

# Independent Reporting Mechanism (IRM): Romania Transitional Results Report 2018– 2020

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This report was prepared in collaboration with Ioana S. Deleanu, Independent Researcher

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## 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 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 progress and determine if efforts have impacted people's lives.

The IRM has partnered with Ioana S. (Hanna) Deleanu to carry out this evaluation. The IRM aims to inform ongoing dialogue around the 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>.

This report covers the implementation of Romania's fourth action plan for 2018-2020. In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.<sup>1</sup> The IRM adjusted its Implementation Reports for 2018-2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

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<sup>1</sup> For more information, see: <https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/>

## II. Action Plan Implementation

The IRM Transitional Results Report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit the assessments for "Verifiability," "Relevance" or "Potential Impact." The IRM assesses those three indicators in IRM Design Reports. For more details on each indicator, please see Annex I in this report.

### 2.1. General Highlights and Results

Romania's fourth action plan focused a variety of policy areas that aimed to strengthen public participation and government transparency, extend social services, and promote open data. Out of the 18 commitments, eight were either substantially or fully completed. Overall, this was similar to the performance registered in implementing the previous action plan (2016-2018).<sup>1</sup> Implementation was stalled for commitments that included drafting normative acts (created to improve either the implementation of laws or to complement them) because they were stalled in Parliament (sometimes by more than two years) or received a negative vote.

Commitment 8 led to the large-scale dissemination of information on how Romanian citizens can request and receive consular services, and helped the users utilize them. In the context of lockdowns due to the COVID-19 pandemic, the continued digitization of consular services under this commitment proved particularly important. Under Commitment 18, Romania built on previous successes in opening data by publishing 700 new datasets of public interest based on efforts to understand which datasets the public administration should (continue to) open and which are most relevant to the public. The commitment also created new functions on Romania's open data portal for the public to rate the quality of each opened dataset and to request the opening of datasets.

However, several commitments identified as noteworthy in the IRM Design Report saw only limited completion, and thus did not achieve their intended results. These included improving the transparency in allocations and acquisitions from national investment funds (Commitment 10), the management of seized assets (Commitment 13), and the education system (Commitment 16). For Commitment 1, the General Secretariat of the Government (SGG) developed proposals that would have standardized public consultations across the public administration, but the government had not approved them by the end of the action plan period.

Romania has carried over several commitments and policy areas from the fourth action plan into the fifth plan (2020-2022).<sup>2</sup> For example, Commitment 2 in the fifth action plan will continue carrying out consultations with youth groups and create youth advisory councils, and Commitment 3 will continue the adoption of open government action plans at the local level. In addition, Commitment 6 carries forward the goal of improving transparency in allocations and acquisitions from national investment funds, and Commitment 12 aims to further expand open data publishing and improve the functionalities of Romania's open data portal.

### 2.2. COVID-19 pandemic impact on implementation

According to the point of contact to OGP, COVID-19 did not significantly impact implementation of the fourth action plan. Instead, it aided the co-creation of the fifth action plan (2020-2022), as it was easier to form, organize, and attend working groups on new commitments.<sup>3</sup> According to the OGP repository, only Commitments 8, 11, and 12 were affected. However, Commitment 11 did not directly promote the OGP values as designed, and one milestone of Commitment 8 was negatively affected. Moreover, Commitments 11 and 12 were delayed due to issues with the EU co-funded project that supported them.

Romania has created a COVID-19 dashboard using open-source technologies, which includes a map of the spatial distribution of all officially confirmed COVID-19 cases and shows the evolution by days.<sup>4</sup> In addition, Romania's fifth action plan includes a commitment to produce recommendations for health

units based on an analysis of their handling of the pandemic and publish open data on COVID-19 infections, collected from the public health system.

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<sup>1</sup> Open Government Partnership, Romania End-of-Term Report 2016-2018, <https://www.opengovpartnership.org/documents/romania-end-of-term-report-2016-2018/>

<sup>2</sup> Open Government Partnership, Romania National Action Plan 2020-2022, [https://www.opengovpartnership.org/wp-content/uploads/2021/02/Romania\\_Action-Plan\\_2020-2022\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2021/02/Romania_Action-Plan_2020-2022_EN.pdf)

<sup>3</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 3 December 2020.

<sup>4</sup> Romania's COVID-19 dashboard, [https://covid19.geo-spatial.org/?map=cazuri\\_active](https://covid19.geo-spatial.org/?map=cazuri_active)

## 2.3. Early results

The IRM acknowledges that results may not be visible within the two-year timeframe of the action plan and that at least a substantial level of completion is required to assess early results. For the purpose of the Transitional Results Report, the IRM will use the “**Did it Open Government?**” (DIOG) indicator to highlight early results based on the changes to government practice in areas relevant to OGP values. Moving forward, new IRM Results Reports will not continue using DIOG as an indicator.

Section 2.3 focuses on outcomes from the implementation of commitments that had an ambitious or strong design, per the IRM Design Report assessment or that may have lacked clarity and/or ambition but had successful implementation with “major” or “outstanding” changes to government practice.<sup>1</sup> Commitments considered for analysis in this section had at least a “substantial” level of implementation, as assessed by the IRM in Section 2.4.<sup>2</sup> While this section provides the analysis of the IRM’s findings for the commitments that meet the criteria described above, Section 2.4 includes an overview of the level of completion for all the commitments in the action plan.

<b>Commitment 18: Publishing open data</b>	
<b>Aim of the commitment</b>	This commitment aimed to support the publication of open datasets by public authorities and institutions to support administrative transparency and efficiency. <sup>3</sup> This commitment also aimed to utilize civic participation to identify and open new public interest datasets by supporting public institutions in organizing hackathons to (re)use the opened datasets.
<b>Did it open government?</b>  <b>Marginal</b>	<p>According to a General Secretariat of the Government (SGG) representative, the public administration and institutions published 700 new datasets of relevance to the public on Romania’s open data portal (<a href="http://data.gov.ro">data.gov.ro</a>).<sup>4</sup> However, no activities to support public institutions to organize the planned competition on the (re)use of open data were organized.<sup>5</sup> At the same time, the Ministry of Labour and Social Justice (MMJS) lacked the expertise to organize a hackathon on its interactive social services maps and could have benefitted from the expertise of SGG. Thus, the commitment saw substantial, rather than full, completion.</p> <p>In 2019, SGG ran a survey on <a href="http://data.gov.ro">data.gov.ro</a> and held a consultation on Open Data Day (28 February 2020) to better understand how to improve the quality of the existing datasets and to identify new and relevant datasets for publication.<sup>6</sup> Starting in June 2020, the portal includes a new section called “Data Requests” where citizens can request public institutions to publish or update specific datasets (previously not possible to do directly via the portal). The answers to each request are made visible on the portal.<sup>7</sup> For the first time, the portal now showcases usage metrics for each open dataset (e.g., number of followers, applications using the data, etc.).<sup>8</sup> Finally, the portal now includes a rating system for available datasets where users can assign 1 to 5 stars to the quality of the dataset based on their openness using the 5-stars open data methodology.<sup>9</sup></p> <p>Although this commitment represented a continuation of previous Romanian commitments on open data, its implementation led to positive changes. The 700 new public interest datasets published to <a href="http://data.gov.ro">data.gov.ro</a> was a 41 percent increase in the overall number of datasets compared to before the start of the fourth action plan. This number also exceeded the 535, as originally envisaged in the action plan. While some reflect old commitments and updates, over the</p>

