, and now moves towards a proof of work for SIIN. Nevertheless, early results suggest that finding suppliers capable to create SIIN on the basis of its earlier specifications is cumbersome. Consequently, ANABI plans to develop an in house, simplified proof-of-work in partnership with Code4Romania, to ensure that it completes this commitment on time.

Next steps

This commitment is a clear priority to ANABI. Consequently, while the simplified version of SIIN that ANABI is developing with Code4Romania would fulfill the commitment,[6] ANABI could still push to receive the necessary funding to implement the original SIIN version.

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[1] "2016–2017 IRM Progress Report on Romania", OGP, available at www.opengovernmentparthership.org.
[2] According to the ANABI representative, progress in the direction of increasing access to data has already been made as ANABI centralizes and presents more data on their website.
[3] Interview with Cornel Calinescu, National Agency for the Management of Seized Assets (ANABI), 2 September 2019.
[4] Interview with Cornel Calinescu, ANABI, 2 September 2019.
[5] "ANABI will have an integrated electronic system of criminal assets", ANABI, April 2016, available at http://bit.ly/2kLMLYb.

14. Facilitating access to social services

Commitment Text: "Through this commitment, we aim to develop and promote user-friendly IT tools in order to facilitate access to social services for people belonging to vulnerable groups, as well as to collect and use social assistance data for generating social services more appropriate to the target groups."

Milestones:
14.1.Promote and disseminate social services maps
14.2.Periodic update of social service maps
14.3.Testing the developed IT tools to assess their accessibility and utility from the perspective of developing effective social services.
14.4.Hackathon in the domain of social services with datasets produced within the project "Implementation of a system of policy making in the field of social inclusion at the level of MMJS"

Start Date: 2018

End Date: 2020

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

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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	✔		✔	✔		✔		✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment was included in the National Strategy for Social Inclusion and Poverty Reduction 2015–2020. It aims to improve access to information for potential beneficiaries of social services[1] as well as the knowledge of the government and of other providers of social services regarding the needs of local potential beneficiaries. According to an interviewed Ministry of Labor and Social Justice (MMJS) representative, the information contained in the electronic register of the MMJS is not presented in a user-friendly way, and does not adequately guide potential beneficiaries in search of social services.[2] Instead, MMJS will develop and promote more intuitive and interactive social services maps, and test whether they effectively identify the needs of people in vulnerable groups. The aim is to help the providers of social services address the needs of vulnerable groups, and encourage the reuse of the social service maps for other social assistance purposes.

This commitment could likely lead to minor improvements regarding access to social services information, and will marginally increase the participation of social service stakeholders.

The four social services maps have already been realized, and can be accessed through the MMJS website and through a dedicated website,[3] although they are not up to date, according to the MMJS representative.[4] The dissemination of these maps was not included as an activity in the project through which they were constructed, and MMJS considers that dissemination needs to be conducted on a continuous basis.[5] However, is unclear the extent to which a promotional activity

would increase their usage. Allowing stakeholders to test and to propose improvements or complementarities to the IT tools—i.e., by organizing a hackathon—could help increase the effectiveness of the IT tools. However, the single hackathon is unlikely to significantly promote civic participation in this area.

Next steps

MMJS could try to create a set of key performance indicators to monitor the implementation of each milestone and to measure the impact of this commitment on the problem at hand. To strengthen the commitment's contribution to civic participation, MMJS could consider other hackathon themes or other methods of input beyond testing IT tools. Nevertheless, given its potential impact, the IRM researcher does not recommend carrying this commitment forward to the next action plan.

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[1] Laws 292/2011 and 197/2012 define the social services this commitment refers to.
[2] Interview with Gabriela Necsuliu, Ministry of Labor and Social Justice (MMJS), 19 September 2019.
[3] "Despre Proiect", Social Services, available [in Romanian] at http://bit.ly/2ml7IyX.
[4] Interview with Gabriela Necsuliu, MMJS, 19 September 2019.
[5] Interview with Gabriela Necsuliu, MMJS, 19 September 2019.

15. Open access to research results

Commitment Text: "The commitment aims to lead to the adoption of a national Open Access strategy for research results, by implementing pilot programs and substantiating research and public consultations."

