



Factual Findings Report
National Integrity Agency

External Audit of ANI Management for 2019
May 2020

Table of Contents

Introduction	3
Engagement's objectives and applicability area	3
Procedures performed and factual findings	3
Findings	4
1. Objectives and Scope of the Project	6
2. Project Approach	6
1. Planning	6
2. Developing the engagement plan	6
3. Performing the verification procedures	7
4. Reporting	8
3. Action measures implementation status related to the Strategy for prevention and sanctioning of conflicts of interest, incompatibilities and unjustified assets (2016 - 2020)	9
4. Remediation status for deficiencies identified during the verifications for the period 2009-2018	10
5. Specific work methodologies to each verified area	11
a) ANI Management	11
<i>President, Vice-president and General Secretary</i>	11
b) Integrity Inspection	12
Aspects regarding the activity of the Integrity Inspection	14
c) Analysis and Prevention Department	16
d) Public Internal Audit Department	18
e) Legal, Public Relations and Communication General Directorate	20
Contentious Department	20
Communication, Public Relations and Strategy Directorate	22
Implementation of Structural Funds, Studies and Strategies Department	24
f) Human Resources Department	25
Labor Protection Compartment	27
g) Economics Department	27
The Financial Office and the Accounting Compartment	27
h) General Registry and Archive Compartment	28
i) Procurement, Investment and Logistics Office	28
j) The activity of the Commission for monitoring the internal control management system at ANI level	29
k) The assessment of personal data processing activities	30
l) IT System Evaluation	34
Use of the present report	37
ANNEX 1 Implementation Status of action measures related to ANI Strategy for combating and preventing undue accumulation of assets, conflicts of interest and states of incompatibility	38

Introduction

National Integrity Agency (hereinafter “ANI”, “the Agency”) has engaged SC Deloitte Audit SRL (hereinafter “Deloitte”) according to contract no. 3568-26.02.2020 and addendum no. 1 / 29.03.2020 (hereinafter “the Contract”) to perform the external audit on ANI’s management, as required in art. 32 paragraph (1) of Law no. 144/2007 and the provisions included in Law no. 176/2010 on the integrity in exercising public functions and dignities, for the amendment and supplementation of Law no. 144/2007 on the establishment, organization and functioning of ANI and for the amendment and supplementation of other acts of legislation (hereinafter “Law no. 176/2010”).

The agreed work phases in the Initial Report for performing the engagement were:

- Understanding the engagement’s scope;
- Developing the work program;
- Performing the work program;
- Drawing up the conclusions and drafting the factual findings report.

Engagement’s objectives and applicability area

The quality of ANI’s management was assessed during March 1st – 29th of May 2020, by a team of Deloitte qualified professionals, based on interviews, examination of documentation and detailed tests.

The extension of the project duration period beyond the 31st of March law provided deadline was due to the restrictions brought upon by the state of emergency established in the context of the COVID-19 pandemic.

During the engagement, Deloitte’s team performed the fieldwork in close cooperation with ANI representatives, in order to achieve the goals stated in the technical tender book

The project was performed in accordance with:

- The terms of reference included in the technical offer “External audit of ANI’s management for the year 2019”, Appendix to the Contract;
- International Standards on Related Services (ISRS) – 4400 Engagements to perform agreed – upon procedures;
- Legal framework applicable to ANI.

The reference period for this report is the year 2019 exclusively, unless otherwise mentioned.

Procedures performed and factual findings

We have planned and performed the verifications in accordance with the objective and scope of this engagement, and with the agreed-upon procedures, as they are detailed in Chapter 3 – “Approach” of this Report. All the procedures detailed in Chapter 3 have been performed in accordance with the terms agreed within the Contract.

By following and performing the agreed upon procedures, we obtained sufficient and appropriate evidence to issue a factual findings report in accordance with the International Standards on Related Services (ISRS) – “4400 Engagements to perform agreed – upon procedures”. The procedures performed during this engagement are neither a financial audit, nor a review and thus we do not express any assurance regarding the performance of ANI management and financial statements for the year that ended on December 31, 2019.

The summary of the findings identified in 2019

Total findings with major impact	-
Total findings with medium impact	-
Total findings with minimum impact	3

We have also assessed the remediation status of the deficiencies identified during the external audit of ANI management for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018 as well as the implementation status for the measures within the Action Plan for the implementation of the Strategy for control and prevention in accumulating unjustified assets, conflict of interest and incompatibilities.

The remediation status of the deficiencies formulated in the factual findings report for the years 2009 – 2018 is presented within the table below:

Total number of deficiencies for which the recommendations have been implemented	10
Total number of deficiencies for which the recommendations have been partially implemented	23
Total number of deficiencies for which the recommendations have not been implemented	18

Findings

The results of the application of the agreed-upon procedures performed according with the International Standards on Related Services (ISRS) – 4400 Engagements to perform agreed – upon procedures, are presented within this report.