	<p>course of the action plan, the number of datasets published on the open data portal has continuously increased.</p> <p>As a result of this commitment, datasets are no longer earmarked by the government as “high-value” in advance. Instead, the new rating functionalities of the open data portal allow users to collectively rate the quality of each dataset. The IRM researcher observed that many datasets shared on the portal during the implementation of the action plan have high ratings (higher than 3.5/5 stars). The “Data Requests” section now provides an efficient means for data users to identify relevant new datasets. As of 1 March 2021, citizens have placed 20 operational requests for new or updated datasets, and 10 requests received guidance or the requested dataset from the responsible authorities.<sup>10</sup></p> <p>Through the new functionalities listed above, this commitment has helped citizens directly request the opening of new datasets, directly rate the quality of the opened datasets (thereby earmarking those they consider “high-value”), and businesses and developers to (re)use the already opened data. However, an evaluation of the portal from April 2021 by SGG’s Directorate of Information Technology and Digitization and the Romanian Association for Quantitative Studies found several factors limiting the impact of the available data on the portal, despite the portal’s growing usage by citizens.<sup>11</sup> Namely, some datasets are not updated with an acceptable frequency and predictability, some essential datasets are not complete, and public institutions holding important datasets do not publish on the data portal. Furthermore, in the European Data Portal’s 2020 Open Data Maturity Report, Romania ranks as the 22<sup>nd</sup> most data mature country among the EU27+ countries and continued to be classified as a “follower” on open data.<sup>12</sup> Consequently, this commitment has led to positive but marginal improvements in open data practices.</p>
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<sup>1</sup> IRM Design Reports identified strong commitments as “**noteworthy commitments**” if they were assessed as verifiable, relevant, and “transformative” potential impact. If no commitments met the potential impact threshold, the IRM selected noteworthy commitments from the commitments with “moderate” potential impact. For the list of Romania’s noteworthy commitments, see the Executive Summary of the 2018-2020 IRM Design Report: [https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania\\_Design\\_Report\\_2018-2020\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania_Design_Report_2018-2020_EN.pdf).

<sup>2</sup> The following commitments assessed as noteworthy in Romania’s IRM Design Report are not included in this section because their limited implementation means there is not enough progress to assess results:

- Commitment 10: Improve transparency in allocations and acquisitions from national investment funds
- Commitment 13: Improve transparency in the management of seized assets
- Commitment 16: Open education

<sup>3</sup> Open Government Partnership, IRM Romania Design Report 2018-2020, <https://bit.ly/39Jhdcy>

<sup>4</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 1 March 2021.

<sup>5</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>6</sup> Ibid.

<sup>7</sup> Open Data Portal, Data Request section, <https://data.gov.ro/datarequest>

<sup>8</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 1 March 2021.

<sup>9</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 1 March 2021.

<sup>10</sup> Open Data Portal, Data Request section, <https://data.gov.ro/datarequest>

<sup>11</sup> Evaluation of the portal, p 33, [https://data.gov.ro/uploads/page\\_images/2021-04-15-084014.114635Evaluare-impact-data.gov.ro.pdf](https://data.gov.ro/uploads/page_images/2021-04-15-084014.114635Evaluare-impact-data.gov.ro.pdf)

<sup>12</sup> Open Data Maturity 2020, Romania, [https://data.europa.eu/sites/default/files/country-factsheet\\_romania\\_2020.pdf](https://data.europa.eu/sites/default/files/country-factsheet_romania_2020.pdf)

## 2.4. Commitment implementation

The table below includes an assessment of the level of completion for each commitment in the action plan.

<b>Commitment</b>	<b>What did the commitment achieve?</b> Completion: <i>(no evidence available, not started, limited, substantial or complete)</i>
<b>1. Standardize practices on public consultation processes</b>	<p><b>Substantial</b></p> <p>According to a SGG representative, SGG wrote a report on how the ministries applied law 52/2003. SGG used the 2017 annual reports published by the ministries as well as input given by the representatives of the ministries during a working group meeting that SGG organized in April 2019. The monitoring of the application of law 52/2003 has revealed significant differences between the central and the local public administration as well as within these groups dating to 2017. The 2017 benchmark may be used to measure the effects of this commitment only after conducting a monitoring of the situation in 2020.</p> <p>SGG also carried out a survey to identify the most important bottlenecks in the application of law 52/2003 and published the findings on the OGP repository. Finally, SGG gathered suggestions for improving the e-consultare.gov.ro platform from both civil society and the public administration and published them on the OGP repository. However, the proposed functionalities have not yet been implemented due to lack of budget or IT plan. In November 2019, SGG published the draft implementation rules for law 52/2003 on its website. The draft implementation norms reflect several of the suggestions that SGG collected from this commitment, but the government did not approve them by the end of the action plan period. Thus, the commitment is considered substantially, rather than fully, completed.</p>
<b>2. Open government at local level</b>	<p><b>Substantial</b></p> <p>Specialists from the Ministry of Development, Public Works and Administration (MDLPA) and from SGG trained 111 local public authorities (out of 3,228 in Romania) in eight one-day sessions from May to July 2019. Several academics and NGOs also attended the trainings.<sup>1</sup> Prior to the start of the action plan, MLPDA had already begun providing technical support to some of the 111 local public administrations on their open governance projects during earlier on-site visits.<sup>2</sup> MDLPA inquired into the potential impediments these administrations face to understand how best to support them, such as the need to develop a Cloud service to host all websites of the local public administration in a standardized way.<sup>3</sup> However, little progress was made in the implementation of local action plans by the trained local public authorities (as originally planned in the action plan)<sup>4</sup> aside from the above-mentioned technical support offered by MDLPA.</p> <p>MDLPA informed the local public administration of the “OGP at the Local Level - Best Practice Award” competition and published the competition rulebook on its website. 11 local public administrations won the competition in 2019<sup>5</sup> and eight won in 2020.<sup>6</sup> The winning titles are listed on the OGP repository.<sup>7</sup></p>
<b>3. Citizens Budgets</b>	<p><b>Not started</b></p> <p>The Ministry of Public Finances (MFP) did not publish an explanatory brochure for citizens alongside either the 2019 draft state budget or for the 2019 approved state budget. Moreover, the 2019 budget was approved through</p>

