THE GOVERNMENT’S STRATEGY

concerning

THE ACCELERATION OF PUBLIC ADMINISTRATION REFORM

Bucharest – 2001
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1. General considerations

The Romanian political system suffered profound changes from the initiation of the reform process, in 1990. The economy continues to be in a transition period through the market economy, transition that has as a result severe constraints on the activities from the whole public sector and on the central administrative system.

Starting with 1990, the setting up of a modern and efficient system for the public administration was considered as a priority for the Romanian Government. But, with all these, it was not possible to mobilize the resources required for the creation of the needed legislative and institutional framework for the local and central public administration and, especially, for the efficient implementing of the reform measures. The reasons that had determined the impossibility of applying a real administration reform were:

- severe financial constraints
- missing the political determination
- reduced experience regarding the alternative administrative structures
- lack of training for the politicians and civil servants in responding to the request and exigency which are derived from the environmental fast change
- absence of clear regulations regarding the administrative personnel and structure, inadequate definition of the jobs and unsuitable payment system

Even if it was a distinct chapter in all governmental programs until now, the administration reform was not represented a priority; by the contrary, the centralists methods were continued and the expected changes were too slow and fragmentised.

At the beginning, the Government was almost obliged to concentrate on the economic reforms problems, but, later, became obvious that the application of these is impossible without a public administration reform, which explains the delays and distortions produced in the economic reform application.

2. The necessity of the reform

The globalisation tendency together with the dynamic development of the social systems, place the national states in a totally new position in which the institutions and administrative systems must also adapt to. Any interventions in the
area of the public administration reform involve modifications of the major components, including central administration, local autonomy and public services. On the other side, the democracy developments claim for introducing of a new relation between the citizens and administration, increasing and strengthening of the local powers role and the reconsideration of the partnership with the civil society.

There are many reasons for the structural and functional modernization of the public administration in Romania, starting from the necessity of a more efficient functioning of the governmental institutions onto the aspiration to become a member of the European Union.

The necessity of reform is imposed by 4 main categories of reasons:

- **economic reasons**: the reduced economic growth and the diminishing of the budgetary resources allocated to the public administration; the private sector requesting a modern administration, flexible and opened to the public and private partnership;
- **technological reasons**: introduction of the information and communication technologies in public administration (e-administration);
- **sociological reasons**: citizens, as beneficiaries of public services are more exigent and do not accept that their needs to be determined exclusively by what the administrations are offering;
- **institutional reasons**: Romania’s integration to the European Union structures requires a different way of services administration; the strong hierarchies of the structure leave place to new organizational types based on decentralized structures.

By reducing the authoritarian function of the state and by strengthening his functions regarding the services and their promotion, the administration activity must be a professional one. There are also frequently the requests concerning the diminution of regulations and the simplification of the administrative procedures, the abandon of the unnecessary procedures and adoption of new ones, adapted to a modern political system and to a functional economy.

The existing conditions in the Romanian society at present, requires that the administration to be involved in an changing process on 4 plans:

- **strategic**, through which to be redefined the role of state, in the sense of delimitating this role from the one belonging to the private organizations;
- **legal**, directed to a diminution of the legislative density, a greater use of the frame laws
- **organisational**, oriented towards reducing hierarchies, simplifying procedures and achieving more supple means of action in the sense of augmenting the power to delegate public duties towards organisations that are outside the administration;
• **cultural**, i.e. a change of the values and the behaviour of the elected people, of the civil servants, interest groups and the citizens.

The reform process in Romanian Public Administration’s start from:

• increasing the public administration’s strategic competence to choose between various projects while being in charge of defining its priorities;
• Articulating on a long- and medium term unitary vision the transformations that the Romanian public administration must undergo;
• The need of a better representation of the citizens’ interest in the decision-making process;
• Insuring the management by objectives;
• Consolidating the organisational infrastructure for the strategic management in the economic as well as in the social area;
• The need of augmenting the administration’s counselling and monitoring duties;
• Formulating concrete and quantifiable objectives.

Concurrent with the development of the information society, introducing the communication and the information technology raises new challenges for the public administration and, at the same time, it offers the opportunity for an activity both efficient and closer to the citizen than before. Augmenting the administrative capacity results in Romania’s better defence of its national interest at European and world levels.

The need for reform is determined by internal factors i.e. management, social and economic problems as well as by external ones i.e. globalisation and the rapid development of the information technology.

### 3. The founding principles for the elaboration of the reform strategy in the public administration

In order to achieve the Governance Programme objectives – presented in December 2000 and subsequently approved by the Parliament – as well as the objectives ensuing from Romania’s candidacy to European Union accession, during period 2001-2006, it is important that the public administration’s institutional and legislative reform to be accelerated.

During the process of elaborating the public administration reform strategy must be considered the following principles:

• The political and administrative functions separation principle;
• The principle of creating and consolidating professional and politically neutral civil servants;
• The principle of clearly defining the role, responsibilities and the relationship between institutions;
• The principle of fair and legitimate administration i.e. an administration based on the rule of law ensures that adequate procedures to be followed which means that laws are applied objectively while social values, citizens rights and liberties are observed;
• The subsidiarity principle so that the decisions to be taken by and in the citizens’ interest;
• The principle of decision-making autonomy;
• The transparency of the administrative and governance actions. Through that the participants are helped to follow administrative actions and to obtain information about their rights vis-à-vis the public sector.
• The principle of simplifying procedures and normative acts;
• The respect for the citizen principle;
• The principles of delegation and devolution;
• The principle of channelling the interest for results in terms of efficiency, efficacy and the quality of services. Efficiency and efficacy improve when civil servants become more involved, when responsibilities are transferred to the executive levels of the administration together with establishing a system of responsibilities on each level;
• The principle of protecting individual rights; i.e. civil servants must address citizens in a polite and efficient manner.

These principles form the basis for the proposed restructuring and they require both modern methods of public management as well as new forms of institutional organisation.

Therefore, the reform process is multifaceted, all-inclusive which changes the way of approaching the main problems facing the Romanian public administration.

4. The reform process in the public administration – a vision

Reforming the public administration system is a dynamic process and, like any other process requires structural reforms, which could not be never entirely accomplished. Making a diagnostic analysis of the current situation within the central and the local public administration, identifying the problems it faces and the priorities that must be taken into consideration in order to be solved as well as the resources available are but some of the necessary conditions for a coherent reform strategy in the public administration.
Elaborating the public administration reform strategy requires a wide-ranging modernisation process and aims to evaluate objectively four important aspects, such as:

- The analysis of the administration’s specific tasks and their accomplishment which allows general considerations as to the place and the role played by the public administration in the political, economic and social systems;
- The study of the organisational framework in the public administration;
- Examining the public administration’s social efficacy;
- Investigating the degree in which public administration is democratised.

Accelerating the public administration’s reform process depends on the necessity to complete the transition process (including the economic one) in the process of acceding to the European Union.

With regard to the essence, the reform strategy wishes to achieve the following:

- Strengthening the ability to develop public policies, improving legislative quality and speeding up the adoption of the acquis communautaire, establishing a timetable to apply laws and increasing the government’s ability to direct resources towards priorities;
- Augmenting the government’s competence to lead and control administrative activity and maintain certain equilibrium between its discretionary administrative powers and its means of control i.e. judicial, mediator, audit etc.
- The development of the local public administration;
- The creation of a stable body of competent, politically neutral civil servants who are animated by the “civil service spirit.”

On a tactical level, the administration reform should:

- Be based on the “selective radicalism” principle i.e. concentrating resources to favour a visible and radical evolution within certain areas where the game of interdependencies will bring into play other parts of the system that need changing;
- Promote new information technology items and to improve them;
- Achieve improvements in sensitive areas of the economic and social life that are amenable from a political standpoint;
- Mutually strengthen a lasting dynamic of change, regardless of who the political masters are;
- Stimulating the civil servants’ interest in changing and modernising for ensure citizens’ permanent updating regarding to the Governmental policies.
All public policies are instituted in a dual transformation process: on the one hand, “entries” – i.e. financial, budgetary and human resources – become “accomplishments” – i.e. motorways construction, the number of dossiers for social security benefits solved etc. – while on the other hand, these produce “effects” i.e. road safety improvements, consolidating the economic environment etc.

The public administration reform vision’s premise is based on public management principles as can be seen in diagram no.1.

Diagram No.1 The general framework for public action

FP – productivity factor

Taking into consideration the complexity of the public system and putting into practice public policies, evaluating their impact and efficiency are but key elements in the public administration reform strategy. The level and the nature of the means available, the public organisations’ performance in applying public policies and citizen participation in the decision-making process are but integral features of administrative reform process’ vision.
5. The Strategy’s aims and general objectives

The AIMS:

- The aim of the reform is to determine the nature of existing problems in various areas, recommend the best solutions and describe the principles to implement them;
- The aim of public administration reform at local level is to create an administration able to exert its responsibilities in such a manner that prepare the conditions for a economic, social and organizational development in an certain area.

The public administration reform strategy conceived by a ministry and systematically used afterwards may become an instrument for a further cooperation between various governmental institutions and ensuring medium- and long-term efficiency.

The OBJECTIVES:

- **A profound restructuring of the central and local public administration;**
  - the aim is to achieve a wider modernisation process whereby the public administration adapts itself to the economic and social realities of the Romanian society, thus replicating similar structures in other European Union countries yet maintaining valuable traditional elements of the Romanian public administration;
  - the intention is to strengthen the central administration’s strategic competences that are able to guide the evolution of the state while allowing it to react adequately, directly and with low costs to external changes and various other interests;
  - the goal is to project a general, organisational model of administrative structures that are part of the executive apparatus;
  - reduce government expenses;
  - develop local authorities management ability.

- **A profound change of the relationship between the administration and the citizen;**
  - consolidating and enlarging the participative framework of the civil society in the decision-making process;
  - ensuring the transparency of administrative acts and effective communication with the citizens;

- **Decentralizing public services and consolidating the administrative and the financial local autonomy;**
- accelerating the public services decentralisation process while undertaking administrative and financing activities;
- transferring the activities and the adequate financial resources from the state budget to the local public authorities in order to finance public services earmarked for local communities within specific areas, such as: health, culture, community police, fire-fighters, civil defence etc.;
- setting new, equitable local taxes.

• The progressive demilitarisation of some community services;
  - transferring the Public Record Office to Town Halls and County Councils as a community service dealing with identity cards, electoral cards, drivers’ licences, vehicle registration documents etc.;
  - reassign the organisation of a specialised County public service dealing with the issuing of passports, under the Prefecture’s jurisdiction;
  - organizing community services for emergencies, such as: fires, floods, earthquakes etc. thus relieving fire-fighters and the civil defence from these attributions;
  - establishing at commune, town and city administrative unit level a public order community police unit that will undertake the police inspectorate’s duties.

• De-politicising public administration structures and eliminating political clienteles;
  - the Law on the Status of Civil Servants will be strictly applied;
  - the civil servant’s career will be managed correctly and coherently by paying them adequate salaries that will stimulate and ensure normal working conditions for them encouraging stability and continuity.

• Stopping the bureaucracy in public administration;
  - this will be done by rationalising administrative procedures and by introducing equipment and information technology;
  - introducing the e-Administration concept;
  - generalization of the one-stop wicket system

• The coherence of the administrative act; perfecting the management in administration;
  - establishing a more efficient relationship between central and local public administration, and between county, communes and city authorities;
  - the efficient and unitary application of the local and central public administration’s norms and regulations;
  - creating an integrated local and central public administration information system;
  - the substantiation on case studies and expert’s reports of the decisions concerning social policies thus establishing sociological offices for methodological steering at central and county council level.
• **Applying rational local and urban development and modernisation policies;**
  - awarding the status of commune to a number of 1000 villages that meet the legal requirements – which will enable the administrative authority to get closer to the citizen;
  - the organization as towns of an important number of communes which through their existent utilities (gas and water supply, sewerage, phones network) are corresponding with the urban locality status
  - preparing the ground for the administrative and territorial reorganisation in accordance with the European Union standards.