Milestones:
15.1. Identify a pilot institution and develop the pilot program
15.2. Implementation of the pilot
15.3. Mapping of institutional OA practices and policies in Romania
15.4. Transposition of the developed rules on OA in the future funding programs for research, similar to the Horizon 2020 provisions
15.5. Develop and adopt a national strategy on OA

Start Date: 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔			✔		✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The European Commission has mandated compliance with the open access principles in the main funding programs for education and research (i.e., FP7, Erasmus +, Horizon 2020, European Research Forum). In April 2012, the Romanian Academy of Sciences signed a Statement of Open Science Support as a member of the All European Academies, which, together with the other signatories, called for "the implementation of Open Science principles for publications, research data, software, educational resources, and infrastructures research."[1] Since then, however, nationally funded research is not mandatorily published under open access, and there are very few open access publications. This decreases the chances of Romanian researchers to secure EU research grants,[2] and leaves the least experienced ones vulnerable to deceptive open access journals and magazines.[3] Consequently, many Romanian researchers resist publishing in open access journals, for fear that it may negatively impact their careers.[4]

This commitment has several objectives to help resolve this problem, from supporting a pilot policy for open access publishing of scientific results, financed with public funds, to creating a repository for the data thereby released. It therefore supports furthering access to information (i.e., research results). This will be aided by building a comprehensive IT infrastructure, capable of correctly storing and disseminating research results.

The milestones of this commitment are verifiable, but could be more detailed. In fact, open questions around how to implement the commitment have, at least in part, led to some

disagreements between the Ministry of Research and Innovation (MCI) and the pilot implementing institution, the Institute for Researching the Quality of Life (ICCV), that will likely delay the creation of a single, interoperable repository of open access research. For instance, one of the disagreements centers around who has responsibility for constructing the portal: ICCV solely, or with assistance from MCI.[5] Some progress will be made with the implementation of the next National Strategy of Development, Research and Innovation (SNCDI) (2020 onward), which may put more emphasis on open access to research results.[6] But the interviewed MCI representative did not have a clear vision as to how the next SNCDI will be implemented, or how many funding programs will have an open access clause, or what percentage of research results will be made open.[7] Therefore, if this commitment is completed as written, it will likely have a minor impact on the quantity of open access research, as well as the overall quality of Romanian research.

Next steps

More intermediate steps are needed to transform the practices surrounding open access to research output in Romania. Romania currently consumes more scientific output than it produces, and consequently, stands to benefit from a proactive top-down implementation of open science principles.[8] The IRM researcher therefore recommends carrying this commitment forward to the next action plan, with the following recommendations to help improve its design and implementation:

Commit to nonwavering, larger scale, faster paced reforms.
o   MCI could conduct the mapping exercise (Milestone 3) as part of the preparations for the design of the new SNCDI, not as part of its implementation. According to a civil society representative, MCI could involve civil society organizations that have extensive experience in the field, as well as rely on the OpenAIRE expertise and resources.[9]
o   While mapping the open access practices and policies in Romania, MCI could identify the open access champions—i.e., institutions that have taken extraordinary steps to promote open access or open science. MCI could then publicly acknowledge their efforts and results by rewarding them or further sponsoring their efforts.
o   MCI could commit to offering nonwavering financial support to open access publishing. For instance, a budget can be constructed by multiplying the average number of publications produced by Romanian scientific staff with the average cost of publishing under open access. This fund could be set aside for research institutes, academia, and universities to cover the open access costs. According to the representative of the Romanian Academy, this fund would be a significant support to the open access efforts.[10]
o   Finally, MCI could impose a clause that requires funding recipients to publish at least 50 percent of their research output under open access for all research funds MCI offers. Only a high quota will create a meaningful impact.

Commit to the infrastructure and training necessary for open access.
o   MCI could take a leading role in piloting publishing research under open access. To this end, MCI could partner with the ICCV and devise a clear action plan with detailed responsibilities for each partner and a clear funding line for a national infrastructure that can be connected to other existing open access infrastructures.[11]
o   MCI could put together a team of experts and mandate them to promote open access across all major research institutes in Romania. In particular, the MCI experts could explain (during in-person trainings or through online trainings) the requirements for publishing under open access, the funds necessary and available and how to obtain them, the benefits from publishing open access, and the risks related to scam open access publications. Moreover, the experts could train and accredit the data specialist of each research institute to archive, retrieve, upload, and share research output across different open access platforms.[12]

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[1] "Open Science for the 21st Century - A declaration of ALL European Academies", ALLEA General Assembly, 11–12 April 2012, available at http://bit.ly/2mmEWst.

[2] Interview with Ovidiu Voicu, Center for Public Innovation (CPI), 16 April 2019.

[3] Interview with Bogdan Simionescu, Romanian Academy, 2 September 2019.

[4] Interview with Eugen Scarlat, Ministry of Research and Innovation (MCI), 24 April 2019.

[5] Interview with Eugen Scarlat, MCI, 24 April 2019; Interview with Ovidiu Voicu, CPI, 16 April 2019;

[6] Interview with Eugen Scarlat, MCI, 24 April 2019.

[7] Interview with Eugen Scarlat, MCI, 24 April 2019.

[8] Simionescu, B. (2017) "Open science, un fenomen pregătit să schimbe realitatea cercetării", Market Watch, available [in Romanian] at http://bit.ly/2kGpY05.