	Emergency Ordinance 14/2019. <sup>8</sup> MFP also did not adopt draft rules to introduce the citizens' budget obligation for all public authorities. Neither MFP nor MLPDA prepared or implemented any programs to support public authorities in executing this obligation. <sup>9</sup>
<p><b>4. Improve consultation and public participation for youth</b></p>	<p><b>Limited</b></p> <p>According to the OGP repository, in 2018, the Ministry of Youth and Sports (MTS) held 14 consultation workshops with youths with 1,090 participants and conducted youth surveys with 1,886 respondents.<sup>10</sup> According to the Romanian Youth Council (CTR), in 2019, MTS organized the same structured consultations with 50 consultation workshops (1,942 participants) and surveys (2,547 respondents).<sup>11</sup> MTS also published the methodologies for the youth projects contests, to which youth and sports NGOs could participate in 2018, 2019,<sup>12</sup> and 2020.<sup>13</sup></p> <p>In October 2019, MTS organized a roundtable with youth-focused NGOs to discuss the creation of a platform that would centralize relevant information. The platform would have also allowed youth and student NGOs to submit projects for MTS funding through its national and local competitions and information on the winning projects.<sup>14</sup> According to the OGP repository, the platform was part of the Governance Program of the Government between 2017-2019. While funds were assigned to building the platform after the budgetary rectification in 2020, the platform is no longer part of the 2020 Governance Program, hence plans have stalled.<sup>15</sup></p> <p>MTS re-organized the National Consultative Council for Youth in 2018<sup>16</sup> and again in November 2020.<sup>17</sup> In the absence of legal obligations to establish youth advisory councils,<sup>18</sup> only seven to eight local administrations and county councils have put one in place.<sup>19</sup> MTS has created a draft Youth Law that stipulates the duty to put in place youth advisory councils at county councils and town halls. However, by the end of the action plan period, the 2018 Youth Law had been delayed in the Chamber of Deputies for more than two years.<sup>20</sup></p> <p>According to the OGP repository, MTS funded 236 youth projects in 2018 and 203 projects in 2019.<sup>21</sup> There is no information available on the OGP repository for the projects funded by MTS in 2020,<sup>22</sup> but according to the government, the 2020 projects were funded only at county level due to the COVID-19 pandemic.<sup>23</sup> Over 37,000 youths were involved in the projects MTS funded in 2018-2019.<sup>24</sup> According to the government, MTS and county divisions also organized and carried out its own projects during the action plan period (394 in 2018, 391 in 2019, and 362 in 2020).<sup>25</sup></p>
<p><b>5. Register of civil society proposals</b></p>	<p><b>Completed</b></p> <p>During the action plan period, the Ministry of Transport and Infrastructure (MTI) added a Register of Proposals section on its website.<sup>26</sup> Starting in 2020, citizens can use an online form on the MTI website to give feedback on draft normative acts and MTI began posting the feedback it receives under the corresponding draft normative act. MTI staff receive feedback by email, read it (removing any personal or confidential data or spam), and upload it to the Register, with the answer from the MTI specialists. According to an MTI representative, this process is completed within one working day from the moment the feedback is received.<sup>27</sup></p> <p>MTI has connected the Register of Proposals section with the section on draft normative acts. Now, under each draft normative act there is a description of the title, summary, text, annexes and justification, information on the debate</p>



	<p>sessions including dates and minutes, proposals received, and the corresponding MTI responses.<sup>28</sup></p> <p>Nevertheless, the IRM researcher randomly sampled 30 draft normative acts published on the MTI website and found that only one had received two proposals, which does not suggest this measure has significantly increased civic participation. Moreover, the IRM researcher could not find the answers of the MTI specialists to the feedback given, nor a version of the draft normative act with track changes.</p>
<p><b>6. Extend standards on access to public information for local public authorities</b></p>	<p><b>Completed</b></p> <p>SGG organized four monitoring rounds during the action plan period (March, June, and December 2019, and June 2020) on the degree to which 111 local public authorities (the same from Commitment 2 in this action plan) conformed to two memorandums on transparency at the local and municipal levels.<sup>29</sup> SGG tested compliance based on annual reports and other online evidence gathered through desk research.<sup>30</sup></p> <p>SGG questioned the 111 local public authorities on the most frequent issues in the ex-officio provision of public interest information in a standardized manner. The minutes of these meetings are available online.<sup>31</sup> According to the OGP repository, from May to July 2019, SGG and the Ministry of Development, Public Works and Administration (MDLPA) trained the 111 local public authorities. The trainings involved how to implement law 544/2001, the functionalities of the Unique Transparency of Interests Register (RUTI) platform, and on the legal framework and the benefits it brings.<sup>32</sup> Information from the trainings is not available online.</p> <p>The 111 local public authorities represent only 3.5 percent of the total local public administrations in Romania and had already volunteered to be trained and to commit to supporting OGP values. However, according to the government, this target group is a representative sample of the country’s local government broadly.<sup>33</sup> SGG’s monitoring efforts revealed that these trainings only increased compliance with the memorandums on transparency at the local and municipal levels from 44 percent to 53 percent during the two years.<sup>34</sup></p>
<p><b>7. Improve online information available for the national and international business sector</b></p>	<p><b>Limited</b></p> <p>According to the OGP repository, a lack of funds prevented the Ministry for the Business Environment, Commerce and Entrepreneurship (MMACA) from developing its “forum-type” platform under the first milestone of this commitment. In 2020, the MMACA was incorporated into the Ministry of Economy, Entrepreneurship and Tourism (MEAT). Consequently, the MEAT staff responsible for completing the platform were given different priorities and the planned Good Practice contest was not organized.<sup>35</sup></p> <p>MEAT did not organize any training sessions for its staff on publishing information of public interest.<sup>36</sup> However, the company maintaining the MEAT website developed management guidelines for publishing information on the website.<sup>37</sup></p> <p>At the end of the action plan, there were two MEAT websites, <a href="http://imm.gov.ro">imm.gov.ro</a> and <a href="http://economie.gov.ro">economie.gov.ro</a>, which are inter-linked but not in a logical manner. Information relevant for small and medium enterprises (SMEs), commerce, entrepreneurship, and foreign investment is still published on the <a href="http://imm.gov.ro">imm.gov.ro</a> in a billboard manner. The information is updated daily, according to the OGP repository.</p>