• **Strengthening the authority and responsibilities of the state;**
  - Strictly respect the public authorities constitutional and legal rights – ministries and governmental agencies, prefectures, county councils, local councils and town halls;
  - monitoring how the administrative reform is applied and how local and central authorities are performing;
  - strengthening the financial control for the public moneys administration and ensuring the transparency of the expenses through periodically reports to the taxpayers’.

• **Harmonising the legislative framework with European Union regulations;**
  - ensuring long-term legal coherence and stability in the local and central public administration;
  - initiating ample improvement of existing regulations in this area and elaborating new ones based on the provisions of the Constitution and the European Charta for Local Autonomy.
Diagram No.2 The Strategy’s objectives

- Profound reorganization of the central and local public administration
- Changing in essence of the report between administration and citizen
- Decentralization of the public services and reinforcement of the local administrative and financial autonomy
- Step by step demilitarization of some communitarian services
- De-politicization of the public administration structures and the elimination of the political clientele
- Stopping the bureaucracy in the public administration
- Administrative act coherence; the management improvement in the administration
- Applying of rational policies for development and modernization of the rural and urban localities
- Strengthening the state authority and his responsibilities
- The harmonization of the legislative framework with the European Union regulations
6. The Strategy’s target groups

The target groups of the strategy are the central and the local public administration.

In order that reform in this area to be successful, it is necessary that the target groups express their support and commitment in recognising the need for these changes and in the implementation of these changes.

7. The Duration of the Strategy: 2001-2004

8. The nature of the reform

Applying the principles of the reform previously mentioned requires both public management methods as well as institutional changes. Thus, this becomes a comprehensive reform changing the way in which it operates both horizontally i.e. the initiative involves all ministries, and vertically i.e. all the levels of the central and local administration.

Diagram No. 3 Organisational development

- Changes of the structural model
- A new human resource policy in administration
- Structures optimization
- Higher potential of the management
Institutional changes are based on modifications in the primary as well as
the secondary legislation. Succeeding in applying a consistent information
technology policy in the public administration will have beneficial effects on the
process of institutional changes.

Diagram No. 4 Institutional changes

The legitimacy of state action cannot be resumed to issues of management
or efficiency as it must take into account interactions between the global and the
local level, consider the acceleration and the influence that territorial phenomena
have on public management and perfect innovative and development strategies
which will allow public service to assume the mission conferred by the society.

The association of the civil society, the development of the public-private
partnership and relinquishing the vertical management of human collectives
require the setting up of a new way of elaborating the public administration reform
strategy that may play the role of an engine for social dynamism that will open for
public authorities fresh avenues for action in an newly activated civil society.

The steps of the reform process are exemplified in Diagram No.5
Diagram No. 5 Stages of the reform process

- **STRATEGIC ORIENTATIONS**
  - The orientations became objectives only after the comparison with the diagnostic.

- **Environment analysis**
  - Sociology
  - Population
  - Competency and complementarities
  - Technology

- **Internal resources analysis**
  - Financial
  - Human
  - Technical
  - Organizational

- **Diagnostic**

- **Strategy**

- **Strategic Objectives or Strategic Project**

- **Strategic Plan**

- **Action Program**

- **Strategic Guidance**

- **Government**

- **Administration**
8.1 The Central public administration reform strategy

The aim of the strategy is to plan and achieve, in a concerted way, the following functions:

- developing an administrative system of legislation to guarantee fair and equal dealing with citizens;
- increasing public administration activity transparency thus encouraging citizens’ right to participate in the decision-making process;
- increasing the contractual capacity in public law; the contracts will be signed following a selection process;
- strengthening the coordination and cooperation between the governmental institutions and attracting citizens in the planning and controlling of public sector activities;
- establishing the separation of functions between ministries, including the number of ministries and the role of ministers without portfolio;
- distinguishing between political and administrative management;
- specifying the role of the minister and the general secretary within every ministry;
- delimitating the ministries functions from those of the subordinated agencies;
- recognising the importance of public decisions and strategic planning in improving such activities;
- increasing the decisional capacity of ministries.

The development of the strategy is grounded on the following principles:

- the importance of the public policies and strategic planning;
- coordinating, planning and implementing governmental institutions and agencies functions;
- distinguishing management functions between the political and administrative levels in order to guarantee and evaluate the policies’ efficacy;
- separating the functions of the ministry from those of the subordinated agencies to improve the formers’ decision-making capability – as the ministry must be the main institution in formulating, analysing and supporting policies in its area of competence.

Ministries must be active in the management and decision-making cycles, such as: policy planning, decision-making, implementing, monitoring, control and evaluation.
The ability to elaborate and implement policies has a direct influence on the citizens’ satisfaction levels. Thus, the relationship between government and the population becomes more complex: political decisions pass through different administration levels, the problems have to be solved in a continuously-changing environment where the need for cooperation, agreement and coordination is important at international, nationwide and at the local level. Citizens are confronted with this process and feel they have less influence on decisions taken at the local and nationwide level hence their belief that there exists a “democratic deficit”. Without citizens’ support and understanding, issuing and implementing adequate policies is quite difficult. For that, new ways to improve public policies, inform citizens and involve them in the decision-making process must be identified.

It is important that the participants in the decision-making process know their duties, responsibilities and be aware of the legitimate expectations of various interest groups. Planning public policies, programming and establishing resources must be done in a transparent manner in order to allow participants to have a meaningful contribution to this process.

The strategy’s objectives are:

a) specify what the Government’s political and administrative responsibility is, as well as

b) improve the quality of public policies in order to warrant the efficient solutions to various problems.

The first objective can be reached by differentiating the roles of political and administrative management while the second needs raising the quality of issuing and implementing public policies by involving citizens and by increasing the efficiency of cooperation between various administrative institutions. For the realisation of these objectives it is necessary to:

**Recognise the importance of issuing public policies, strategically planning and perfecting these functions**

Issuing strategic plans and completing them afterwards must become a permanent objective for ministries. Furthermore, there must also be an increase in the role played by the Government’s programme-documents as the basis for strategic planning. This requires new qualifications and skills, the civil servants, political parties and political management must possess policy planning abilities and must develop their skills through mutual cooperation.
Achieving an efficient cooperation in the area of elaboration of the public policies

Several participants are involved in the elaboration process of the public policies, such as: politicians, civil servants, citizens and their associations. In a democratic country the policies are not the result of a single political actor but of the decisions made by various organisations, at different levels. Society is confronted with issues that cannot be located within a single ministry’s area of activity. Increasing the public administration’s transparency by enlarging the assistance offered to the public helps to improve and harmonise the way in which citizens and the administration understand society’s problems, find possible solutions and allow a more efficient implementation of the decisions reached together. Solving the problems in a coherent manner requires efficient coordination and information exchange. Improving cooperation between ministries and involving citizens in planning and control of public sector activities lead to the elimination of the “democratic deficit” and legitimate the state activities.

Specifying management functions at political and administrative levels

Specifying the rights and responsibilities aims to differentiate the making and implementing of public policies within and between institutions. In developed countries the improvement of the political management mechanisms led to a more evident separation between the issuing of decisions and their implementation. In turn, this thing requires the elected representatives a more precise definition of objectives and performance evaluation methods coupled with an effort to improve civil servant’s knowledge and skills. The efficient planning of public policies cannot be implemented without financial accounting and management systems supplying the necessary data. In the same time, creating the financial accounting and management systems requires informational needs to be defined at a political level.

In its area of competency, each minister must be responsible for producing its own reform strategy, for the general results following from that strategy as well as for the purely administrative operations. Ideally, civil servants ought to satisfy citizens’ needs, be politically neutral while respecting public administration’s laws and norms. In the same time, they are responsible to the minister for their actions. The eventually contradictions that may appear between civil servants, ministers and citizens can be solved by better planning, controlling of the implementation, through specific means of the system of responsibilities and by an increased transparency.
8.2 The local public administration development strategy

Local democratic governance assumes that local public authority’s activities are based on sound public policies oriented to the citizen and on adequate internal procedures. Until now, most of Romanian local authorities have not acted according to well-defined policies or with procedures that are establishing priorities and major development directions within a well-defined time frame.

During the past eleven years, local authorities have been busy dealing with short-term or daily routine activities, while medium- and long-term projections have not been sufficiently developed. When they even existed, internal procedures seems to be drafted specifically for maintaining the status quo, thus constituting a barrier against civil servants’ efficiency.

Inefficient administration, autocratic public management, bureaucracy will remain attributes of the local public administration as long as policies and procedures are not applied. The poor representation of the citizens’ interests by the elected people as well as by those named in turn by those ones represent a major constraint in the realisation of a more democratic political process. The representation of the citizens’ demands and interests managed by local civil society organisations and by officials are equally important.

The continuation of reform in the local public administration is based on the increasing of the local community’s autonomy by the realisation of both the decision-making and the financial autonomy. The aim of this strategy is to plan ahead and accomplish, in a concerted way, the following functions:

- improve local administration management including the areas of planning and financial management;
- make a better local budgetary planning;
- plan and develop the investments mechanisms at town and county level;
- reorganise the credit mechanisms in order to realize investments;
- separate the central from the local administration’s functions;
- ensure the development of public-private partnerships;
- facilitate the development of the local economy;
- ensure that citizens’ interests are better represented in the decision-making process;

The development of a strategy at this level is based on the following principles:

- the principle of local autonomy;
- the principle of decentralising of the local public services;
• the separation of functions and responsibilities of local councils from those of prefectures – a principle which have as results a more stable management;
• the principle of unifying the resources of local administrative with a smaller administrative capacity to reduce the fiscal burden on the local budget;
• the principle of reducing the percentage of resources allocated from the state budget while increasing that coming from local taxes;
• the principle of ensuring transparency while elaborating local budgets so that citizens may control this mechanism and ask questions about the way in which funds were spent;
• the principle of cooperation and coordination between the central, the local administration and the various associations to achieve regional development;
• the principle of consulting the citizens in matters of utmost importance.

The aim of reforming the public administration is to make it capable of fulfilling its mandate so that it may contribute to the economic and social development in the region. The local administration must aim to satisfy the needs of its citizens through quality public services being rendered. The process of creating local budgets must result in strengthening local administrative independence by reducing the percentage of funds allocated from the state budget while increasing those raised from their own resources like those obtained from raising local taxes.

The central administration must supervise that the state allocated resources are used sparingly and efficiently by the local administration. Hence, an important role is played by the internal auditing at the level of the local administration and by citizens’ effective control.

The development strategy of a local community represents the pooling of the local community’s long-term aims and objectives, adopting local policies and the allocation of resources needed to achieve those aims by taking into account the needs, expectations, the wishes of its citizens and the components of the local political system. In the following picture it is schematically presented the entire process of elaborating a local community development strategy (see diagram 6).
Diagram No. 6 Frame-strategy for local community development

**STAGE I – DIAGNOSTIC ANALYSIS**

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<td>Structure, ROF</td>
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<td>- placement, surface</td>
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<td>Data results from the national or regional economic general strategy</td>
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**SWOT ANALYSE (STRONG AND WEAK POINTS, OPPORTUNITIES AND RISKS)**

**STAGE II – FORMULATION OF THE DEVELOPMENT STRATEGY**

- Mission
- Main objectives
- Defining of the sectorial policies
- Needed resources

**FORMULATION OF THE DEVELOPMENT STRATEGIC CONCEPT**

**STAGE III – OPERATIONALITY AND IMPLEMENTATION**

- Derived objectives, priorities
- Chances evaluation (favourable and unfavourable external forces)
- Actions plan elaboration
- Actions
- Resources
- Responsibilities
- Deadlines
- Conception of an guidance system

**ELLABORATION OF THE STRATEGIC PLAN FOR EACH SECTORIAL POLICY**

**STAGE IV – FOLLOW-UP AND CONTROL OF THE STRATEGY IMPLEMENTATION**

- Plans, regulations, administrative procedures
- Adapting of the informational and informatic system follow-up
8.3 The budgetary reform strategy, strengthening financial management, internal control and auditing

Nowadays the public sector in Romania must face two major problems:

- the need to reduce public spending;
- a certain crisis of legitimacy within the administration.