[9] Interview with Ovidiu Voicu, CPI, 16 April 2019.

[10] Interview with Bogdan Simionescu, Romanian Academy, 2 September 2019.

[11] Interview with Ovidiu Voicu, CPI, 16 April 2019; Interview with Sorin Cace, Institute for Researching the Quality of Life (ICCV), 30 August 2019.

[12] Interview with Sorin Cace, ICCV, 30 August 2019; Interview with Bogdan Simionescu, Romanian Academy, 2 September 2019.

16. Open Education

Commitment Text: "The commitment aims at introducing a training component for teachers on open educational resources and copyright, in order to facilitate their transformation into creators of human resources for education, creating the Virtual School Library and uploading Open Educational Resources."

Milestones:
16.1. Training sessions for teachers on open educational resources and copyright
16.2. Launch for approval of the procedure for validation of open educational resources to be used
16.3. Development of an open licence for the Virtual School Library
16.4. Creation of technical support for the Virtual School Library
16.5. Collection, from public and private sources, and publication of the initial repository of the Library

Start Date: 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔			✔			✔		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment has been continued from Romania's third action plan (2016–2018). In 2017, Romania had an 18.1 percent dropout rate among students in primary and secondary education (far higher than the EU average of 10.6 percent) and spent three percent of its GDP on education (significantly lower than the EU average of 4.7 percent).[1] Romania wanted to address the financial pressure on students from low-income backgrounds (who were most at risk of dropping out) and increase the quality of affordable educational resources. Through the provisions of Law 1/2011 on national education, Romania created the legal framework for the use of open educational resources (RED)[2] to better enable access and reuse of educational materials and tools. Nevertheless, according to an interviewed Ministry of National Education (MEN) representative, the Virtual School Library (BSV) has not yet been developed or populated with REDs, not enough REDs exist, and not enough teachers know how to create or use them.[3] This is particularly problematic, because as of September 2018, there is a clear need for educational materials to supplement the school manuals. According to the MEN representative, NM 808/2017 addresses the abundance of low-quality, paid resources that pupils had to acquire by mandating that no educational resources for primary and secondary education that must be paid for can be required. Instead, REDs could supplement the school manuals, as they were more easily peer reviewed, and feedback was public and delivered in a timely way.[4]

This commitment aims to increase the transparency of already initiated internal processes to modernize the education system (i.e., REDs and BSV) and to promote the coherence of local public

policies regarding the validation of REDs. By increasing the number of REDs and their usage for teaching, assessment, or research, this commitment supports the OGP value of access to information. Finally, this commitment clearly aims to use technology and innovation to increase access to educational resources.

The specific milestones of this commitment have the potential to improve the creation of auxiliary educational materials that supplement schoolbooks and to help reduce school dropout rates. 72,000 REDs are estimated to be produced.[5] While it is unclear how many will be validated and reach students through the BSV portal, these REDs will address the need for auxiliary educational materials created by NM 808/2017. 55,000 schoolteachers will be trained to produce and utilize REDs, and while this is just a fraction of the total number of schoolteachers in Romania, the e-learning sessions and REDs will allow traditional periodic methodical gatherings (where schoolteachers learn and share their skills and knowledge) to take place at a faster pace and to reach larger and more isolated communities. According to a civil society representative, local validating procedures exist and have already been enforced, such that a national vetting procedure will only marginally improve the quality of REDs.[6] More importantly, however, it helps disseminate REDs that fulfill the same minimum standard through the BSV portal.

Next steps
According to the MEN representative, this commitment is a priority for MEN, due to the lack of auxiliary educational resources, because MEN wants to ratify the UNESCO Recommendation on REDs.[7] The following recommendations could help the implementation of the commitment in the current action plan:
- MEN could commit to training all schoolteachers in Romania, and consequently enable the reutilization of the "Relevant Curriculum relevant, open education for all" (CRED)[8] resources, such that they can be further disseminated by the trained schoolteachers to their untrained peers.
- MEN could commit to populating the BSV portal with as many high-quality REDs as possible. Consequently, MEN should not only standardize vetting procedures for the uploading of REDs into the BSV portal, but also incorporate into the procedure a retraction mechanism for those that receive too much negative feedback, that are not used, or that become obsolete.
- MEN could encourage the continuous creation and submission of REDs by rewarding those schoolteachers that contribute with their own REDs, especially if their content is positively received by the BSV community.