<p><b>8. Digitalize consular services</b></p>	<p><b>Substantial</b></p> <p>Overall, this commitment saw substantial completion at the end of the action plan period.</p> <p>According to a representative of the Ministry of Foreign Affairs (MAE), Romanian consulates and embassies organized three to four educational events in 2019 where the Online Consular Desk, the Contact and Support Centre for Romanian Citizens Abroad (CCSCRS), and E-Consular platform were presented.<sup>38</sup> The frequency of the events dropped in 2020 due to COVID-19.<sup>39</sup> The MAE's Consular Directorate promoted the Online Consular Desk on its Facebook page<sup>40</sup> and on its website<sup>41</sup> and organized weekly sessions to help citizens use the Online Consular Desk.<sup>42</sup> In addition, the staff of the Consular Directorate now answer on a daily basis questions posed by citizens on their Facebook page in relation to the E-Cons platform.<sup>43</sup> However, the Consular Directorate did not collect feedback on its digital tools (Online Consular Desk, CCSCRS, <a href="http://informatiiconsulare.ro">informatiiconsulare.ro</a>) through online surveys.<sup>44</sup></p> <p>MAE executed several video campaigns in 2018 to help Romanian citizens renew their travel documents on time, and disseminated them on the website, Facebook page, and YouTube channel of the Consular Directorate.<sup>45</sup> For example, the staff of the Consular Directorate organizes periodic Facebook sessions for citizens to troubleshoot basic IT problems (e.g., forgotten passwords, setting-up audio-visual communication, etc.) relating to the use of the E-Cons platform and the Online Consular Desk. Similarly, MAE disseminated an awareness-raising video about the CCSCRS in 2019.<sup>46</sup></p> <p>In 2020, the Consular Directorate formed a working group to expand and create new data exchange protocols to increase the amount of, and the speed with which, data flows from the National Authority for Citizenship and the Directorate for the Evidence of Persons and Data Base Administration of the MAE to the consular offices. However, the protocols have not been expanded and no new protocols have been put in place at the end of the action plan's implementation period.<sup>47</sup></p> <p>In recent years, an increasing amount of Romanian consular services are carried out online, thus elevating the importance of this commitment's activities for many Romanian citizens. Furthermore, the travel restrictions imposed due to COVID-19 and the move of almost all consular services online, made this commitment particularly timely.<sup>48</sup> The numerous dissemination campaigns executed by MAE, as well as the Consular Directorate's Facebook Q&amp;A sessions with citizens helped encourage Romanians to renew their travel documents well in advance of travelling to avoid long waiting queues at the Consular Offices.<sup>49</sup> Although MAE had executed similar audio-video materials prior to the action plan, the informational dissemination efforts in 2020 proved particularly valuable to citizens during the COVID-19 pandemic.<sup>50</sup></p>
<p><b>9. Transparency in the funding of political parties</b></p>	<p><b>Substantial</b></p> <p>According to a representative of the Permanent Electoral Authority (AEP), law 334/2006, HG 10/2016, and the "<i>Guide for electoral campaign financing for the election of the Romanian Members of the European Parliament 26 May 2019</i>" already detail the types of documents that political parties need to present to AEP, and in which editable format.<sup>51</sup> Therefore, AEP considered the first milestone of this commitment (to develop standards for reporting mandatory data to AEP by political parties) to be already fulfilled.</p>

	<p>In June 2020, AEP created a draft normative act to complete and modify law 334/2006, which would standardize and clarify how political parties need to use, account for, and report on, public subsidies, how electoral campaigns can be funded, and how public subsidies can be used in local and parliamentary elections.<sup>52</sup> Civil society groups proposed changes to the draft,<sup>53</sup> but few of their proposed changes are present in the September 2020 consolidated version of law 334/2006.<sup>54</sup></p> <p>According to the OGP repository, AEP continued to publish data received by political parties as open data (but often not in an editable format) to its website <a href="http://www.finantarepartide.ro">www.finantarepartide.ro</a>.<sup>55</sup> This publishing practice largely continued AEP's existing practice from before the fourth action plan.</p>
<p><b>10. Improve transparency in allocations and acquisitions from national investment funds</b></p>	<p><b>Limited</b></p> <p>According to the OGP repository, the Ministry of Development, Public Works and Administration (MDLPA) identified and published all publicly relevant datasets related to the National Program for Local Development (PNDL). These datasets relate to the awarding, contracting, implementing, and evaluating of investments.<sup>56</sup> However, as the IRM Design Report mentioned, these datasets do not include information identified by civil society as relevant.<sup>57</sup> MDLPA did not organize the planned public debate and did not define new procedures to publish the datasets, as set out in the action plan. Moreover, MDLPA did not meet with representatives of Expert Forum prior to organizing the debate.<sup>58</sup></p> <p>MDLPA regularly updated its open datasets during the action plan period (e.g., the payments section on a quarterly basis,<sup>59</sup> and the PNDL allocations every six months<sup>60</sup>). However, MDLPA did not expand these datasets to include more information than what it published prior to the fourth action plan.</p> <p>While this commitment saw limited completion, Romania has carried forward some of the incomplete activities into the fifth action plan (2020-2022).<sup>61</sup></p>
<p><b>11. Mandatory trainings of civil servants on integrity</b></p>	<p><b>Not started</b></p> <p>According to the OGP repository, the National Anticorruption Strategy 2016-2020 (an EU co-funded project to support the implementation of anti-corruption measures) would financially support the delivery of the trainings and the e-learning module.<sup>62</sup> The project was eventually cancelled in 2020 due to COVID-19.<sup>63</sup> Thus, the commitment was not started.</p>
<p><b>12. Raise public awareness on the impact of corruption</b></p>	<p><b>Not started</b></p> <p>As with Commitment 11, the National Anticorruption Strategy 2016-2020 that would financially support this commitment was cancelled in 2020 due to COVID-19.<sup>64</sup> Thus, the commitment was not started.</p>
<p><b>13. Improve transparency in the management of seized assets</b></p>	<p><b>Limited</b></p> <p>According to the OGP repository, the National Agency for the Management of Seized Assets (ANABI) completed the tender specifications for the National Integrated Information System (SIIN) in 2019. ANABI organized two tenders to execute SIIN but neither offer was accepted. Consequently, ANABI wrote an EU co-funded project and awarded it funding for implementation from June 2020 to November 2022.<sup>65</sup></p>
<p><b>14. Facilitate access to social services</b></p>	<p><b>Substantial</b></p> <p>The Ministry of Labor and Social Justice (MMPS) had already created interactive social service maps prior to the start of the action plan<sup>66</sup> but their promotion and dissemination were not included in the project they were funded through.<sup>67</sup></p>