Taking this reality into account, the aim of the strategy is to define and fulfil the following functions:

- analyse public sector functions;
- transfer certain functions belonging to the central administration towards the private sector and the local administrations;
- harmonising the budget with the economic and social development programmes and the political priorities;
- strengthening internal auditing.

The development of this strategy is based on the following principles:

- the principle of moving towards an financing based on expected results and not on needs or inputs;
- the principle of systematic evaluation of the public sector’s revenues and expenditures and the subsequent forwarding of this data to those involved in the decision-making process;
- the principle of strengthening internal control coupled with the delegation of rights and responsibilities.

The aim of the budgetary reform and of the consolidation of financial management, control and internal auditing is the strategic planning of the state sector activities and its integration in the distribution of budgetary funds and monitoring their adequate use.

The effective mechanisms of attributing public sector responsibilities create the necessary environment for the state’s economic development while improving these mechanisms will result in economic growth and the welfare of the society. To achieve this, it is necessary to:

Revise and analyse the functions of the state;

Planning the methods that aim to realize a more efficient use of resources must be done in parallel with analysing the functions of the state. The functions of the current public sector must be revised in a critical way, as the aim of determining the quality of the public sector results is most important.
Transferring certain central administration functions towards the private sector and the local administration;

In the context of globalisation and the opening of economies, the necessity for this transfer resides in the central administration’s limited possibilities of increasing payments. Such a transfer may be perceived as an privatisation process of certain public services having as a result the increasing in the quality of those. When such functions are transferred (in which case the number and the quality of the services offered by the central administration partner must be flexibly monitored) the combined use of laws and agreements of support may be used.

The management of performance in the public sector;

The defining feature of budgetary planning in the modern public sector means orienting the activities financed by strategic planning towards expected results. In order that resources are efficiently used, conceiving a coherent system to manage the expenses becomes necessary so that the cost of each activity be properly evaluated.

Consolidating internal control and auditing;

Strengthening internal control is one of the premises for improving the activity of the entire leadership in ministries, on condition that they take into consideration these results. On the basis of a rigorous control within the public sector, the ministers can be certain that the resources are used as efficiently as possible. The relationship between internal and external auditing must be based on the principle that each auditor at a higher degree can count on the internal control system as well as on the activity of internal auditors at lower levels.

Delegating rights and responsibilities from the minister’s level to that of General Secretary and to the Presidents of Governmental Agencies;

In the case of such a delegation, the traditional subordination relationship of the Secretary General and the Agency’s President towards the minister are supplemented by a fixed-term contractual relationship concerning performance. Such accords stipulate what are the organisation’s strategic aims and operating principles. Inside the agency, decentralisation may only function efficiently in an
politically stable framework where information is accessible while political objectives are stable and clear.

8.4 The administration’s citizen oriented development strategy

The aim of this strategy is to define and fulfil the following functions:

- Drawing away the attention from contributions towards results and the realisation of the necessity for a public administration system that is oriented towards providing quality public services;
- Establishing services standards for organisations which are providing such public services;
- Generalising the one-stop wicket system.

The development of this strategy is based on the following principles:

- Creating an administration that is closer to citizens;
- Applying a standardisation system for services meant to define the quality requirements that these must attain. Meanwhile, increasing the importance of the citizens’ consultation mechanisms is a premise for a more precise evaluation of citizen’s needs;
- Awarding prizes for the quality of the services offered so to increase service providers’ motivation;
- Ensuring non-stop services (non-stop information phone lines, internet services etc.)

Governmental institutions that have citizens’ interests at heart are most trustworthy, civil servants rendering services in an open, transparent and predictable manner, and are responsible not only for their decisions but for adequate resource expenditure.

The measures for realising an administration that is citizen-oriented are the following:

Creation of the citizen’s effective consultation mechanisms in order to increase the spectrum of services offered coupled with receiving feedback on the quality of those services;

The way in which the service is offered is important though it is equally significant what the service really offers. It is necessary that the increase in the number of services rendered be promoted to satisfy the needs of different interest groups. This presupposes larger citizen consultation processes in determining the
type and the level of service due to be rendered. The consultation and the collaboration between different levels of organisation must be efficient as they help to create motivating and innovative services’ standards.

**Integrating the service provision**

In order that services are easier to access, these must be consolidated in a physical or a virtual centre based on the citizens’ needs and expectations and not necessarily on the administrative organisation structure’s logic. Integrating these services requires the public sector’s vertical as well as horizontal collaboration. Such a measure requires a change in the processes and the organisational culture and, for that, the realisation of the one-stop wicket need several stages before setting up, being preceded by simpler integration solutions (i.e. telephone information services, internet portals etc.)

**Utilising the communication and Information technology**

Using of information technology opens up new possibilities for both citizens and service providers alike. A public administration, which is operational seven days and twenty-four hours a day, represents a more accessible and transparent administration.

**Changing the bureaucratic mentality**

Increasing the quality means changing the way of thinking and approaching various problems, moving towards to a more flexible way of thinking that is oriented towards results.

**8.5 The strategy regarding the Civil Service development**

The aim of this strategy is to define and fulfil simultaneously the following functions:

- the creation of a professional, impartial and honest, stable and efficient civil servants corps;
- the improvement of the civil servants’ recruitment and selection system;
- the improvement of the professional development systems;
- the development of the mechanisms that have as result the increasing of the mobility of civil servants within the Civil Service.

The development of this strategy should be based on the following principles:
• delimiting the civil servants from other employees of the state within the executive power. The definition of the Civil Service should be done especially by taking into consideration the responsibilities of the civil servants and less the ones of the institutions where they work;
• improving the coordination of the civil servants and guaranteeing the uniform application of the administrative principles by them;
• achieving a remuneration and reward system for the activity of the civil servants that should consider first their performances,
• creating a system for recruitment and promotion on merit basis, that offers the guarantee that the best civil servants are promoted.

The development of the Civil Service has three components:
• the upgrading of the legislative framework;
• the good functioning of the human resources management;
• the use of modern management.

8.6. The strategy regarding the upgrading and development of the communal development public services

The strategy regarding the upgrading and development of the communal development public services has as basic objectives the followings:

• the decentralisation of public services and the increase of local authorities’ responsibilities regarding the quality of services towards citizens;
• the extension of centralised systems for the basic services (water supply, sewerage, sanitation) and the increase of the citizens’ access to these services;
• restructuring the social protection mechanisms for the underprivileged citizens and reconsidering the price/quality relation;
• the promotion of the market economy principles and the reduction of the monopoly;
• the attraction of the private capital in financing the local infrastructure investments;
• the institutionalisation of the local credit and the extension of its contribution to the financing of communal services;
• the promotion of the sustainable development measures.
Decentralisation of public services and increasing the local authorities responsibilities towards the quality of services for population

The responsibility for the organisation and functioning of the communal development services operators is incumbent on the local authorities. The Government will support the measures for improving the operational and financial performances of the suppliers with a view to enhancing the safety and quality of services addressed to the population (picture no. 8).
Diagram no. 8 Measures for improving the suppliers’ performances

- Urgent elaboration of the secondary legislation necessary for the implementation of the Law on the public services
- Establishing the commissions for licensing the operators
- Establishing the ANR in the field of communal development services
- Fostering the reorganisation and regrouping measures for suppliers

Extending the centralised systems for the services with major impact on the population’s health and living standard (water supply, water sewage and sanitation) and increasing the populations access to these services

The reduced technical-municipal endowment makes the population’s access to the services assured through centralised systems, subject to control and monitoring by authorities, more difficult. Hence, the Government will ensure the extension of the centralised basic services systems (water supply, water sewerage and sanitation) and the increase of the population’s access to these services by:

- Promoting some investment programs for rehabilitation, extension and modernisation of the water supply, waste waters sewerage, garbage collecting, transportation and depositing, produced in the urban area (ISPA, MUDP III);
- Implementing certain rural infrastructure development programs (Sapard, the Rural Development Program);
- Upgrading the systems for producing, transportation and delivery of thermic energy through co-generating systems with a view to raising the power efficiency, to improving the price/quality relation and maintaining an acceptable supportability level for the family budget.
Restructuring the social protection mechanisms for the underprivileged segments of the population

The existing social protection mechanisms, under the current budgetary constraints conditions, hinders the access of certain social categories to an acceptable level of the essential public services. Therefore, the Government will *restructure the social protection mechanisms for the underprivileged segments of the population* by:

- Guiding the social protection in the field of public services exclusively towards the underprivileged segments of the population;
- Extending the social protection for the underprivileged segments of the population;
- Implementing a unified and coherent social protection system for power services (electric, thermic energy and natural gas) and eliminating cross subsidies.
Diagram no. 10 Measures for restructuring the social protection mechanisms

**MEASURES**

- Addressing the social protection in the field of public services
- Extending the social protection for the underprivileged segments of the population
- Implementing an unified and coherent system for social protection and eliminating cross subsidies

**Promoting the market economy principles and reducing the monopoly**

Most of the communal development services are semi-monopoly type ones, due to the situation of captive clients of the beneficiaries connected to the centralised systems of water supply, water sewage, thermic and electric energy, natural gas, etc. The Government *will initiate measures for the services operators, the financing capitals and the management to get into competition by*:

- Compulsory tendering of the public services in case the operator has financial losses or cannot assure the proper quality of the delivered services;
- Non-granting the operational licences to the suppliers if they do not meet the performance criteria as established by specific regulations

Diagram no. 11 Measures for getting the services operators into competition

**MEASURES**

- Compulsory tendering of public services in case losses are recorded
- Not granting the operation licences to the suppliers that do not meet the performance criteria
Attracting the private capital in financing the local infrastructure investments

The urgent investment needs for the rehabilitation and development of the communal development services infrastructure are estimated at 1 Billion US$ annually, for a ten-year program. Because of the budgetary constraints faced in the transition periods, the financing for these investments cannot be achieved, but in small percentage, from the public funds; hence, the attraction of the private capital is an urgent necessity. Therefore, the Government will promote measures aimed at attracting the private capital in the field of public services and will support the local authorities in concluding public-private partnerships for urgent financing needs, by:

- preparing and implementing BOT type investment projects for important extensions and developments of the treatment and filtering water stations, power or cogeneration stations, the ecologic storage for urban waste;
- establishing some minimum limits of the investments provided for the systems’ rehabilitation within the concession contracts that are to be prepared and started in the near future;
- grouping the services operators on territorial areas in order to make them more attractive for the strategic investors;
- ensuring the stability of the legislative framework on communal development services and completing the secondary legislation and establishing the National Regulating Authority.

Diagram no. 12 Measures for attracting the private capital
Institutionalising the local credit and extending its use in financing the infrastructure investments

Besides the private capital, the credit represents another traditional source for financing the infrastructure investments in the EU countries. The credit allows the reduction of the efforts made by the local budgets to finance the complex investment projects and the more equitable distribution of payment tasks between beneficiaries. Therefore, the Government will take the necessary steps to institutionalise the local credit and establish a specialised bank for financing the investments promoted by the local authorities by:

- Elaborating a draft law regarding the establishment of the Local Authorities Investment Bank and granting facilities for supporting the local credit;
- Requesting technical assistance financed by the EU-Phare in order to strengthen the institutional capacity of the new bank;

Diagram no. 13 Measures for institutionalising the local credit

![Diagram](image)

**MEASURES**

- Elaborating a draft law regarding the establishment of an Investment Bank
- Requesting EU-Phare technical assistance

Promoting sustainable development measures

The communal development services have a special impact on the environment. On the one hand, they represent an important polluting factor, and, on the other hand, they participate essentially in the limitation of the pollution (waste waters filtering, waste collecting and depositing). Hence, the Government will initiate concrete measures to harmonise the Romanian communal development services practices and standards to the EU exigencies, by:

- Harmonising the regulations in the filed of communal development services with the EU directives on water, waste, energy and transportation;
- Financial support for co-financing the programs that comprise infrastructure development measures (ISPA, Sapard, PDR, MUDP 3, TECP 2, etc.)
- Promoting some special programs for small towns with a view to rehabilitating and modernising the local infrastructure.