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[1] European Commission (2018) "Education and Training Monitor: Romania", available at http://bit.ly/2m1potM.
[2] REDs are freely accessible, openly licensed supplementary teaching, learning, assessment, and research materials.
[3] Interview with Claudia Teodorescu, Ministry of National Education (MEN), 2 September 2019.
[4] Interview with Claudia Teodorescu, MEN, 2 September 2019.
[5] Ibid.
[6] Interview with Ovidiu Voicu, Center for Public Innovation (CPI), 16 April 2019.
[7] "UNESCO Recommendation on Open Educational Resources", UNESCO, 18 April 2018, available at http://bit.ly/2kSlMdz.
[8] The CRED project started in 2017, has a budget of 42 million euros, and is part of the Strategy to Reduce the School Dropout, approved by HG 417/2015. More details on the CRED project are available at http://bit.ly/2kUqzep.

17. Measuring the impact of the re-use of open data

Commitment Text: "Under the project Capacity building in the field of public governance of Romania, re-use and impact indicators of open data will be developed."

Commitment Milestones:
17.1. Development of indicators and methodology for measuring open data re-use and impact
17.2. Start monitoring and evaluation of open data re-use and impact
17.3. Activities to promote the re-use of open data

Start Date: 2019

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔					✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Since 2018, the European Commission assesses open data maturity in Europe using four dimensions: (1) open data policy, (2) open data impact, (3) open data portals, and (4) open data quality. According to the European Commission's 2018 findings, Romania lags on open data reuse and on the measurement of open data reuse and impact.[1] Moreover, according to an interviewed OGP representative, the lack of a methodology for and measurements of the (re)utilization and impact of open data is a problem that many countries are confronted with.[2] This commitment aims to develop impact and (re)utilization indicators, monitor and evaluate the (re)use and impact of open data, and promote its (re)use among civil society and the business sector. Through its activities, this commitment furthers access to information and civic participation.

The solutions proposed by this commitment are threefold:
(1) The Secretariat General of the Government (SGG) will develop indicators and a methodology for measuring open data reuse and impact, in cooperation with the Organization for Economic Cooperation and Development (OECD), through the project funded through the European Economic Area (EEA) and Norwegian Financial Mechanism 2014–2021. According to the OGP representative, the unofficial agreement and main concepts exist, whereas all else are still being defined.[3]
(2) SGG will start monitoring and evaluation of open data reuse and impact.
(3) SGG will promote the reuse of open data.

The milestones as written are specific enough to be verifiable, but lack key details. The OGP representative when interviewed, provided additional detail, such as that the OECD project "Capacity building – Data Centers of Government" will provide indicators and methodology to measure the (re)utilization of open data, and will tailor them to Romania. According to the SGG

representative, the SGG plans to consult civil society on how to apply the indicators to the Romanian case, although tailoring details are missing.[4] Monitoring and evaluation will reportedly be done annually, and will be used to show the public administration the commercial and administrative benefits, but there are no details on how the monitoring will be done, on which methodology will be used, or the target group. Finally, SGG will measure the satisfaction of open data creators and users with the open data portal and ask them to identify high-value datasets;[5] collect examples of open data (re)utilization;[6] and add new examples of open data reutilization to a dedicated section "Activities" within the open data portal data.gov.ro, among other activities. Given this, while the commitment as elaborated will clearly help enable SGG to measure the (re)utilization of open data, the commitment as written has a minor potential impact.

Next steps

This commitment addresses an important policy area, but could benefit from a higher degree of specificity when carried forward:
o   SGG could detail what is meant by the tailoring of the OECD indicators to the Romanian context and how this will take place—e.g., though a survey, discussions with users, and data generators etc.
o   SGG could provide a detailed plan on how the monitoring of the open data reuse and impact will take place—e.g., define a monitoring methodology, a calendar, form testing hypotheses, and detail how the results of the monitoring will be published and how the recommendations and conclusions will be implemented.
o   Finally, in future versions of OGP commitments, SGG should specifically detail what is meant by 'activities,' so that the IRM reports can measure the true potential of what is planned.

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[1] European Data Portal (2018) "Open Data Maturity in Europe", available at http://bit.ly/2kGyfAS.
[2] Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 15 April 2019.
[3] Interview with Larisa Panait, OGP contact, 15 April 2019.
[4] Ibid.
[5] "Chestionar data.gov.ro", OGP, available [in Romanian] at http://bit.ly/2mplQSj.
[6] "Exemple de reutilizare a datelor deschise", OGP Romania, 7 September 2018, available [in Romanian] at http://bit.ly/2kIQgi0.
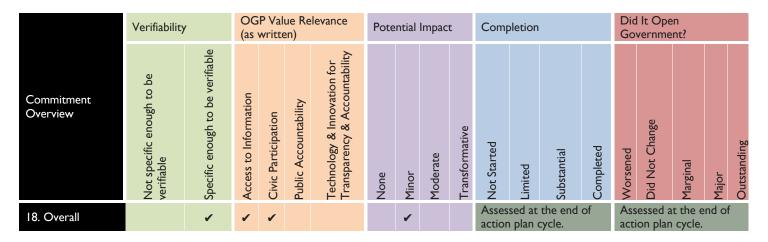
18. Publication of open data

Commitment Text: "The centralised publication on data.gov.ro of a minimum of 535 open datasets, as set out in the Annex. Datasets can be new or updates of older datasets."