	<p>MMPS promoted the maps through a dedicated web-portal <a href="http://www.servicii-sociale.gov.ro">www.servicii-sociale.gov.ro</a>,<sup>68</sup> and at a 2018 conference.<sup>69</sup> The maps were updated every six months, the latest update dating from June 2020.<sup>70</sup></p> <p>According to the OGP repository, MMJS trained local citizens on how to use the interactive maps during the project. While the trainees and the NGO Federation of Non-Governmental Organizations for Social Services (FONSS) gave feedback on the maps, MMPS did not publish the feedback or indicate how it would use it to improve the maps.<sup>71</sup> MMPS did not organize the planned hackathon due to lack of funds and MMPS's lack of experience in organizing such an event.<sup>72</sup></p>
<p><b>15. Open access to research results</b></p>	<p><b>Limited</b></p> <p>The Ministry of Research, Innovation and Digitization (MCID) mandated the Executive Unit for the Financing of Higher Education, Research, Growth and Innovation (UEFCDI)<sup>73</sup> to pilot the open access program.<sup>74</sup> UEFCDI launched a reimbursement scheme in 2019 for up to approximately 1,000 requests relating to conference participation, course fees, accessing research networks outside Romania, IP protection activities, as well as costs of publishing in open access journals.<sup>75</sup></p> <p>UEFCDI published a PowerPoint presentation from October 2018, which lists the scholarly search engines for Romanian publications published in open access journals.<sup>76</sup> Also, in October 2018, UEFCDI presented to researchers at the “Romanian OpenAIRE National Workshop – Implementing Open Access and Open Science in Romania” examples of collaboration in open science, including BrainMap and Engage in the Romanian Research Infrastructures System (ERRIS).<sup>77</sup> Finally, UEFCDI co-organized training for researchers wishing to publish their research in open access journals.<sup>78</sup> However, none of these initiatives offered a clear mapping of open access practices and policies in Romania, and thus a benchmark for measuring improvements, as stipulated in the commitment.</p> <p>The National Plan on Research, Development and Innovation 2021-2027 was not drafted during the action plan's period, so the provision that all research funded by public funds be publicly available with an open access strategy was not completed.<sup>79</sup> The National Plan on Research, Development and Innovation 2021-2027 will nevertheless be developed through a SIPOCA 592 EU co-funded project and will have an open science component.<sup>80</sup></p> <p>Previously, nationally funded research in Romania was not mandatorily published under open access, and there was significant concern from researchers in Romania with respect to publishing their works under open access.<sup>81</sup> As a result of this commitment, the UEFCDI has allowed researchers to apply for coverage of their publication fees if they published under the open access regime in recognized journals. Nevertheless, this funding stream closed in 2020<sup>82</sup> and the lessons learned from the 2019 pilot are unavailable. It is unclear from the list of awards what the funding covered (e.g., course fees, conference fees, or open access fees).<sup>83</sup></p>
<p><b>16. Open Education</b></p>	<p><b>Limited</b></p> <p>According to the OGP repository,<sup>84</sup> 21,992 schoolteachers (working in primary, middle, and high-schools) were trained during the action plan's implementation (less than half of the 55,000 targeted in the EU co-funded project that supported this milestone).<sup>85</sup> However, according to a press release from April 2021, over 30,000 teachers were trained in total (with over 20,000 trained in 2020).<sup>86</sup> These trainings will continue until December 2021, beyond the timeframe of this action</p>

	<p>plan. The Ministry of Education (ME) did not develop a national procedure for the approval and validation of open educational resources (REDs). ME also created a competition “Creators in Education” for best practices in teaching.<sup>87</sup> However, the competition alone does not match the milestone’s goals as proposed in the action plan.<sup>88</sup></p> <p>The Agency Administering the National Informational Framework for Education and Research (AARNIEC) was tasked to develop the Virtual School Library titled Educational Library (EDULIB) but did not finish the tender’s requirements.<sup>89</sup> The support for the Virtual School Library referred to building a Wi-Fi infrastructure for the schools to access REDs, but this was also not started.<sup>90</sup></p> <p>ME collected public and private resources to populate the Virtual School Library through its “Creators in Education” competition, and on its <a href="http://eduonline.roedu.net">eduonline.roedu.net</a> and <a href="http://digital.educured.ro">digital.educured.ro</a> platforms.<sup>91</sup> All resources uploaded to the <a href="http://digital.educured.ro">digital.educured.ro</a> platform are created within the training courses within the “Creators in Education” project, and are thus new, while the resources on the <a href="http://eduonline.roedu.net">eduonline.roedu.net</a> platform were created in the period 2009-2011.</p>
<p><b>17. Measure the impact of the re-use of open data</b></p>	<p><b>Limited</b></p> <p>According to an SGG representative, the OECD project that would have provided the indicators and methodology to measure the (re)use of open data did not progress according to plan.<sup>92</sup> Consequently, the first two milestones of this commitment, which were tied to this project, were not started during the action plan period. Instead SGG applied for public funding to develop the methodology and the indicators in-house.<sup>93</sup></p> <p>SGG carried out a variety of promotional activities on the re-use of open data, including showcasing good practices on the open data portal<sup>94</sup> on social media,<sup>95</sup> organizing webinars and work groups,<sup>96</sup> attending app launch events,<sup>97</sup> organizing an Open Data Day,<sup>98</sup> and creating a dedicated corner on Romania’s open data portal <a href="http://data.gov.ro">data.gov.ro</a> for developers wishing to work with open data.<sup>99</sup> Moreover, according to the OGP repository, SGG adopted the open license for the open data CC-BY 4.0 to stimulate the (re)use of open data.<sup>100</sup> There are currently 10 applications that utilize datasets opened on the <a href="http://data.gov.ro">data.gov.ro</a> platform, compared to three before the action plan period.</p>
<p><b>18. Publish open data</b></p>	<p><b>Substantial</b></p> <p>For details regarding the implementation and early results of this commitment, see Section 2.3.</p>

<sup>1</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>2</sup> IRM Romania Design Report 2018-2020, 2019, p.19, <https://bit.ly/39Jhdcy>. The Ministry of Regional Development and Public Administration (MDRAP) was re-organized as the Ministry of Public Works, Development and Administration (MLPDA).