Diagram no. 14 Measures for the sustainable development

Promoting the social partnership

The social-democratic ideology lays a special importance on the participation of all social partners to the substantiation and taking of the decisions with major impact on the population. The communal development services play an essential role in the social solidarity of citizens, in ensuring a decent living standard, in keeping the social peace. Starting from this principle, the Government will make efforts to:

- Augment the implication of the civil society, especially the trade unions and the employers, in elaborating sectoral strategies, policies and programs;
- Achieve certain partnership projects with a view to strengthening the relations with the associations representing the interests of the beneficiaries of water supply services;
- Assuring the continuous professional training of the staff working in the field of communal development services.
9. Risks and preliminary conditions regarding the implementation of the public administration reform

The main issue linked to the public administration reform is the reform management in the process of its application into practice.

The public administration reform pursues the change of some complex processes and structures, and, more important, of mentalities.

A major risk in achieving the public administration reform is the hectic daily activities which leave little time for searching new solutions for the incoming flaws.

Consequently, in order to ensure the success of the public administration reform, it is necessary that a great number of target groups (in particular top managers and decision-makers) express their support and commitment to admit the necessity and to implement these changes.

It is essential that the persons who prepare the changes have the capacity to analyse the strategy and want to discuss if the new ideas and concepts are applicable to the Romanian administrative system.

Based on the organisations’ integrated development model, we can identify 4 blocking factors in starting the reform that can maintain a strong immobility within the public organisations (picture no.15).
Blocking Factors in starting the reform

- Strategic
  - Centralized institutional logics
  - Decision-making complexity (non-decision/difficult decision)
  - Polemics on the legitimacy
  - Bureaucratic slowness
  - Authority systems that hinders the initiative
  - Legal restrictions
  - Limited means
  - Size and complexity

- Structural
  - Rejection of the human arbitrary
  - Risk fear
  - “Not invented here” syndrome
  - “Continuity” tradition
  - Taboos

- Cultural
  - Rejection of the human arbitrary
  - Risk fear
  - “Not invented here” syndrome
  - “Continuity” tradition
  - Taboos

- Behaviorist
  - Lack of incentives
  - Lack of formal objectives
  - Demotivation and frustrations
  - Expectance behaviours
Strategic factors

Centralised institutionalised logic

The Romanian public system is based on a strong centralised institutionalised logic, as far as the activities are dependent of the orientations and the control of the public power. For the beginning, we can consider that this logic supervises any eventual deviation from the general framework and it does not facilitate the innovation. Nevertheless, there are important action possibilities and, besides, the decentralisation and the devolution have reduced this blocking factor.

Decision-making complexity

Decision-making complexity, characteristic to the public organisations, represents hindrances against the application into practice of the innovations, by also making the decision of change difficult. Moreover, it often implies non-decisions having as consequence the routine and the repetition of the previous actions.

Discussions on the legitimacy

Many discussions regarding the legitimacy of the role of the state represent paralysing factors that hamper from the beginning any attempt of evolution. This makes all discussions to go permanently round the „macro” level (the state, its role, its political duties) and thus neglecting the „micro” level.

Structural factors

Bureaucratic slowness

The essence of the bureaucratic functioning is based on stability and routine, as far as everything is regulated through precise procedures, rules and general valid references. Hence, it is supposed that the system guides the actors’ behaviours in a pre-defined way. Any adjustment need is thus neglected or adjusted a posteriori and integrated in the initial mechanisms. These are the characteristics of the famous „bureaucratic phenomenon” born out of the pyramidal public logic, quite frequent in the Romanian culture.

The authority system

The hierarchical structure of the public organisations is traditionally based on the majority role of the leaders who transmit orders to their subordinates so
that they apply these orders directly without wondering about their opportunity or efficiency. It is obvious that such a paradigm does not foster an autonomous thinking and does not recognise the initiative notion.

Any flaw and any exceptional situation should be discussed, on principle, by the heads of the institution, fact which triggers solely slowness within the organisation that harms its evolution.

*Legal restrictions*

The legal and/or the regulating framework is prominent for the public organisations; conceived to stipulate rights and duties, protection and guarantees as related to the general interest, it comprises a set of orders that are to be observed by the actors, regardless the level of hierarchy. If we add to this formal framework, the collective habits and use that strengthen the structure, we shall understand for sure the importance of the restrictive framework in which the activities of the whole system are carried out.

*Limited resources*

The economic crisis and the public budgets’ decrease context plays a double role: on the one hand, it fosters the change with a view to getting a better efficiency, and, on the other hand, it limits the innovations which are, in a necessary way, at least in the beginning, consumers of resources (financial, material, human). In the public bodies nowadays, resources and staff limitation, as well as the feeling of time shortage, often blocks the preliminary thinking necessary to launch the change.

*Dimension and complexity*

The public bodies in our country often have an important size (especially the public administrations and the main enterprises) or function within a complex network of actors and entities that play an important role in their functioning.

But, the organisations’ theories have demonstrated some time ago that these factors, if they are not compensated through crosswise and flexible devices, burden their functioning and hampers innovation and decision-making.
Cultural factors

Rejecting subjectivity

The traditional principles regarding the bureaucratic organisation were conceived in order to eliminate the subjectivity. Weber’s works praises the „rational-legal” power of hierarchies to avoid the informal and charismatic leadership situations.

These ideas are based on an implicit mistrust in subjectivity and consideration of the human dimensions, perceived as non-rational in comparison with the „Cartesian” values system that dominates the traditional technocracy. This propensity has led to the risk of rejecting any new idea that might integrate other dimensions than the standardised procedures ones.

Risk fear

By being trained and used to apply some general norms, the civil servants, unlike other actors that work in more turbulent fields, are not used to uncertain and risky situations.

The evolutions, modernisations bring in though the unknown and often create apprehensions; hence the classical phenomenon of resistance against the change (often analysed as an unavoidable fatality).

The” non-invented here” syndrome

This expression taken from the Americans is generally used to qualify certain hesitations regarding the implementation of some innovations from other sources. The public field seems to be contaminated with the non-invented here virus, by forbidding the use of some experiences of other organisations. Actually, the legitimate fear not to provoke any flaw because of some quick applications of the private methods has led sometimes to the adoption of an unexplainable extreme immobility.

The „continuity” tradition

The role of the state and its institutions is, undoubtedly, to guarantee certain stability of the nation and of its citizens. The continuity principle characteristic to the public services represent, to an equal extent, one of the safe values of this field; thus, it is not surprising the strong attachment to tradition, continuity and solidarity of public sector institutions and activities.

Taboos

All the already mentioned reasons have provoked a significant number of taboos, that is often in opposition with the private sphere: thus, the notions of
profit and particular interest are strongly rejected and other concepts, such as clients, productivity, strategy, marketing, management, are assimilated to these. They often say that taking these concepts into consideration would lead to the infringement of the deontological principles and of the fundamental principles of the public sector.

Such taboos, of course, are provoked by the resistance against the change, when change projects are often linked to the consideration of the environment and the search for efficiency.

Behaviouristic factors

Absence of individual incentives

The public sector Human Resources Management is traditionally based on the principles of equality, general collective criteria, and represents the task of the central services that do not have direct contact with the civil servants. The latter’s behaviours are not linked to individualised changes as far as nothing encourages the initiative and the improvement of the existence systems.

Lack of final objectives

In general, the civil servant works as related to a formal framework, that is transmitted to him/her more or less clearly, and as related to his/her own interpretation regarding the responsibilities and limits of his/her activities. These are the traditional principles, even if some organisations have tried to develop them.

In this general context, the civil servant has no specific objectives that should be integrated in his/her attitude unless this has as result the improvement of his/her current activity. Either he/she contributes or not to improve the general performance, a priori his/her statute and position will not change. Even if he/she tries to innovate and improve his/her activity, the dependence upon his/her colleagues and hierarchically superiors’ inertia (who do not have formal objectives either) risk discouraging strongly the civil servant.

Lack of interest and frustrations

Working in the system, the civil servants often feel helpless and blocked. Moreover, they often suffer from lack of recognition both on internal and external levels. Within the institution, they feel the fact they are not appreciated but only when they make big efforts as unfair. The external relations are not favourable either, because they are confronted in general with the negative image of the “civil servant”. The lack of interest and frustrations are
consequences of these situations and lead to the discouragement of even the most enterprising of them, who finally give up any initiative for change.

*Expectation behaviours*

This is a classic situation and characterises most of the organisations, including the private ones: everybody expects the other to start, especially the boss who should be the example. According to this thinking, any civil servant has the right to wait the other’s first step; the generalisation of this attitude leads undoubtedly to inertia within the organisation.

Actually, it provokes easily critics from the superiors who do not always know the specific reasons and constraints (lack of information, resources or efforts). Thus, the hierarchical superior is often a dissatisfaction source. In the public organisations, this expectation phenomenon can sometimes be accompanied by another type of expectation: the soon leave of the hierarchical superior, the director or the elected person, which they know it can cause the abandonment of the project for change under way.

In spite of these hindering factors against the initiation of the change, in the public organisations numerous modernisations are in place, which may prove though to be very fragile and can be abandoned by the end of the process. In this regard, we can point out the following categories of fragility factors (see picture 16).
Picture no.16
Fragility factors of the institutional changes

- **Strategic**
  - Lack of time prospect (planning)
  - Lack of balances/evaluations syntheses
  - Diagnoses focused on symptoms
  - Focus on essence in prejudice of the process

- **Structural**
  - Services divisions
  - Staff mobility
  - Responsibilities decentralization
  - Parallel power centers
  - The reflex of resorting to the hierarchical assistance

- **Cultural**
  - Tendency of centralization
  - “Parents” of novelties

- **Behaviorist**
  - Strong personalisation of projects
  - Confusion and prudence in front of the crisis
  - Absence of leadership
  - Non-involvement of actors
a) Fragility in strategic terms

*Lack of perspective (planning) in time*

The absence of the strategic and time planning that would be necessary for the preparation of the subsequent stages regarding the application into practice of the changes, represents one of the frequent causes of failures on long term. Conceiving the change also means how to implement it, which leads to putting all efforts altogether once the change has been launched, neglecting though the management of the way these changes operate in time and of the necessary updating.

*Lack of balances and assessments*

The Romanian public sector has legged for a long time behind the assessment of the impact of its actions. The same happened with the changes: formal, sound balances are quite rare.

Because of this, the capitalisation and the operation of the performed changes are not in the least possible, which makes them fragile unavoidably.

*Incomplete diagnoses*

The quality of a change strategy is greatly based on the quality of the previous analyses. However, it is quite often that in the public sector the diagnostic stages are quickly browsed through and the solution is sometimes chosen before the complete identification of the problem. This approach often causes a focus on finding solutions for the symptoms and not on the essential problems. This makes the initial change produce not the expected effects, which will lead finally to its abandonment.

*Focussing on substance in prejudice of the process*

The strategic steering of a change presupposes a management of the “process-substance” couple.

The public sector uses as a habit the centralised interferences, the technocrat directives, the memorandums comprising the reforms that are to be implemented. As result, the process is quite often neglected: the involved actors are not consulted, the adaptation to the context does not take place and the real possibility to approach the change in time proves to be quite reduced.
b) Fragility in structural terms

Services divisions

There are two types of divisions in the public domain:

- The first division is frequent for the big divided organisations of which internal departments are almost completely independent one from the others; in these organisations, the changes are spread with difficulty;
- The second division, more tricky, is characteristic to the public administrations and to the big institutions, and between the central and the decentralised and the local services. Because of this reason, some central services involve with difficulty in the changes initiated at local level and they cannot support these. As result, they are at risk of failing due to the lack of support or due to the interference with the changes at central level.