Milestones:
18.1. Publication of a minimum of 535 open datasets (as per Annex)
18.2. Encourage and support public institutions in organising competitions on the reuse of open data (data challenges), for the benefit of both citizens and administration.
18.3. Identification, in consultation with civil society, and publication of relevant new datasets

Start Date: 2018

End Date: 2020

Editorial Note: The commitment text is abridged. The full text can be found in the OGP 2018–2020 national action plan.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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		✔	✔	✔				✔			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives
This commitment is continued from the third action plan (2016–2018). The publication of open data managed by public authorities and institutions is one of the modern means of increasing transparency and administrative efficiency, but the process is rather slow. On the one hand, the administration does not provide enough data, and on the other hand, citizens, developers, and civil society organizations do not reuse the datasets already published. This commitment aims to address both challenges, furthering access to information and civic participation. Some of the milestones are specific enough to be verifiable, with the first including an exact target number.

This is the fourth reiteration of this commitment,[1] which makes it a positive—but small—step forward. According to an interviewed government representative, in the absence of hard rulings that mandate the permanent opening of public interest datasets, this soft-law mechanism remains relevant and useful.[2] Still, the 535 target includes some already opened datasets that public administrations are committing to keeping open.[3] Also, the need-based hackathons[4] in Milestone 2, while possibly supporting a creative dialogue between users and providers of open data, do not provide clarity with respect to their operationalization. Consequently, the potential impact of this commitment as written is minor. However, the actual improvements to open data publication will depend on the content and publication of the collected suggestions for high value datasets (Milestone 3).[5]

Next steps
The IRM researcher recommends the following to help with the implementation of the commitment and with the design of a more ambitious commitment in the fifth action plan, if it is carried forward:

- The General Secretariat of the Government (SGG) could make an action plan with more clarity with respect to the organization of targeted hackathons. For example, SGG could first identify the public administration partners that have voiced needs for which they lacked the necessary technical skills resources (e.g., the citizen's budget brochure, a system to ensure that different open research repositories are interoperable, projects that GovITHub was not able to start or to finish), and assess whether a problem suited for a hackathon can be formulated around this need.
- For a commitment with higher potential impact, the government could create a National Strategy on Open Data, to replace the fragmented vision[6] that guides the open data efforts in Romania. By doing so, the government would give the needed impetus to the open data efforts and comply with the requirements of the EU for an integrated vision on open data.[7]

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[1] Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact, 15 April 2019.
[2] Interview with Larisa Panait, OGP contact, 15 April 2019.
[3] Annex is available [in Romanian] at http://bit.ly/2kLoktT.
[4] SGG will first ask the administration to formulate a specific application that would be used in day-to-day practice, and only then ask the crowds to design it through a hackathon.
[5] "Chestionar data.gov.ro", OGP, available [in Romanian] at http://bit.ly/2mpIQSj.
[6] Law 109/2007 transposes the EU Public Sector Information Directive, OUG 41/2016 mandates the administration to publish their datasets on the open data portal, the Strategy for the Digital Agenda of Romania refers to the OGP and open data duties, and membership in OGP helps push for publication of open data.
[7] European Data Portal (2018) "Open Data Maturity in Europe", available at http://bit.ly/2kGyfAS.

V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM Recommendations

Romania's fourth action plan was designed during a challenging sociopolitical situation in the country. It has nevertheless managed to consolidate initiatives that have proved resilient to the political turnover. Particularly relevant are the further development of the national data portal data.gov.ro (Commitment 18), the seized assets data management system (Commitment 13), the further increase in transparency of central and local public administrations (Commitments 1 and 6), and of political party financing (Commitment 9).

Moreover, the fourth action plan includes initiatives, even if only indirectly, in some of the areas where Romania has seen a decline in recent years. Various commitments promote civil participation, including how national investment funds are allocated and spent, which was one of the thematic recommendations in the IRM Progress report for the previous action plan (2016–2018). The plan also promotes accountability of the central public administration through open dialogue, and the public accountability of the judiciary though the publication of granular statistics relating to the efficiency of management of assets recovered from corruption cases.

Nevertheless, future action plans could consider more ambitious commitments to enhance civil liberties, to revive Romania's efforts to counter high-level corruption, and to restore the independence of the judicial branch. Based on discussions with stakeholders who participated in the cocreation process, the IRM researcher recommends the government **consider strengthening the fragmented institutional framework in which the OGP process currently takes place,** in order to empower citizens to efficiently partake in the OGP agenda. To this end, the government could:

- Include open governance as a priority in the Governance Program (the agenda and planned reforms that new governments hope to achieve during their mandate), thereby signaling the importance of involving civil society and citizens in the decision making process for the health of democracy;
- Institutionalize the OGP process across the central and local public administration, to ensure the continuous execution of the commitments;
- Ensure commitments have sufficient designated funding.