<sup>3</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>4</sup> Ibid.

<sup>5</sup> City Halls of Alba Iulia, Arad, Iasi, Suceava, Ciugud, Giurgiu, Roman, Braila and Cluj-Napoca and County Councils of Giurgiu and Vrancea.

<sup>6</sup> City Halls of Cluj-Napoca, Ciugud, Iasi, Bucharest III, Giurgiu, Ramnicu Sarat and Calarasi, and the Giurgiu County Council.

<sup>7</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>8</sup> Emergency Ordinance 14/2019 on approving upper-limits for some indicators specified in the fiscal-budgetary framework for 2019 [in Romanian], <https://bit.ly/38jKj0P>

<sup>9</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

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- <sup>10</sup> Online questionnaire for youth, <https://bit.ly/33zuUqx>. Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>11</sup> CTR, Cel de-al Saptelea Ciclu al Dialogului UE cu Tinerii – Raport de Tara, 2019 [in Romanian], <https://bit.ly/36sbRAp>
- <sup>12</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>13</sup> MTS, 29 July 2020, Anunț Proiect De Ordin Privind Aprobarea Metodologiei Pentru Concursul Local De Proiecte De Tineret [in Romanian], <https://bit.ly/2JfSj9L>
- <sup>14</sup> MTS, 24 September 2019, Intrunirea Consiliului Consultativ pe Probleme de Tineret [in Romanian], <https://bit.ly/37mQ9gl>
- <sup>15</sup> Centralized portal, <https://bit.ly/36Gp6Oc>. According to the government, this initiative has been re-launched in 2021. (Information provided to the IRM during the pre-publication review of this report, 21 May 2021.)
- <sup>16</sup> Ministry of Youth and Sport, Anunț consultare publică - Regulament privind înființarea Consiliului Consultativ pe Probleme de Tineret, 30 January 2018 [in Romanian], <http://bit.ly/2mdoAIC>
- <sup>17</sup> MTS, 29 November 2020, Comunicat de presă lansare CNPT - Consiliul Național Pentru Tineret [in Romanian], <https://bit.ly/2VpFvQk>
- <sup>18</sup> “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”. IRM Design Report 2018-2020 Romania, p. 25, <https://bit.ly/2NKdx1L>
- <sup>19</sup> According to the government, there are 10 youth advisory councils, as of May 2021. (Information provided to the IRM during the pre-publication review of this report, 21 May 2021.)
- <sup>20</sup> Draft Youth Law trajectory through Parliament [in Romanian], <https://bit.ly/2JqvwYP>
- <sup>21</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>22</sup> According to the government, due to the COVID-19 pandemic, in 2020 the projects of youth organizations were funded only at the county level, through county projects contest. (Information provided to the IRM during the pre-publication review of this report, 21 May 2021.)
- <sup>23</sup> Information provided to the IRM by the government during the pre-publication period of this report, 26 May 2021.
- <sup>24</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>25</sup> Information provided to the IRM by the government during the pre-publication period of this report, 26 May 2021.
- <sup>26</sup> Registry of Proposals [in Romanian], <http://bit.ly/2m6n2KI>
- <sup>27</sup> Interview with Adrian Olteanu, MT, 17 September 2019.
- <sup>28</sup> Draft Normative Acts, MT [in Romanian], <https://bit.ly/33yGSAI>
- <sup>29</sup> Centralized portal, <https://bit.ly/36Gp6Oc>.
- <sup>30</sup> Centralized portal, <https://bit.ly/36Gp6Oc>.
- <sup>31</sup> Ibid.
- <sup>32</sup> Ibid.
- <sup>33</sup> Information provided to the IRM by the Secretariat of the Government during the pre-publication period of this report, 26 May 2021.
- <sup>34</sup> Centralized portal, <https://bit.ly/36Gp6Oc>.
- <sup>35</sup> Ibid.
- <sup>36</sup> Ibid.
- <sup>37</sup> MMACA website, [www.imm.gov.ro](http://www.imm.gov.ro)
- <sup>38</sup> Interview with Sorin Badulescu, Ministry of External Affairs (MAE), 6 September 2019.
- <sup>39</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>40</sup> Facebook notification [in Romanian], <https://bit.ly/3bTv8fJ>
- <sup>41</sup> See [econsulat.ro](http://econsulat.ro) website.
- <sup>42</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>43</sup> Interview with Sorin Badulescu, Ministry of External Affairs (MAE), 6 September 2019.
- <sup>44</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>45</sup> The information campaigns about the SMS notification that citizens whose travel documents will expire in the next 6 months will receive from the Consular Directorate of the MAE [in Romanian], <http://bit.ly/2kEoFhR>, <http://bit.ly/2k9u1Ib>, and <http://bit.ly/2IlwmDY>.
- <sup>46</sup> Cronologia dezvoltării și implementării componentelor Sistemului Informatic Integrat Consular E-Cons [in Romanian], <http://bit.ly/2mayXXL>
- <sup>47</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>48</sup> Interview with Sorin Badulescu, Ministry of External Affairs (MAE), 6 September 2019.
- <sup>49</sup> Cronologia dezvoltării și implementării componentelor Sistemului Informatic Integrat Consular E-Cons [in Romanian], <http://bit.ly/2mayXXL>. The information campaigns about the SMS notification that citizens whose travel documents will expire in the next 6 months will receive from the Consular Directorate of the MAE [in Romanian], <http://bit.ly/2kEoFhR>, <http://bit.ly/2k9u1Ib>, and <http://bit.ly/2IlwmDY>.
- <sup>50</sup> Information campaign for renewing passports on time [in Romanian], <https://bit.ly/2m3GRBT>
- <sup>51</sup> Interview with Octavian Chesaru, Permanent Electoral Authority (AEP), 28 August 2019.
- <sup>52</sup> Radio Romania Libera, 9 June 2020, AEP propune modificarea Legii privind finanțarea activității partidelor [in Romanian], <https://bit.ly/2JDJQNY>
- <sup>53</sup> Expert Forum, 11 June 2020, Comentarii referitoare la proiectul AEP pentru modificarea legii finanțării partidelor și campaniilor electorale [in Romanian], <https://bit.ly/3qxUwy1>
- <sup>54</sup> Law 334/2006 consolidated version with historical changes [in Romanian], <https://bit.ly/2JPLXOa>
- <sup>55</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>56</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