Staff turnover

As we pointed out, one of the characteristics of the public domain is the staff turnover, and especially of the managers. This phenomenon is often harmful to the achievement of changes that takes time to be completed. Because the continuity is not ensured, the modernisation projects disappear at the same time with their initiators.

Responsibilities confusion

The numerous decisions do not favour the emergence of the new and bring about a confusion of responsibilities, fact that is detrimental to the continuity of the involved initiatives. In practice, they notice that once the action has been commenced, no one knows exactly what activity has as responsibilities.

Existence of parallel power centres

There are two types of hierarchical situations in the public sector:

- either the hierarchal structure is clearly defined and levelled in an unique and descendant pyramid logic (the case of the mechanical bureaucracies);
- or the way around, there is a network of more hierarchical structures that face coordination difficulties (the case of professional bureaucracies such as hospitals or universities).

In both cases, the formal powers are not the only ones because there are parallel influence phenomena around the possible multiple logics: trade union
logic, degree logic, logic of more or less outstanding personality, logic of the unit’s external relations, etc.

These different factors bring about sociograms that can prove resistant to projects initiated by the formal hierarchy, according to some diffused counter-power mechanisms.

Fragility in cultural terms

_The reflex of appealing to the hierarchical assistance_

This is about a frequent propensity in the public sector to perform orders or to have the general expectation behaviour. In all these cases, the reflex to resort to the hierarchical assistance seems quite strong.

_Tendencies to consultation_

It has become a reality the fact that the public sector does not stop organising consultation meetings, study commissions or thought seminars. Thus, the consultation has become a permanent risk that may lead to the failure even of the most attractive projects. At national level (the government and the senior officials), as well as at local level (local elected persons and the administrative-territorial units), the excessive work meetings and groups, also provided by obligatory consulting mechanisms, may cast doubts over the already performed initiatives regarding the changes.

„Parents” of the novelties

The frequent renewal of the leadership has as result not only the abandonment of projects but also contributes to the clash of changes, which reduce more the credibility of each innovation. Actually, the new comers try to find their place, to leave a trace in the organisation, fact that represents a strong fragility factor.

d) Fragility in behaviouristic terms

_The strong personalisation of projects_

Despite the fact that more persons are involved in the decision-making, the equation “a change=a person” remains sound in the public field; this is also pointed out for instance by the decisions signed by the minister who initiated them.
In practice though it is clear that in order to successfully address the change, it is necessary that several persons put their effort together and use their personal action degree. We add to this the fact that due to this personalisation, when the respective person gets discouraged or leaves the office, the initial change fails.

**Confusion and cautiousness towards the crisis**

The success recipes used in the past do not work any longer. The division, the recruitment budgetary system, do not allow the public organisation to function correctly. Moreover, the resources are rare. There are added here the confusion and the cautious behaviours towards the crisis. Some decision-makers do not feel comfortable when they are confronted with the necessity of changing the errors and their hesitations trigger gaps in the evolutions under way.

**Absence of leadership**

Taking into account the statutes and the rules derived from the labour law in the public sector, the recruitment does not succeed to handle all variables of the human resources management. It does not have all capacities to remunerate or sanction and does not have incentives for the staff. Under these conditions, the hierarchical leadership is difficult and the necessary impetus for implementing the addressed changes is hardly effective.

**Non-involvement of actors**

In order to ensure the continuity of a change and its effective implementation, anyone knows that the actors’ involvement should be sound. For this, one of the necessary conditions (not enough though) is their stronger upstream involvement. But, the technocrat behaviour, still dominant in the public system, consists in an isolated conceiving of projects by “experts” who remain far-off the users or beneficiaries of the change. Hence, the major risk that the initial change might neither be integrated nor implemented, or at the most it can be actually achieved or achieved with difficulty that will compromise strongly its duration.

In spite of these factors of resistance against the commencement, the public organisations transform and evolve due to the existence of a number of factors that intervene in an opposite direction, thus favouring the change in major way.
10. The planning, implementing and monitoring methodology for the public administration reform

The public administration reform strategy represents a flexible management device for both the ministries and the Romanian Government. A stronger coordination in the public administration guarantees the unified application of the administration principles at the level of the entire public system. The improvement of the management standards is essential for the efficient and effective functioning of the public administration. With a view to agreeing on the functions, duties and responsibilities of the parties involved in the public administration reform, as well as on their mutual relations, limits of capacities and procedures of coordinating the information exchange, the leaders on the highest political and public administration decision-making levels should understand the public administration reform as a whole. The most difficult function of the public administration reform is the strategies’ implementation.

The steering and the implementation of the reform strategy at the central administration level involve the establishment of a central unit for the reform

A strong will and a sound commitment are essential and the transformation should approach a broader prospect than an isolated ministry; finally, the implementation depends on the access to the information and the capacity to influence the core decisions; this is not always possible but starting from the centre of the Government (see picture no.17).

The central unit for the reform should be duly staffed and budgeted for its activities; together with the participatory institutions, it should prove political ability but, at the same time, be able to establish its own competencies resources.

A central unit for reform cannot achieve by itself the transformation of the public institutions, but can foster and guide the reform by taking responsibility of some essential central functions; this unit should cooperate directly with the competent institutions regarding the central functions of the budget and of control/check, with a view to the central coordination, to the elaboration of the laws, to the supervising means for the administration (courts or mediator), to the transformation of civil servants into professionals (evolution of “mentalities” and of the administrative culture, as well as of the remuneration and of the statute); and the establishment of some transformation units in the main public administrations, the central unit for reform is to cooperate with and support.
Picture no 17 Steering of the reform process

STEERING OF THE REFORM PROCESS

PRIME MINISTER

MINISTRY OF PUBLIC ADMINISTRATION

SECRETARY GENERAL OF THE GOVERNMENT

CABINET OF THE PRIME MINISTER

CABINET OF THE MINISTER OF PUBLIC ADMINISTRATION

POLITICAL LEVEL

ADMINISTRATIVE LEVEL
CENTRAL PUBLIC ADMINISTRATION REFORM STRATEGY

STRATEGIC ACTION PLAN

PROJECT 1

MINISTRY

MINISTRY

MINISTRY

PROJECT 2

MINISTRY

MINISTRY

MINISTRY

PROJECT 3

MINISTRY

MINISTRY

MINISTRY

PROJECT n

MINISTRY

MINISTRY

MINISTRY

Central Unit for Reform
This unit should try to make the whole society sensitive (citizens, consumers, business associations) and participative to the reform; this action should comprise a campaign led by specialists (media, institutions, seminars, etc.) and a civic education action.

The reform strategy must be conceived in such a way to produce obvious progress on short and medium term, that influence at the same time the political sphere and the population; besides, it should be a sound strategy to surpass the changes of personnel or of the Government (by institutionalising and creating a pressure in favour of the change coming from the NGOs, for instance from enterprises, foundations, apolitical associations, etc.) and to resist against the blocking factors.

The main functions of a central unit might be the followings:

- Drawing up an analytical balance of the public institutions’ situation and of their development needs, the elaboration of a policy and of a strategy with a view to transforming the public institutions and ensuring “the political marketing” of the strategy;
- Organising the establishment of the reform units within the main public administrations, within certain bodies (selected because they are pretty close to the reform policy objectives) defined as “excellency islands” (for instance, the Ministry of Public Administration, the Fiscal Administration, the Human Resources Services and the bodies who deal with foreign investments might be the selected candidates); organising the training of personnel in the reform units and fostering a reform network (regular meetings, newsletters, etc.). This network could include a selection of the local administrations and of the counties;
- Achieving some reform activities in the key strategic fields, especially the budget, checking of accounts, laws’ elaboration, inter-ministerial coordination, the Civil Service, the control of the administration, that is a common action of the Ministry of Public Administration, the Ministry of Public Finances, the Ministry of Justice and the General Secretariat of the Government;
- Identifying the obstacles encountered by the transformation or of the favourable situations for the reform;
- Monitoring the progresses and presenting them regularly to the Parliament and to the Government;
- Establishing, training and managing a “technical group” that will offer consultancy to the participatory institutions;
• Systematic examination of all governmental decisions and of all proposed legislation to identify the difficulties or the possibilities to speed up the transformation;

• Encouraging the establishment of public and private institutions that can contribute to improving the professionalism in the public administration (for instance, the establishment of the National Institute for Administration), as well as of other bodies capable to ensure consultancy and support services for the public administration;

• Conceiving and implementing a program that envisages a better understanding of the role of the public institutions and that generates permanent pressure pro change, by cooperating with the media, the consumers or citizens, the enterprises associations, etc.

The ministries are responsible for the achievement and implementation of the reform strategies in the public administration (see picture no.18). It is advisable that the work groups that elaborate the respective strategies carry on their activity during the strategies’ implementation, in order to offer short term assistance and, if necessary, to suggest modifications of this strategy.

In order to monitor the achievements in the field of reform, the responsible ministries will submit the central unit for reform their objectives and the program for the next quarter. At the beginning of each quarter, a report on the performed achievements and strategies enclosed in the public administration reform program will be presented.

The central unit for reform will prepare a report regarding the necessity of eventual modifications regarding the stage of the progress and activities stipulated in the strategic action plan.
11. Actual stage of the public administration reform

A reorganization of the Romanian Government took place with the view to simplifying and optimizing the decisional process. The goals were:

- a more efficient governance;
- reorientation of some ministries activities and the reduction of an important number of governmental agencies;
- passing the governmental agencies under the subordination or under the coordination of ministries for assuring a coherent and efficient activity and functional relations;
- setting up new ministries for responding to the new priorities of economic relaunching and the Romania’s accession to the European Union;
- unifying and transforming in ministries certain governmental agencies proved to be inefficient;
- setting up organizational structures of departments within ministries, managed by secretaries of state, for the relation with the Parliament, unions and patronate, European integration and external relations, foreign and local investors;
- substantially reducing of the management positions in the central public administration.

In order to make more efficient the activity within the central public administration the Parliament adopted the Law on the organization and functioning of the Government and ministries – a very important act, necessary in the process of public administration reform acceleration.

By the Emergency Ordinance no. 2/2001 and other normative acts, measures have been taken regarding the setting up, organization/reorganization and improvement of functioning of certain ministries as specialized bodies of the central public administration, as follows:

- Ministry of European Integration;
- Ministry of Development and Prognosis – by reorganization of the Economic and Financial Coordination Council and of the General Direction for Prognosis in the Ministry of Finance subordination and the National Agency for Regional Development, which are eliminated;
- Ministry of Public Finance;
- Ministry of Industry and Resources;
- Ministry of Waters and Environmental Protection;
- Ministry of Agriculture, Alimentation and Forests;
- Ministry of Public Works, Transportation and Housing by repealing of the Ministry of Transports and the Ministry of Public Works and Territorial Arrangement;
- Ministry of Small and Medium- Sized Enterprises and Cooperatives;
- Ministry of Education and Research by the reorganization of the Ministry of National Education and the National Agency for Science, Technology and Innovations, which are eliminated;
- Ministry of Culture and Cults by the reorganization of the Ministry of Culture and the State Secretariat for Cults;
- Ministry for Health and Family;
- Ministry of Communications and Information Technology;
- Ministry of Public Information;
- National Authority for Child’s Protection and Adoptions;
- National Authority for Consumers Protection by the reorganization of the Consumer Protection Office.

By the Governmental Decision no. 8/2001 was organized and functions the Ministry of Public Administration, as a specialized body of the central public administration under the Government coordination. As a synthesis ministry, the Ministry of Public Administration, as synthesis ministry, ensures the application of the strategy and of the Government Program in this field and monitor on behalf of the Government the elaboration and the application of the reforms programs.

The following central public authorities are functioning under its coordination: the National Agency of Civil Servants and the National Office of Cadastre, Geodesy and Cartography. The National Agency of Civil Servants has the role to ground and promote the organization and the functioning of the human resource management system in the public administration.