The government could facilitate the existence of sustainable funding sources for civil society. To support the development of healthy and strong civil society organizations that can attract talent and create societal value, the government could:

- Improve the legislation on tax benefits and incentives that can fund CSOs and commit to a higher degree of fiscal stability, so that CSOs can access the necessary funds, have continuous funding lines, and can plan their finances in the long run.[1]

In order to revive Romania's efforts to counter high-level corruption, the IRM researcher recommends that **the government set up more online forums and live meetings in which citizens can engage with decision makers and hold them accountable**. The fact that 13 of the 18 commitments in the current action plan further citizen participation is an important step forward. To this end, the government could:

- Organize frequent (live) meetings between citizens and decision makers on specific topics and actions related to open governance;
- Conduct these meetings as working groups or forums on specific problems of open governance—e.g., define the problem, design a plan of approach, assign responsibilities and timelines, ensure sufficient budget, publish the solution, and ask for feedback from the public;
- Create more online forums where citizens' engagement (e.g., comments, feedback, and questions) as well as the response of members of the public administration with decision making power are stored and made publicly available (e.g., develop and expand the initiatives of the National Agency for the Management of Seized Goods, the General Secretariat of the Government, and the Ministry of Transports).

The OGP leadership could continue encouraging central and local public administrations to increase the transparency of their spending, and to explain their spending clearly to their constituents. To this end, the IRM researcher recommends:

- The Ministry of Public Finances and the Ministry of Regional Development and Public Administration could cooperate to pilot the implementation of citizens' budgets at local level and raise awareness on the concept of participatory budgetary at local and central level;
- The Ministry of Regional Development and Public Administration needs to continue efforts to increase the transparency of the allocation and spending of national investment funds, in collaboration with relevant civil society organizations;

To restore the trust in the judiciary, the IRM researcher recommends that **the government consider collaborating with academia and civil society to conduct an evidence-based evaluation of the Justice Laws reform, and develop policies to further the independence and the effectiveness of the judiciary**. Although challenging and costly, this high-level evaluation of the independence and functioning of the judiciary as a result of the Justice Reforms needs to set a solid foundation for further reforms. This will design a common understanding of the subject matter (including aspirations and limitations), and restore trust by removing suspicions of partisanship and corruption. To this end, the government could:

- Create a multidisciplinary task force (where members of the judiciary, public administration, academia, and civil society are represented), and task it with the evaluation of the judicial system before and after the Justice Reforms;
- Disseminate the findings of the task force, subject them to extensive public consultations, and incorporate the feedback when appropriate;
- Based on the final findings of the task force, propose policies or laws to correct the reforms deemed ineffective or harmful, policies to complement or support the reforms deemed effective, and policies to address inefficiencies of the Judicial System otherwise not addressed by the Justice Reforms and discovered in the process of review.

Commitment 17 in the third action plan (2016–2018) planned to adopt the Open Contracting Data Standard (OCDS) for procurement data and publish this data to data.gov.ro. Although the Romanian Digital Agenda Agency redesigned the country's e-procurement portal (e-Licitatie) to implement the OCDS, there was no bulk data on public procurements on data.gov.ro after the transition. This lack of bulk data decreased access to this information compared to the situation before the commitment.[2] The current, fourth action plan does not include a commitment on this policy area, even though corruption and fraud in public procurement remains a prevalent issue in Romania, as explained in Section II of this report.

Moving forward, the IRM reiterates recommendations from the IRM Progress Report 2016-2018 for Romania to **publish information on all concluded government contracts as open data in OCDS format**. Specifically, Romania could publish to the data.gov.ro portal information on the public consultations held prior to tendering, the procurement contract, and the additional documents to the contracts. The IRM also recommends ensuring the publication of this data in bulk to data.gov.ro. The previous e-Procurement system (prior to the third action plan) published contracting data in bulk, in an open format, and under an open license every three months. However, the redesigned system did not export this bulk data to the data.gov.ro portal. The availability of bulk data is essential to investigative journalists in uncovering cases of corruption and bribery in public procurement contracts.