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- <sup>57</sup> IRM Romania Design Report 2018-2020, 2019, p. 41, <https://bit.ly/39Jhdcy>
- <sup>58</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>59</sup> PNDL payments [in Romanian], <https://bit.ly/3dWTJmq>
- <sup>60</sup> PNDL allocations [in Romanian], <https://bit.ly/3e3Nb5E>
- <sup>61</sup> [Open Government Partnership, Romania National Action Plan 2020-2022, Commitment 6, pp 23-24, https://www.opengovpartnership.org/wp-content/uploads/2021/02/Romania\\_Action-Plan\\_2020-2022\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2021/02/Romania_Action-Plan_2020-2022_EN.pdf)
- <sup>62</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>63</sup> Ibid.
- <sup>64</sup> Ibid.
- <sup>65</sup> The project is titled “The development of the National Integrated Information System to evidence seized assets”. Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>66</sup> Despre Proiect, Social Services [in Romanian], <http://bit.ly/2ml7lyX>
- <sup>67</sup> Interview with Gabriela Necsuliu, Ministry of Labor and Social Justice (MMJS), 19 September 2019.
- <sup>68</sup> The maps, <https://portalgis.servicii-sociale.gov.ro/arccgis/home>
- <sup>69</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>70</sup> Ibid.
- <sup>71</sup> Ibid.
- <sup>72</sup> Ibid.
- <sup>73</sup> UEFCDI is a financing structure of the Ministry of National Education (MEN) that manages the research programs of the Ministry of Research and Innovation (MCI).
- <sup>74</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>75</sup> Information package of Program 1 – The Development of a National Research System – Mobility Resources for Researchers, 2019 [in Romanian], <https://bit.ly/3qDlinm>
- <sup>76</sup> Velter, V., Access Publications, <https://bit.ly/2LjLx3v>
- <sup>77</sup> OpenAIRE National workshop, 22 October 2018, <https://bit.ly/3lUOR1r>
- <sup>78</sup> UEFCDI, June 2019, Training - Publicarea rezultatelor cercetării în regim Open Access, <https://bit.ly/33RdzK6>
- <sup>79</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>80</sup> UEFCDI, September 2020, Follow-up conference: Launch of SIPOCA 592, <https://bit.ly/3qign7l>
- <sup>81</sup> IRM Romania Design Report 2018-2020, p 51, [https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania\\_Design\\_Report\\_2018-2020\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania_Design_Report_2018-2020_EN.pdf)
- <sup>82</sup> Information package of Program 1 – The Development of a National Research System – Mobility Resources for Researchers, 2020 [in Romanian], <https://bit.ly/37HsQy6>
- <sup>83</sup> UEFCDI, 2019, Lista propunerilor de proiect depuse [in Romanian], <https://bit.ly/2JLSSs3>
- <sup>84</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>85</sup> The CRED project started in 2017, has a budget of €42 million, and is part of the Strategy to Reduce the School Dropout, approved by HG 417/2015. More details on the CRED project, <http://bit.ly/2kUqzep>
- <sup>86</sup> See <https://www.educred.ro/stiri/eveniment-online-formarea-cred-pasul-necesar-catre-activitatea-didactica-inovatoare-sustinuta-de-competente-digitale/>
- <sup>87</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>88</sup> According to the MEN representative, MEN had required county School Inspectorates in 2017 to create their own validation procedures for REDs. This resulted in different validation procedures, which needed to be standardized into one national validation procedure that allows any locally validated RED to be uploaded in BSV and to thus become an available auxiliary resource at national level. See IRM Design Report, pp 54-55, [https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania\\_Design\\_Report\\_2018-2020\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2020/05/Romania_Design_Report_2018-2020_EN.pdf).
- <sup>89</sup> Centralized portal, <https://bit.ly/36Gp6Oc>
- <sup>90</sup> Ibid.
- <sup>91</sup> Ibid.
- <sup>92</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 3 December 2020.
- <sup>93</sup> Mandate is given by a Ministerial Order no. 333/2019 issued by MCI.
- <sup>94</sup> Good practices on the Open Data Portal, <https://data.gov.ro/showcase>
- <sup>95</sup> Good practices on social media, [www.facebook.com/RomaniaOGP](http://www.facebook.com/RomaniaOGP)
- <sup>96</sup> Webinars and work groups, <https://data.gov.ro/blog>
- <sup>97</sup> App launch events, [meserii.ro](http://meserii.ro)
- <sup>98</sup> Open Data Day event, <http://ogp.gov.ro/nou/2020/02/28/open-data-day-2020>
- <sup>99</sup> Open Data Portal, corner for the developer, <https://data.gov.ro/pages/developers>
- <sup>100</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

### III. Multi-stakeholder Process

#### 3.1 Multi-stakeholder process throughout action plan implementation

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation 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 co-creation requirements a country or entity must meet in their action plan development and implementation to act according to the OGP process. Romania **did not act** contrary to OGP process.<sup>1</sup>

Please see Section 3.2 for an overview of Romania’s performance implementing the Co-Creation and Participation Standards throughout the action plan implementation.

**Table [3.2]: Level of Public Influence**

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply it to OGP.<sup>2</sup> In the spirit of OGP, most countries should aspire to “collaborate.”

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

During the co-creation of the fourth action plan, Romania maintained two forums for stakeholder dialogue on OGP matters: (1) an informal “OGP Club”, and (2) an OGP National Steering Committee which serves as Romania’s multi-stakeholder forum (MSF). The OGP Club did not meet during implementation of the fourth action plan. The MSF met in March 2018 and in March 2019, primarily to discuss its role and mandate and how to organize itself more effectively. Citizens and civil society could comment on the periodic updates on the OGP repository (Google Sheets<sup>3</sup> and visual tracker<sup>4</sup>) and could provide feedback through the surveys that the SGG and the MLPDA had organized. However, the government and the MSF did not organize any consultations to specifically discuss implementation progress, aside from a few targeted consultations such as open data week. Consequently, the OGP leadership involved civil society in the creation of the fourth action plan but only consulted them during its implementation.



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<sup>1</sup> Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the action plan, or (2) the government fails to collect, publish, and document a repository on the national OGP website/webpage in line with IRM guidance.