The restructuring process was also extended at the ministries and specialized bodies under the Government coordination, and has in view the following:

- improving the internal organizational structures,
- redesigning the administrative procedures by eliminating overlaps and disagreements;
- shortening the decisional process;
- increasing the promptness in their own activity for each institutional structure;
- limiting the number of top positions with the view to increasing the efficiency and quality of the decisional act;
• reducing and improvement of regulations in order to became more efficient and useful for tax payers and businessmen

• externality of the activity in efficiency and promptness conditions;

• drastically reducing the public administration costs, by stopping the resources wasting and by a more efficient activity of the civil servants;

• concentrating the attention on the citizen in his double quality of tax payer and beneficiary of services.

Having in view the complexity of the public administration reform process, an important role has the realization of the legislative frame in order to implement the following laws:

• the law on the Civil Servants Status, with the view to de-politicising the public function, providing the civil servants stability and setting up a professional body which will gain the people’s trust in public services and will became a competitive partner in the social dialog;

• the law on the ministerial accountability in order to settle the forms of legal accountability (civil, financial and penal) for the Government members;

• the law on the public property and its juridical conditions, the law regarding the concessions conditions, the law on the local public finances which create the legal frame to encourage the foreign investments, the development of the national infrastructure, the local autonomy and the functioning of the public-private partnership with the purpose to increase the quality public services offer;

• the law regarding the regional development ad the emergency ordinance regarding the underdeveloped areas which stimulate partnership at the local level within economic and social areas, provide facilities for investors with the purpose to economic and social protection relaunching and facilitate the access to the structural and social cohesion funds, in the UE accession perspective;

• the law regarding the establishing of basic salaries in the budgetary sector and of indemnities for persons having dignity functions, which ensure the public administration personnel motivation and the promotion on the efficiency and professionalism criteria, with the purpose to improve the public services quality.

It was adopted the Law on the reconstitution of the ownership right on the agricultural lands and the forest lands requested according to the provisions of the Law on Land Found. The lack of harmonization of the technical requirements between the agricultural cadastre and the general cadastre, hinders in certain areas the registration of the ownership titles issued according to of the Law on Land Found, which results in
citizens dissatisfaction, creates supplementary costs and makes more difficult the juridical circulation of the lands.

Because of these deficiencies, the Government adopted on April, 25th, 2001 the Emergency Ordinance on the redesigning of the activity by setting up a national office for cadastre, which will be responsible for the correct and concrete application of the Land Fund Law and the Cadastre Law.

In the context of legislative harmonization between the internal and communitarian provisions, the following normative acts were adopted:

- the Law of Local Public Administration which regulates the local autonomy general conditions, defines the attributions and the local authorities competencies and strengthens the local elected people’s responsibility towards of the citizens;
- the Law regarding the communal husbandry public services with the view to communitarian services develop and decentralize communitarian services
- the Law regarding the status of the elected people

12. Reform priorities

12.1 Short term priorities

**Setting up a professional and apolitical civil servants body**

Strengthening the public administration capacity in elaborating and implementing the economic and social reform measures, strongly depend on the setting up of a unitary civil servants body, compatible with similar structures from other UE member states, measure which will be realized by implementing the Law regarding the civil servants status. In order to create, in a short time, a professional body of young civil servants in Romania, competitive in managing and administrating the public sector, appointed on apolitical and professional criteria, capable to face problems arising in the main areas related to the communitarian acquis implementation and other requests regarding the UE accession, a general mechanism for civil servants recruiting and professional training will be created. This general mechanism will be based on the principles of professionalism and open competition.
The setting up of the National Institute for Administration

The legal framework for setting up the National Institute for Administration was created by adopting the Ordinance no.81/2001. This is envisaged to be an institution specialized in civil servants and local elected people training. It will coordinate the regional training centers network and it will be linked to the international training institutes for civil servants training in Europe. The National Institute for Administration will be created after the finalization of the feasibility study performed under the PHARE program RO9804.05 and it will be subordinated to the Ministry of Public Administration. Training courses with a duration between 2 weeks and 2 years will be organized, as well as specialized courses focused on the specific training needs.

Strengthening the Civil Servants National Agency capacity, central unit for the setting up and the development of the civil servants body

The regulations regarding the civil servants body (the law on the civil servants status) require the setting up of a central unit for the public function and civil servants management, destined to organize the coordination of the selection, evaluation, payment and record of the civil servants, in a professional way.

By Governmental Decision was approved the CSNA reorganization, as specialized agency of the central public administration subordinated to the Ministry of Public Administration, which must fulfill, among others, the following attributions:

- elaborate principles, strategies and policies for public function and civil servants management;
- elaborate ordinary regulations for public authorities and institutions regarding public functions, grades and classification for all positions;
- elaborate and manage the informational system and the data base for public functions and civil servants records;
- monitoring activity for public function and civil servants.

An assistance project for CSNA is under way of implementation and it has as main objective the strengthening of operational capacity, the elaboration of the secondary legislation in the area related to public function and civil servants management and the elaboration of coherent policies in the civil servants training area.

CSNA will permanently receive qualified support for the implementation of the Civil Servants Status Law. The assistance means mainly the strengthening of the
monitoring capacity, the elaboration of an mechanism for civil servants recruitment and promotion, the elaboration of an new remuneration system for the civil servants (based on fairness, transparency, predictability and financial possibilities principles) and the elaboration of an human resources planning system within the public administration.

**Strengthening the Ministry of Public Administration institutional capacity**

The Ministry of Public Administration, as synthesis ministry, assure the application of the strategy and Governmental Program in the local public administration area and monitors, on behalf of the Government, the elaboration and application of reform programs by the others ministries and central public administration authorities. The strengthening of the MPA capacity, especially through offering assistance for the elaboration of the regulations and policies in the public administration area, is highly important for the public administration reform.

The foresee measures for this objective accomplishment are:

- the strengthening of the MPA’s institutional capacity in setting up and implementing policies as well as the improvement of the coordination capacity;
- the setting up and implementation of the policies and regulations regarding the territorial distribution of administrative responsibilities between different levels of public authorities;
- strengthening the MPA’s capacity to define the public function reform strategy;
- the elaboration of the internal coordination procedures and relevant administrative regulations;
- strengthening the MPA capacity of elaborating laws and other normative acts;
- reevaluation of the existing legislation and their completion in order to optimize the legislative frame for the local public administration;
- strengthening the MPA capacity to assist the local authorities in the managerial capacity improvement and in preparing development projects.
De-centralization of the ministerial services and strengthening the local autonomy.

The administrative de-centralization processes, the local autonomy strengthening and the public services de-concentration are stipulated in the Law on local public administration.

By de-centralization the Government follow the local collectivities consciousness and involvement in the local and regional problems administration. At the same time the continuation of the local public administration reform envisages both the decision and administrative action of de-concentration from the central administration level to the local public administration one.

This law clearly defines the basic principles for the local public administration functioning: local autonomy, public services decentralization, citizen consultation in problems of specific interest, the responsibility and cooperation between local public administration authorities, the legality. Also, this normative act regulates the local elected persons rights and obligations, the prefect institution, the local and county councils rights to create and develop cooperation, twinning and associations with other Romanians or foreign local administrations.

Also for supporting the acceleration of the decentralization and de-concentration processes the Law regarding the communal husbandry public services is in force, establishing the public services legal framework and the local public authorities attributions in order to assure efficient public services and to assume on contractual basis the suppliers responsibility towards of citizens.

The local autonomy general conditions regulation

The continuation of the local public administration reform is based on the local collectivities autonomy increasing through performing decisional, financial and patrimonial autonomy, simultaneously with starting the administrative decentralization and de-concentration processes. For the first time, the Law on local public administration contains essentials framework provisions regarding local autonomy: establishing the counselors number on the base of functional economic criteria, strengthening the connection between the administration and the citizen through the application of the public consultation principle in the local problems of special interest, the local referendum organization and progress modalities. The law also contains provisions concerning the right of the citizens belonging to the national minorities to use mother tongue in their relationship with local public administration authorities, if they represent at least 20% in the total number of citizens in those localities.
With the view to harmonize the governmental and local policies in the sustainable socio-economic development process, at the each district level a consultative territorial commission will be organized and will function. It defines more clearly the prefect institution mentioning their attributions and competencies regarding the control of the local public administration authorities documents from the legal point of view and their attributions in the decentralized public services management at the administrative-territorial units level. There are established the local and county councils attributions according to the new normative acts.

Delimitating and establishing local communities financial resources from the state budget. Decentralization of the decision regarding the financial and patrimonial resources management.

The Law on local public finances establishes, for the first time in Romania, norms, mechanisms and procedures that clearly limit the constitution and using of the local communities financial resources from the state budget. The autonomy of the local authorities in establishing, finding, following and cashing the income sources of the local budgets has been increasing, as well as in the way of allocating them according to every administrative-territorial unit priorities and specifics.

It was also promoted a greater autonomy in the financial resources establishing and distribution in investments areas and in sustainable socio-economic local development strategies as well as the association possibility and financial resources engagement in regional and transfrontalier cooperation programs.

For the first time, the local authorities have the right to accede, for lending contracts, on the free capital market, without governmental warranties. The loans from the internal or international capital market can be guaranteed with the own local communities resources, as well as with their private patrimony, according to the law regarding the property and its juridical regime. The financial transfers from the state budget to the local budgets are balance transfers at the local public administration authorities’ disposal. According to the Government Decision the procedures whereby the local and district councils have created their own services and have overtaken – in connection with the all local taxes categories – the following and cashing activities were established. In that way, the local communities financial resources are monitored by those ones and are they are not cashed by the de-concentrated services of the Public Finance Ministry.
The 2001 state budget succeeded in the financial decentralization of important expenses from the central budget to local ones as: the educational expenses (except high education), institutionalized children, disabled persons and centers for the agricultural consultancy. In comparison with 2000, the local budgets stipulate double amounts in the chapter “Transfers from the central budget”. Recently, the Government has adopted a law for modifying and completing the Law on Local Public Finance and a new law regarding local taxes is envisaged to be adopted.

**Citizens participation in the decision making process**

*The Law on local public administration* and the *Law regarding the organization of the referendum* provide the citizens right and possibility to participate in the most important decisions regarding the using and management of the financial and patrimonial resources of the local communities. The local authorities, by association or cooperation with non-governmental organizations, can determine the citizens’ participation in the public life, allocating for this all the requested financial and patrimonial resources. In this respect, methods of active citizens participation to the public life will be promoted, especially by periodical meetings and forming initiatives groups destined to represent the citizens interests face to the local public administration.

**Gradual demilitarization of certain community services**

In order to develop the efficiency and the quality of the services and to strengthen the personal safety measures, guard and security for each citizen, the Government adopted acts in order to create the conditions for transferring certain community services to the local public authorities, according to the developed states standards – such as:

- population record and its organization as community service by the city halls or county councils (identity card, elector card, permanent electoral register, driving license, vehicles registration certificate etc.);
- transferring the passports record to the subordination of the prefectures by organizing a specialized public council service;
- organizing certain community services for emergency situation (fires, floods, earthquakes, hail, frost, etc.);
- setting up at each administrative-territorial unit level – commune, town, city – of the community police for maintaining the public order.

As a result of these measures, the one-stop shop system will be generalized to promptly meet the citizens’ requests.
Strengthening the institutional framework for the general cadastre

The harmonization of the specialized cadastre methodologies will be achieved in order to integrate them within the general cadastre system, first of all the agricultural cadastre and the immovable town cadastre.

A National Center for Tele-detection will be set up, which will insure the achievement, the actualization, the modernization and the administration of the official maps of Romania, the assurance of the cartographic base for the cadastre works, the performance of some production and researching works to maintain the cartographic products by photogrammetry and tele-detection methods, the participation in establishing and experimentation of some methods to achieve at the national level the thematic studies on air and satellite basis, as well as to set up a national digital map up-to-dated and complete.