In July 2019, Romania's new law on the prevention of money laundering and terrorist financing entered into force in order to align national legislation with the EU's Fourth Anti-Money Laundering Directive. The law requires all legal entities registered to Romania's Trade Register to identify and declare their ultimate beneficial owners.[3] The information will include last and first name, date of birth, personal identification number, series and number of the identity document, and nationality, among others.[4] The law also stipulates that the information on ultimate beneficial owners will be accessible for the Office for the Prevention of Money Laundering and Terrorism Financing, reporting entities when applying customer identification measures, and any person or organization that can demonstrate a legitimate interest.[5] However, the law does not clarify if the possibility of further restricting access to the information, or if the exact ownership of an ultimate beneficial owner will be visible, or only a general statement and above a certain percentage (i.e., ownership above 25 percent).[6]

For the next action plan, the IRM recommends Romania to consider limiting restrictions for the public to access the collected information on the country's beneficial ownership register. The IRM also recommends publishing more granular data on ultimate beneficial owners and ensuring a low minimum threshold for the percentage of shared ownership that will require disclosure.

Table 5.1: Five Key Recommendations

1	Strengthen the institutional framework in which the OGP process takes place.
2	Set up online participation and deliberation mechanisms to engage with decision makers, and facilitate accountability of public officials on specific open government topics.
3	Increase transparency of large public spending and implement participatory budgeting initiatives.
4	Conduct an evidence-based evaluation of the Justice Laws reform and propose policies to improve the independence and the effectiveness of the Judiciary.
5	Publish information on all concluded government contracts as open data in OCDS format.

5.2 Response to Previous IRM Key Recommendations

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Responded to?	Integrated into Current Action Plan?
1	Regularize OGP Club meetings and clarify the role of the new Steering Committee	✗	✗
2	Institutionalize OGP across government ministries and establish a budget line to improve implementation	✗	✗
3	Increase transparency of public spending	✗	✔
4	Improve FOI implementation, including at the Local Level	✗	✔
5	Expand and protect civic space	✗	✗

(1) As mentioned in the section "Leadership and Multi-stakeholder Forum [MSF]," OGP Club meetings did not take place during the implementation of the fourth action plan, and the MSF did not meet more regularly. The role of the MSF has been already defined in its founding memorandum and updated in the 2019 memorandum.

(2) OGP is part of the General Secretariat of the Government (SGG), and its budget is included in that of the SGG. A new budget was constructed to cover the costs of transport and housing for civil society representatives of the MSF that do not live and work in Bucharest.

(3) Commitment 3 of the fourth action plan promotes budgetary participation thereby pressing for a higher transparency of the decision making process surrounding the state budget and of the state budget.

(4) Commitment 6 of the fourth action plan aims to extend the standards on access to public information at the level of local public authorities, thereby fully addressing the IRM recommendation.

(5) As mentioned in Section II of this report, civic space has been weakened by several political actions over the course of 2018–2019. Nevertheless, citizen participation is promoted in several OGP commitments.

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[1] "Participarea civilă la procesul de luare a deciziilor Concluzii rezultate în urma vizitei în România – 3-5 Decembrie 2018", INGO, September 2019, available at https://bit.ly/2GoszD5.

[2] "IRM: Romania End-of-Term Report 2016–2018", OGP, 17 September 2019, pg. 53, https://www.opengovpartnership.org/wp-content/uploads/2019/09/Romania_End-of-Term_Report_2016-2018_EN.pdf

[3] Romina Iancu, "New obligation for legal entities: Indicating and identifying the ultimate beneficial owner", Romanian Lawyers Week, 27 August 2019. https://bit.ly/2JTLPKm.

[4] Ibid.

[5] "Romania: The 4th AML Directive finally transposed into domestic legislation", Noerr, 13 August 2019, https://bit.ly/2y932N0.

[6] Ibid.

VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Romania's OGP repository[1] (or online tracker), website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.[2]

Interviews and stakeholder input

The IRM researcher contacted all stakeholders named in the fourth action plan, the individuals or organizations suggested as relevant discussion partners by one or more stakeholders, or whose stated activity overlaps with the commitment description, or who have played a major role in the implementation of the third action plan. The latter were particularly consulted in relation to commitments that have been continued from the third action plan. The IRM researcher has conducted 30 interviews (two in writing and 28 over the phone, through Zoom) with the following individuals:

1. Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact, OGP contact, phone interview, on 15 April 2019 to discuss Commitments 17 and 18.
2. Andrea Grigore, MDRAP, phone interview, 19 April 2019 to discuss Commitments 2 and 10.
3. Ovidiu Voicu, Centre for Public Innovation (CPI), phone interview on 16 April 2019 to discuss cocreation and Commitments 3, 9, 15 and 16.
4. Claudia Teodorescu, Ministry of National Education (MEN), phone interview on 2 September 2019 to discuss Commitment 16.
5. Bogdan Simionescu, Romanian Academy, phone interview on 2 September 2019 to discuss Commitment 15.
6. Eugen Scarlat, Minisrty of Research and Innovation (MCI), phone interview on 24 April 2019 to discuss Commitment 15.
7. Sorin Cace, Institute for Researching the Quality of Life (ICCV), phone interview on 30 August 2019 to discuss Commitment 15.
8. Gabriela Necsuliu, Ministry of Labor and Social Justice (MMJS), phone interview on 19 September 2019 to discuss Commitment 14.
9. Cornel Calinescu, National Agency for the Management of Seized Assets (ANABI), phone interview on 2 September 2019 to discuss Commitment 13.