<sup>2</sup> “IAP2’s Public Participation Spectrum,” IAP2, 2014,

[https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum\\_8.5x11\\_Print.pdf](https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf)

<sup>3</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>4</sup> Visual Tracker, [ogp.gov.ro/nou/pna](http://ogp.gov.ro/nou/pna)

### 3.2 Overview of Romania' performance throughout action plan implementation

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	During Development	During Implementation
<b>1a. Forum established:</b> The OGP National Steering Committee, which serves as Romania's multi-stakeholder forum, is established by a 2020 memorandum of understanding. <sup>1</sup> However, it was largely not functional during the implementation period of the fourth action plan, and elections of its members have not been organized at the time of writing this report. <sup>2</sup>	Green	Yellow
1b. Regularity: The National Steering Committee is mandated to meet quarterly. <sup>3</sup> However, it only met twice during the implementation period of the fourth action plan (March 2018 and March 2019). OGP standards recommend that forums meet at least once every quarter.	Yellow	Yellow
1c. Collaborative mandate development: This standard was assessed in the IRM Design Report.	Green	N/A
1d. Mandate public: The National Steering Committee's 2020 memorandum of understanding is available on the OGP website. <sup>4</sup>	Green	Green
<b>2a. Multi-stakeholder:</b> Half of the members of the National Steering Committee are governmental representatives, while the other half are non-governmental representatives.	Green	Green
2b. Parity: Governmental and nongovernmental institutions are equally represented in the National Steering Committee.	Green	Green
<b>2c. Transparent selection:</b> No new National Steering Committee members were selected during the implementation period.	Green	N/A
2d. High-level government representation: The National Steering Committee includes State Secretary Lucian Rusu (Coordinator of OGP Romania, and member of the OGP Steering Committee).	Green	Green
<b>3a. Openness:</b> The National Steering Committee accepted input on the action plan implementation from any civil society and other stakeholders outside the forum (e.g., subject matter experts). <sup>5</sup>	Green	Green
3b. Remote participation: Online participation in the National Steering Committee meetings and events was allowed and encouraged during the implementation period. <sup>6</sup>	Red	Green
3c. Minutes: Summary of the minutes of the National Steering Committee meetings were presented on the <a href="http://ogp.gov.ro">ogp.gov.ro</a> website. <sup>7</sup>	Green	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

<b>Action Plan Implementation</b>	
4a. Process transparency: The national OGP website presents regular updates (i.e., every six months) on the progress of commitments, including progress against milestones, reasons for any delays, and next steps, on a Google Sheets page. <sup>8</sup> No self-assessment report was published in September 2020.	Yellow
4b. Communication channels: The Google Sheets page allows comments to be inserted by the public on action plan progress updates.	Green
4c. Engagement with civil society: The government did not hold any meetings with civil society that were specifically dedicated to discussing implementation progress of the fourth action plan.	Red
4d. Cooperation with the IRM: OGP Romania shares the link to the IRM report with other government institutions and stakeholders to encourage input during the public comment phase.	Green
4e MSF engagement: The National Steering Committee is mandated to monitor and deliberate on how to improve implementation of the fourth action plan, but it has not met since March 2019.	Green
4f MSF engagement with self-assessment report: The government published an end of term self-assessment report in December 2020. <sup>9</sup> It is unclear, however, if the stakeholders were able to provide comments and feedback on the content of the report.	Yellow
<b>4g. Repository:</b> Romania maintained a Google Sheet on the national OGP website that has the status of the commitments in the fourth action plan as of January 2020 and August 2020. <sup>10</sup> The Google Sheet includes relevant links to evidence for most commitments. However, there is no evidence that the government provided regular updates every six months during the fourth action plan period, in line with IRM guidance, on either the Google Sheet or the national website. <sup>11</sup> Romania's national website also includes a list of the individual commitments in the fourth action plan and their percentage of completion. <sup>12</sup> However, at the time of writing this report, it does not include links to relevant documents to support the stated progress of completion. According to the General Secretariat of the Government, this tracker was working and filled during the implementation of the action plan, but it is currently being redone, following the implementation of another plugin. <sup>13</sup>	Yellow

<sup>1</sup> OGP, Memorandum of Understanding CNC [in Romanian], <https://bit.ly/33PbQov>

<sup>2</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 3 December 2020.

<sup>3</sup> OGP Romania, National Coordination Committee [in Romanian], <https://bit.ly/2JqyRqX>

<sup>4</sup> OGP, Memorandum of Understanding CNC [in Romanian], <https://bit.ly/33PbQov>

<sup>5</sup> Interview with Larisa Panait, General Secretariat of the Government – Open Government Partnership point of contact (OGP contact), 3 December 2020.

<sup>6</sup> Ibid.

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<sup>7</sup> OGP Romania, Consultare publică Draftul Planului Național de Acțiune 2018-2020, 12 July 2018 [in Romanian], <http://bit.ly/2ICTzb5>

<sup>8</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>9</sup> Open Government Partnership, Romania End-of-Term Self-Assessment [in Romanian], [https://www.opengovpartnership.org/wp-content/uploads/2020/12/Romania\\_End-of-Term\\_Self-Assessment\\_2018-2020.pdf](https://www.opengovpartnership.org/wp-content/uploads/2020/12/Romania_End-of-Term_Self-Assessment_2018-2020.pdf)

<sup>10</sup> Centralized portal, <https://bit.ly/36Gp6Oc>

<sup>11</sup> IRM Guidance for Online Repositories, updated March 2020, [https://www.opengovpartnership.org/wp-content/uploads/2015/11/IRM\\_Guidance-for-Repositories\\_Updated\\_2020.pdf](https://www.opengovpartnership.org/wp-content/uploads/2015/11/IRM_Guidance-for-Repositories_Updated_2020.pdf)

<sup>12</sup> Romania's national OGP website, <http://ogp.gov.ro/nou/pna2018/>

<sup>13</sup> Information provided by the General Secretariat of the Government to the IRM during the pre-publication review of this report, 26 May 2021.

## IV. Methodology and Sources

Research for the IRM reports is carried out by national researchers. All IRM reports undergo a process of quality control led by IRM staff to ensure that the highest standards of research and due diligence have been applied.

The International Experts Panel (IEP) of the IRM oversees the quality control of each report. The IEP is composed of experts in transparency, participation, accountability, and social science research methods.

Current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual<sup>1</sup> and in Romania's Design Report 2018-2020.

### About the IRM

**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 development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



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<sup>1</sup> IRM Procedures Manual, V.3, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

## Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.<sup>1</sup> 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?
- **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.

### Results oriented commitments?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design 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. To receive a star, a commitment must meet several criteria:

- The commitment's design should be **Verifiable, Relevant** to OGP values, and have **Transformative** potential impact. As assessed in the Design Report.

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- The commitment's implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete**.

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

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<sup>1</sup> "IRM Procedures Manual," OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>