In order to develop the informational system of the general cadastre there are necessary:

- endowment with the necessary equipments and training the staff of the council offices of cadastre, geodesy and cartography;
- establishing the general cadastre in all the councils in at least 2-3 territorial administrative units, through the modernization of the geodesic network, photographic survey, photogrammetry marks, delimitation of the territorial administrative units, works which will be achieved by the private firms selected by public tender;
- achievement/actualization of the cadastre plans and registers;
- setting up the informational infrastructure which will contribute to achieve the cadastre records and immovable advertising and its implementation at the council offices of cadastre, geodesy and cartography and the offices land-book level.
- establishing the register of the permanent cadastre and immovable advertising as a database compatible with basic registers of the system of the permanent registers.

Development of the management of the local public services

The aim of this objective is to improve the standards of the local public services, especially those activities concerning the water supply and sewerage. Therefore it will be taken into consideration both the establishing of a legal base for the legal substantiation of the local services, based on EU directives regarding these services, and the development of the perfecting possibilities and counseling the implication of the private sector in these activities.

This objective is supported also by the Communally Development Services Law, which regulates the legal status of the local public services in order to make them more efficient and provides the assuming obligation, on a contractual basis, of the responsibility of the services suppliers toward the users.

The Ministry of Public Administration will assist the local authorities in concluding the contracts regarding the participation of the private sector in the
achievement of these services, in order to establish certain associations for developing and efficiency the local public services, and also to attract foreign investments in this sector.

12.2. Medium-term priorities

Establishment of an informational integrated system for the central and local public administration and introducing the e-Administration

In order to develop the efficiency of the public administration activities, the institutional communication will be modernized by introducing the information technology. In this regard the development of the informatics infrastructure it is taken into consideration, contributing in this way to the elimination of bureaucracy and the development of efficient and qualitative public services. In accordance with the internal and external available financial resources, a program for creating and implementing an informational integrate system will be elaborated at the level of local and central public services (e-Administration).

The informational integrate system will take also into consideration:

- the creating of IT for the register and archive services;
- the increase of the safety rate of the communication process among the decision factors and the possibility to communicate in duly time;
- the concrete and immediate implication of the citizens in the achievement of the Government Program by the legal initiatives in the public administration area;
- the decrease of transfer period of information with regard to the citizens response towards the one who has the legislative initiative;
- the development of the educational level in the legislative and civic responsibility area;
- the unblocking of citizens’ petitions overtaking activity and optimizing the process of their solving.

Improvement of the relations between administration and the users of the public services

The improving of the relations between the administration and the public services users takes place through the decentralization and de-concentration of the public services and by setting up of an efficient administration, on the one hand and by the facilitating the citizens’ participation in the decision process, on the other hand. It is pursued the achievement of a public service which should respond better to the citizens needs and to meet UE standards.
In order to put into operation this desideratum, some measures will be taken:

- simplifying administrative measures;
- eliminating the overlaps among the activities of the different public institutions;
- rationalization the administrative procedures and the documents circuit;
- selecting, preparing and training the civil servants, who work directly with the citizens and the economic agents;
- extending the utilization of IT equipments in the public administration (e-Administration concept).

The simplification of the approval procedures through the generalization of the “one-stop shop” system is a factor of decreasing the bureaucracy.

An important contribution to achieve a public service for the citizens is given by providing the transparency of the administrative documents and by a prompt communication with the citizens by facilitating their access to the information and by settling the compulsory audience schedules for the dignitaries, local elected people and the persons who are in managing position in the central and local public administration.

The consolidation and enlargement of the participation of the civil society at the decisional system it will be taken also into consideration, especially by organizing certain permanent forms of consulting its representatives and by improving the functional framework of the participatory democracy.

In order to fulfill the citizens needs for having multivalent and easy accessible public services, in the areas where an insufficiency of the public services is found, it will take into consideration joining number of different public services in the same headquarters (central public administration services, local communities services, social assurances services, industrial and commercial services), insuring of a polyvalence in taking over and solving the difficulties through the cooperation among these services, common using of the fixed assets and the equipments and offering of a large area of services through the personalization of the situations and the setting up of an operational system for taking the rapidly decision.

**Strengthening the decision-making capacity at the governmental level**

The decision-making capacity at the governmental level is influenced by the existence of an apparatus able to perform rapidly and efficiently the precursory steps of the political decision-making process.

The Law regarding the methodology for the elaboration of the legislation and government decisions, issued for its application, sets up a clear and coherent system for elaborating the policies and legislation and the obligation to start an inter-ministerial consultation.

Taking into consideration the nature and the complexity of the problem, the Prim Minister can decide the establishing of a structure having an advisory character,
usually an inter-ministerial one, which analyses, correlates and harmonizes the sectoral interferences generated by solving of the problem. The activity of the advisory structure follows the steps relating identifying and analyzing of the problems, formulating the possible options and choosing the viable one. These steps are precursory of the really decision-making process. The increasing in the decision-making capacity of the governmental level is determined by the increasing of the activity of the inter-ministerial groups, which are constituted at the level of state secretaries for different areas of activities.

The strengthen of the decision-making governmental capacity is also closely linked to the improvement of the coordination among the general secretaries and experts in the ministries to formulate the sectoral policies and to elaborate the settlements in accordance with EU standards.

**Strengthening the institutional capacity for the rural development**

In the development and modernization of the area of the rural localities there are foreseen the investments in the rural infrastructure in order to improve the technical-cities endowments (electrical network, water and gas supply, roads, sewerage, environment, telephone-services etc.) and to increase the standard of living in these localities.

In order to reach this objective, the Romanian Government carries on many rural development programs, financed by international banking and financial institutions. The aim of these programs is to achieve investments in the rural infrastructure.

These programs are constituted also as precursory activities for the implementation of the SAPARD program.

**Improvement of the legislative framework**

With the view to harmonizing the national legislation with the needs of the EU provisions, providing the coherence and the stability of the standards in the area of the central and local public administration, The Government will elaborate and submit to the Parliament, during 2001, the following projects:

- Administrative code;
- Administrative procedure code;
- Electoral code.
### Action plan for implementing the strategy of public administration reform

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<tr>
<th>Objectives of the Government Program, according to PNAR</th>
<th>Performance Indicators</th>
<th>Implementation Means</th>
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| 1. Restructuring of central and local public administration | 1. level of budget expenses  
2. timeliness of sectorial policies of the ministries  
3. level of coherence between the decisions of the ministries and the global Government policy  
4. level of resistance to change of the bureaucratic structures within the Government  
5. level of transparency and realism of the government decisions  
6. level of optimization of the decision-making time | M1.1. restructuring of the Government, in order to make the administrative act more effective, by adopting new legislation (Act 90/2001, EO 2/2001, other laws regarding the establishment or the organization of some ministries - as specialized bodies of the central public administration)  
M1.2. reorienting the activity of some ministries and reducing the number of governmental agencies  
M1.3. transferring some governmental agencies into the subordination or coordination of the ministries, in order to ensure a coherent and effective activity and normal functional relations  
M1.4. establishment of new ministries, for better meeting the economic priorities and the European integration requirements  
M1.5. transforming the ineffective governmental agencies into ministries  
M1.6. organizing within the ministries special departments, headed by secretaries of state, for: relations with Parliament, relations with unions and employers, relations with NGOs, European integration and external relations, domestic and foreign investors  
M1.7. establishing a horizontal communication system between ministries and strengthening the role of secretaries-general, in order to separate the political decisions from the executive-administrative decisions  
M1.8. establishing, according to legal requirements, some flexible and effective structures for the organization and operation of the ministries, governmental agencies, prefectures, county councils, local councils and municipalities; reducing the number of departments, | 31.01.2001 | The Central Government |
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<td>M1.9. reducing the number of management positions in the central and local public administration structures (deputy secretaries-general, general directors, deputy general directors, directors, deputy directors, heads of offices and bureaus)</td>
<td>general directions, directions, offices and bureaus in the central and local public administration structures</td>
<td>31.06.2001</td>
<td>The Central Government</td>
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<td>M1.10 establishing a reform central unit, headed by the Prime Minister</td>
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<td>31.09.2001</td>
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<td>M1.11 clarifying the economic analysis responsibilities and the sectorial public policies for each ministry</td>
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<td>31.09.2001</td>
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<td>M1.12 establishing a Central Agency for Acquisitions, in order to ease the implementation and to strengthen the legislation concerning public acquisitions, responsible for the official reporting of public acquisitions and for preparing new sanctions in case of breaching the legal requirements</td>
<td></td>
<td>31.12.2001</td>
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<td>M1.13 reducing the number of ordinances issued in the governmental decision-making process, in order to ensure the coherence of the Government decisions</td>
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<td>M1.14 establishing a Council of the secretaries-general from the ministries, for a better horizontal correlation of the executive-administrative process</td>
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<td>31.09.2001</td>
<td>The Central Government</td>
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<td>M1.15 establishing a Government-Parliament-Legislative Council commission to coordinate the activities undertaken for harmonizing the Romanian legislation with the European legislation.</td>
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<td>31.09.2001</td>
<td>Ministry for Relations with Parliament, Min. of European Integration, Min. of Justice</td>
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<td>M1.16 enhancing the planning capacity and improving the management of the budgeting process</td>
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<td>31.12.2001</td>
<td>Min. of Public Finance</td>
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<td>M1.17 improving the budgeting activities and setting the priorities among ministries</td>
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<td>31.12.2001</td>
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<td>M1.18 strengthening the budget control and the budget reporting system, in order to establish the future needs for treasury flows for the central administration authorities</td>
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<td>Min. of Public Finance</td>
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<td>M1.19 enhancing the administrative capacity for fiscal policies elaborating and tax collecting;</td>
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<td>31.12.2001</td>
<td>Min. of Public Finance</td>
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<td>M1.20 strengthening the Romanian judicial system, by increasing the technical capacity for implementing the European legislation concerning new areas of the commercial law, but also other specific areas, as money laundering, drug trafficking, illegal immigration, computer fraud</td>
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<tr>
<td>M1.21 strengthening the cooperation between the custom authorities and the Romanian Office for Intellectual Property Rights</td>
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<td></td>
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<tr>
<td>M1.22 strengthening the financial audit and the role of the Romanian Auditors Chamber</td>
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<td>31.12.2001</td>
<td>Min. of Public Finance, Court of Accounts</td>
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<tr>
<td>M1.23 creating the legal framework for establishing a central administrative structure, according to the European legislation requirements, for the protection of the crime related information, exchanged between the domestic and the foreign responsible authorities</td>
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<td>31.12.2001</td>
<td>Min. of Communication and Information Technology, Min. of Justice</td>
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<td>M1.24 developing the capacities for implementing the European metrology standards</td>
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<td>M1.25 correlating the financial information service, as an instrument of the National Office for Money Laundering Prevention</td>
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<td>31.12.2001</td>
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<td>M1.26 adopting new legislation concerning the improvement of the operations of the National Securities and Exchange Commission and the Insurance and Reinsurance Activities Supervising Office</td>
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<td>31.12.2001</td>
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<td>M1.27 adopting the competition secondary legislation</td>
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<td>M1.28 improving the legal framework for increasing telecommunication regulation function efficiency</td>
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<td>31.06.2002</td>
<td>Competition Council</td>
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<td>M1.29 institutional strengthening of the Ministry of the Interior, in order to make it an efficient civil body, able to implement the European legislation in this area</td>
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<td>31.12.2001</td>
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<td>M1.30 strengthening the institutional capacity of the Ministry of Agriculture, Alimentation and Forests, in order to ensure the proper implementation of the European legislation in this area</td>
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<td>31.12.2001</td>
<td>Min. of Agriculture, Alimentation and Forests</td>
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<td>M1.31 strengthening the control over public institutions and the control institutions responsibilities</td>
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<td>M1.32 strengthening the institutional capacity of the Ministry of National Defence, to prepare it for NATO integration</td>
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<td>M1.33 strengthening the institutional capacity of the Ministry of Labor and Social Solidarity</td>
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<td>M1.34 enhancing the role of the Ministry of European Integration in coordinating the European integration activities of the central administration</td>
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<td><strong>O2. The essential change of the relations between authorities and citizen</strong></td>
<td>7. level of involvement of the citizens in the process of local decision-making</td>
<td>M2.1 creating a citizen oriented public service; increasing the accuracy of the response delivery and motivation; reducing the response time for the public authorities and services / by generalizing the one-stop office, eliminating parallelisms from public institutions activities, rationalizing the administrative procedures and document flows</td>
<td>31.12.2003</td>
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<td>8. level of transparency of the local authorities activities</td>
<td>M2.2 eliminating bureaucratic bottlenecks from central and local public administration, which discourage both citizens and private companies</td>
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<td>9. quality of public services delivered to the citizens</td>
<td>M2.3 strengthening and expanding civil society participation in the decision-making process; promoting the direct consulting with the citizens for local decisions, by adopting the Law concerning referendum organization and development</td>
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<td>10. level of availability, safety and support given to the citizens by the civil</td>
<td>M2.4 perfecting the participative democracy framework, by allowing citizens to get in contact with the authorities permanently (“open doors policy”) - not only during the audience program</td>
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<td>O3. Decentralization of public services and strengthening local administrative and financial autonomy</td>
<td>11. structure of the institutional and organizational system of the local collectivities</td>
<td>M3.1 ensuring the administrative acts transparency and the effective communication with the citizens, according to Law no. 215/2001 concerning local public administration, which came into force on May 23, 2001</td>
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<td>12. local authorities' capacity to obtain the necessary revenue</td>
<td>M3.2 accelerating the public services decentralization process and transferring the administration and financing of some activities to the local authorities - county councils and local councils; enforcing the provisions of the Law concerning local public services, immediately after its promulgation</td>
<td>01.01.2003</td>
<td>MoPA</td>
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<td>13. the management system and the global policy of the collectivity</td>
<td>M3.3 harmonizing the structure and organization of the different territorial entities, in a decentralized framework; reassigning the functions of the public authorities, between those of the state - both at national level and at territorial level - and those of the local collectivities</td>
<td>31.12.2003</td>
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<td>14. budget outcome and budget flexibility</td>
<td>M3.4 improving the stability and the predictability of the fiscal decentralization system</td>
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<td>15. level of local taxation and taxation threshold.</td>
<td>M3.5 allowing local authorities to hold commercial bank accounts</td>
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<td>16. local taxes sensitivity</td>
<td>M3.6 implementing the law concerning the public estate and its legal status</td>
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<td>17. level of predictability of local revenue</td>
<td>M3.7 creating the legal framework for issuing municipal bonds, including the purpose and threshold to which these can be granted</td>
<td>30.06.2002</td>
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<td>18. support system for collectivities</td>
<td>M3.8 development of the public-private partnership in order to improve the quality of public services</td>
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<td>19. level of availability of public services to citizens</td>
<td>M3.9 establishing the legal framework for solving the problem of local collectivities economic intervention</td>
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<td>M3.10 strengthening the administration control of public services</td>
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<td>M3.11 creating the legal framework for establishing a local authorities bank</td>
<td>20. level of safety for the citizens</td>
<td>30.12.2001 - takeover</td>
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<td>M3.12 transferring to the local authorities the activities and necessary resources from the central budget, to finance public services for the local collectivities: education, health, culture, police, firemen, civil defence, etc.</td>
<td>21. promptness in emitting the identification documents</td>
<td>30.12.2001 - takeover</td>
<td>MoPA Min of Interior</td>
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<td>M3.13 redesigning the local taxation system, in order to make it the main financing source for the local budget</td>
<td>4. Gradual demilitarization of some municipal services</td>
<td>30.12.2001 - takeover</td>
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<td>M3.14 amending Law no. 189/1998 concerning local public finance, in order to ensure the financing sources for the normal operation of the local public services; meeting the necessary prerequisites for structuring and adopting well-grounded local budgets, capable to ensure financing of the community works</td>
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| **O5. Depoliticizing the administrative structures and eliminating political bias** | 22. level of stability of the civil servants  
23. level of motivation of the civil servants  
24. the maximum decision threshold for civil servants  
25. level of transparency and objectivity in hiring and promoting civil servants  
26. number of civil servants participating in professional training courses | M5.1 respecting Law no. 188/1999 concerning the civil servant status; applying the principle of hiring civil servants exclusively on the grounds of professional competence  
M5.2 promotion in civil service according to performance and morality, on a legal basis  
M5.3 coherent and fair administration of the civil servant career, by proper retribution, incentives and normal working conditions, in order to respect the principle of stability and continuity  
M5.4 creating an effective national and regional training system for civil servants and local elected representatives  
M5.5 preparing the legal framework for compelling the local collectivities and ministries to assign 1% from their budget for professional training | Permanent | MoPA National Agency for Civil Servants |
| | | | Permanent | MoPA NACS |
| | | | Permanent | MoPA NACS |
| | | | 31.12.2002 | MoPA NACS |
| | | | 30.06.2002 | MoPF |