10. Irina Lonean, Transparency International: Romanian Chapter (TI), phone interview on 29 August 2019 to discuss Commitment 12.
11. Ruxandra Banica, Ministry of Justice (MoJ), phone interview on 29 August 2019 to discuss Commitments 11 and 12.
12. Septimiu Parvu, Expert Forum, phone interview on 23 April 2019 to discuss Commitments 9 and 10.
13. Andreea Grigore Ministry of Regional Development and Public Administration (MDRAP), email communication on 4 September 2019 to discuss Commitments 2, 3, 10.
14. Octavian Chesaru, Permanent Electoral Authority (AEP), phone interview on 28 August 2019 to discuss Commitment 9.
15. Sorin Badulescu, Ministry of External Affairs (MAE), phone interview on 6 September 2019 to discuss Commitment 8.
16. Cerasela Patrascanu, Ministry of Business Environment, Commerce and Entrepreneurship (MMACA), email communication on 9 September 2019 to discuss Commitment 7.
17. Madalina Mitroi, General Secretariat of the Government (SGG), phone interview on 17 April 2019 to discuss Commitments 1 and 6.
18. Madalina Mitroi, General Secretariat of the Government (SGG), email communication on 30 August 2019 to discuss commitments 1 and 6.
19. Bogdan Grunevici, Ministry of Public Finances (MFP), phone interview on 19 September 2019 to discuss Commitment 3.
20. Corina Dragomirescu, Academia de Advocacy, email conversation on 14 July 2019 to discuss Commitment 1.
21. Mihai Dragos, Romanian Youth Council (CTR), phone interview on 9 September 2019 to discuss Commitment 4.
22. Adrian Olteanu, Ministry of Transports (MoT), phone interview on 17 September 2019 to discuss Commitment 5.
23. Marcel Sabados, Ministry of Youth and Sport, phone interview on 10 September 2019 to discuss Commitment 4.
24. Radu Burnete, Foreign Investors' Council (CIR), phone interview on 11 September 2019 to discuss Commitment 7.
25. Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact, OGP contact, phone interview, on 20 September 2019 to discuss Commitments 17 and 18, the Multi-stakeholder Forum, and General Recommendations.

Finally, during the open data week 11–15 March 2019, the IRM researcher participated as observant in two meetings:
1. SGG, Victoria Palace (Salonul Alb) Iancu de Hunedoara, Bucharest, 11 March 2019, 16:00–18:00, "Parteneri pentru OGP Romania", Members of the Multistakeholder Forum, MSF meeting.
2. ICCV, ICCV Calea 13 Septembrie, 13 Bucharest, 12 March 2019, 10:30 – 3:30, "Dezbatere Acces deschis la datele din cercetare", stakeholders on open access to research results, stakeholder discussion meeting, details available at http://bit.ly/2msWjYN.

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli

- Brendan Halloran
- Jeff Lovitt
- FredlineM'Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org.

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[1] Repository is available at "National Action Plan 2018–2020", OGP Romania – The Partnership for Open Government, The General Secretariat of the Government, http://ogp.gov.ro/nou/pna/.
[2] IRM Procedures Manual, V.3 : https://www.opengovpartnership.org/documents/irm-procedures-manual.

Annex I. Overview of Romania's performance throughout action plan development

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Multi-stakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process	Green
1b. Regularity: The forum meets at least every quarter, in person or remotely.	Yellow
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.	Green
1d. Mandate public: Information on the forum's remit, membership and governance structure is available on the OGP website/page.	Green
2a. Multi-stakeholder: The forum includes both governmental and nongovernment representatives.	Green
2b. Parity: The forum includes an even balance of governmental and nongovernmental representatives.	Green
2c. Transparent selection: Nongovernmental members of the forum are selected through a fair and transparent process.	Green
2d. High-level government representation: The forum includes high-level representatives with decision making authority from government.	Green
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum.	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events.	Red
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities, and results to wider government and civil society stakeholders.	Green

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Action Plan Development	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Green
4c. Awareness raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process.	Yellow
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Red
4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Green
5a. Repository: Government collects and publishes a document repository on the national OGP website and webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, national action plans, government self-assessments, IRM reports, and supporting documentation of commitment implementation (e.g., links to databases, evidence of meetings, and publications).	Green

Editorial note: *If a country "meets" the six standards in bold, the IRM will recognize the country's process as a* Starred Process.