| **O6. Creating a professional body of civil servants, stable and politically neutral** | M6.1 accelerating the implementation of Law 188/1999 concerning the civil servants status  
- delivering specialty assistance by the National Agency of Civil Servants, according to its Organization and Operation Rules, adopted by GD no. 299/2001  
- monitoring and control over Law 188/1999 implementation  
- computerizing the NACS activities regarding the civil service and civil servants  
- developing the collaboration with the public authorities and institutions, within the “Coordination Mechanism”  
- elaborating the methodological norms, instructions, technical norms, in order to ensure the functionality and coherence of Law 188/1999 | 31.12.2004 | MoPA NACS |
<p>| | | 31.12.2004 | MoPA NACS |
| | | 31.12.2004 | NACS |
| | | 31.12.2003 | NACS |
| | | 31.12.2004 | NACS |
| | | 31.12.2002 | NACS |</p>
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<tr>
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<td>M6.2 preparing the secondary regulation for applying Law 188/1999, according to the European legislation</td>
<td>31.12.2001</td>
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<tr>
<td></td>
<td>M6.3 improving civil service and civil servant management - preparing a new Romanian civil service guidebook - implementing new management methods and techniques, in order to make civil servant management more efficient, focusing on objective-oriented management</td>
<td>31.12.2003</td>
<td>NACS</td>
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<td>M6.4 strengthening the National Agency of Civil Servants - re-projecting NACS management system, following the objectives system established in the strategy</td>
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<td>M6.5 creating and developing an integrated informational system and a civil service/civil servant database</td>
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<td>M6.6 improving NACS image and civil servants body image</td>
<td>31.12.2002</td>
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</table>

<p>| O7. Eliminating the bureaucracy in public administration | 27. level and structure of the central and local administrative authorities 28. duration of document circuit 29. number of hierarchical levels involved in the decision-making process 30. level of the public administration | M7.1 rationalizing the administrative procedures; establishing precise deadlines for solving the requests M7.2 rationalizing the document circuit M7.3 expanding the use of information technology and equipment in public administration; developing the computerized data processing and allowing on-line access for 30% of the citizens | 31.12.2001 | MoPA |
|                                                        |                                                        | 30.09.2001 | Local Authorities Ministries |
|                                                        |                                                        | 30.06.2003 | MoCIT |
|                                                        |                                                        |                                                        | MoPA |
|                                                        |                                                        |                                                        | Local Authorities |</p>
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<td>O8. Coherence of the administrative action; perfecting the administrative management</td>
<td>31. use of modern management techniques</td>
<td>M8.1 implementing e-government for central administration and a pilot local community of 100,000 citizens</td>
<td>31.12.2003</td>
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<td>32. specialty assistance for public administration</td>
<td>M8.2 initiating ISO9002 quality procedures for public administration</td>
<td>31.12.2002</td>
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<td>33. dissemination of experience</td>
<td>M8.3 improving the relation between central and local public administration, between county public authorities and village/town authorities</td>
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<td>M8.4 dissemination of experience and knowledge accumulated in elaborating and implementing public policies</td>
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<td>M8.5 adapting local collectivities administration to the current economic, social and political dynamics</td>
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<td>M8.6 implementing modern public management techniques and methods</td>
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<td>M8.7 improving legality control over local authorities acts and establishing the legal status of decentralized cooperation</td>
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<td>M8.8 equal and effective implementation of the norms and regulations system for central and local public administration</td>
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<td>M8.9 creating an integrated informational system for central and local public administration</td>
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<td>M8.10 scientific decision-making regarding social policies, on the grounds of studies and surveys, establishing methodological coordination sociologic offices, both at central and county councils levels</td>
<td>31.12.2001 offices establishment</td>
<td>MoLSS MoPA</td>
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- MoCIT: Ministry of Communications and Information Technologies
- MoPA: Ministry of Public Administration
- Local Authorities
- NGOs
- MoLSS: Ministry of Labour, Social Solidarity, and Sport
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<td><strong>O9. Implementing of sensible development and modernization policies for rural and urban areas</strong></td>
<td>34. level of urbanization</td>
<td>M9.1 granting the commune status to over 1,000 villages, which meet the legal requirement, in order to ensure a closer connection between authority and citizen</td>
<td>30.06.2004</td>
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<td>35. level of economic development of the areas</td>
<td>M9.2 granting the town status to a significant number of communes which have the necessary facilities (water supply, gas supply, wastewater, telephone network, etc.)</td>
<td>30.06.2004</td>
<td>MoPA</td>
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<td>36. level of development of the rural and urban infrastructure</td>
<td>M9.3 supporting local economic development through a territorial economic and social activities diversification and development process, starting with the mobilization and coordination of the existing resources and energies</td>
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<td>37. number of cooperation structures between rural areas</td>
<td>M9.4 supporting a sustainable and socially acceptable development of the local collectivities</td>
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<td>M9.5 encouraging local entrepreneurs</td>
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<td>M9.6 creating cooperation structures between communes, in order to facilitate access to public services and to stimulate foreign investment</td>
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<td>M9.7 meeting the prerequisites for administrative-territorial organization, according to EU standards</td>
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<td>M9.8 harmonizing urban infrastructure works with the budget cycle, using multi-sectorial investment integrated planning method</td>
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<td>M9.9 preparing the urban infrastructure network cadastre</td>
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<td>M9.10 harmonizing the environmental issues with the urbanism issues</td>
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<td>M9.11 implementing an integrated land management system</td>
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| O10. Strengthening the state authority and its responsibilities | 38. state's capacity to implement, complete and evaluate sectorial public | M10.1 reinforcing the legal and constitutional rights of the public authorities - ministries and governmental agencies, prefectures, county councils, local councils, | Permanent | Central Government |

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<td>39. level of responsibility in political and administrative decision-making</td>
<td>M10.2 monitoring the administrative reform implementation and the operational performances of the central and local public authorities</td>
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<td>40. level of politicization of the state structures</td>
<td>M10.3 strengthening public expenditures control transparency, by periodic information provided to the citizens</td>
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<td>41. level of monitoring of the central and local administration reform</td>
<td>M10.4 developing the legal framework necessary for ensuring the public acquisitions transparency</td>
<td>31.12.2001</td>
<td>Min of Justice</td>
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| O11. Harmonization of the legal framework with EU requirements | 42. central administration's capacity to adopt the European legislation (aquis communitaire) | M11.1 ensuring the long term coherence and stability of the legal framework for central and local public administration | 31.12.2002 | MoPA |
|                                                              | M11.2 initiating a vast action of improving the existing laws and designing new laws, based on the principles found in the Constitution and in the European Charter of Local Autonomy | 31.12.2003 | Min of Justice |
|                                                              | M11.3 preparing and passing on to the Parliament the following legislative proposals, to ensure the consistency of interpretation and execution and to avoid parallelism, excessive legislation and repeated modifications of the same act: -Administrative Law -Administrative Procedure Law -Electoral Law | 31.12.2001 | MoPA, Min of European Integration |
|                                                              |                                                      | Min of Justice | MoPA |
|                                                              |                                                      | Min of Justice | Min of Justice |