Following the assessment of ANI's activity performed during the year 2019, we have identified ANI's functionality parameters which are based upon ANI's management efforts made in the context of the changes at the management level to improve the processes and to increase the efficiency of the activity in order to achieve the objectives planned. The results were as follows:

- Continuation of the efforts to implement the measures of the Strategy for preventing and sanctioning conflicts of interest, incompatibilities and unjustified assets for the period 2016-2020 and the measures included within ANI's Integrity Plan regarding the implementation of the National Anticorruption Strategy for 2016-2020;
- The start up of the implementation process of project "EMOD – Developing the institutional capacity of the National Integrity Agency as to streamline the internal workflows and the ways of submitting assets and interest declarations in the electoral and annual process".
- The carrying out of a series of activities throughout the year 2019 within project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets"; project carried out in partnership with Transparency International Romania and funded through the Administrative Capacity Operational Program (POCA).
- achieving a 65% status on the "implemented" and "partially implemented" status of the performance improvement recommendations;
- increase the involvement of ANI in technical assistance projects and continuation of best practices export regarding the Romanian asset and interest declaration system and continuation of the process of implementing the objectives established by the Cooperation and Verification Mechanism;
- the continuation of the series of awareness and education activities, by organizing several training sessions dedicated to optimize the process of completing assets and interests declarations and by concluding

collaboration protocols with the National School of Political and Administrative Studies (SNSPA), Ministry of Regional Development and Public Administration (MRDPA) and the Ministry of Justice (MoJ);

Areas where remediation action is required from management addresses the following aspects, as noted during our verification performed:

- The Agency does not have the entire spectrum of competences required to manage the IT systems/technologies it currently uses. Consequently, continuity in managing and operating the IT systems depends on the services provided by external suppliers which impact the activity of the Agency.
- The work and files storage space is insufficient.

29 May 2020

Madeline Alexander, Audit Partner

For signature please refer to
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1. Objectives and Scope of the Project

According to the Contract, the engagement's specific objective, as defined in the Tender Documentation, is to add value, by taking an objective picture of the activities performed within ANI, and improve the overall National Integrity Agency management.

2. Project Approach

Based on the project's specific objectives, we performed the engagement in four phases, as follows:

- Planning the engagement;
- Developing the work program;
- Performing the work program;
- Reporting results.

1. Planning

During the planning phase, we performed the following steps:

- Prepared the preliminary request for information;
- Organized the „kick-off meeting“;
- Determined the professional standards applicable to the engagement;
- Obtained the necessary information for designing the evaluation program and for the preliminary analysis of the risks identified in this phase.

On March 1st 2020, before the beginning of the fieldwork phase, we organized, at ANI's headquarters, a kick-off meeting with the following results:

- Presented the team members involved in the project, both from ANI's side and Deloitte's side, and their responsibilities;
- Agreed the deadlines for performing the procedures and for reporting;
- Agreed the communication protocol between Deloitte and ANI team throughout the project.

2. Developing the engagement plan

In this phase, we assessed the internal procedures and controls in order to plan the evaluation. Based on the analysis of the documents made available to us, we developed the verification plan which followed the structure presented below:

- **Identifying the areas subject to verifications**, including the main activity directions of ANI (verifying assets, conflict of interest and incompatibilities) as well as the support activities (internal audit, finance, legal, human resources and public relation).
- **Prepare the interview plan in order to identify the specific risks**, including the format and the content of the interview templates with the relevant personnel.
- **Identifying verification techniques to be used** through:
 - The preliminary analysis of the decision making process, of the actions taken during the year 2019, in order to use these in the sampling process; based on this analysis, we prepared the testing strategy so that the processes under evaluation are relevant for the scope of our project;

- Establishing the format and content of the detail tests.

By the end of these two phases, on March 10, 2020, we delivered the Initial Report to ANI's management for approval. In this report we made a presentation of the verification procedures applicable to each ANI structure, sampling methodology and engagement planning phases.

3. Performing the verification procedures

During this phase, we carried out the procedures agreed upon with ANI management that included tests and interviews in order to conclude whether the policies, procedures and systems are compliant with both the national legislation in force and with the best practices in the field.

The verification procedures have been performed on a sample of management actions and in several stages, as follows:

- Acknowledging and understanding the internal regulations and procedures

During this phase we analyzed the Internal Organization Manual (ROF) approved by ANI President through Order no 1288/01.02.2018 subsequently amended by the Order of the President of the ANI no. 14409 / 10.10.2019 and by the Order of the President of the ANI no.16647 / 15.11.2019 by comparison with Law no. 144/2007, as well as with the provisions contained in Law no. 176/2010 on integrity in the exercise of public functions and dignities, for amending and supplementing Law no. 144/2007 on the establishment, organization and functioning of the National Integrity Agency, as well as for the amendment and completion of other normative acts (hereinafter "Law no. 176/2010"), we became familiar with the internal operational rules and procedures, we identified the responsibilities each department, division of tasks, applicable law, etc.

We mention that the ROF is the document that sets up ANI's organizational structure, the duties, tasks and responsibilities of ANI's employees. The document is approved through an Order issued by the President and is in conformity with the provisions included in Law 144/2007, art 6 para 4.

- Evaluation of the primary documents (procedures, internal regulations, orders, internal notes, minutes, evaluation guidelines, etc.), in order to understand the significant terms and conditions, both individually and globally, for:
 - Assessing their area of applicability, and
 - Assessing the accuracy and operating effectiveness of the procedures.
- Interviews, confirmation and specific detailed testing
 - Interviewing implies obtaining information from relevant and competent ANI stakeholders by organizing interviews with them
 - Confirmation consists in receiving the answer to a verification performed, in order to correlate it with the information within the existing procedures.
- The detailed tests consist of assessing how the institution records its operations for each process

The detailed tests were performed on a sample of managerial actions and in **several stages** as follows:

1. Sampling

Based on the understanding of ANI's working procedures and internal processes, we selected a sample of management actions from each department in order to assess compliance with the legislation in force and ANI's internal procedures/manuals/regulations applicable to each organizational unit. In determining and selecting the sample, we considered each department's specific activity and, where deemed necessary, we stratified the population in order to ensure the evaluation of a much representative area of management actions for the respective department.

The sampling methodology specific to each structure, and agreed with the Agency's management, in line with the provisions of the International Standards on Concurrent Services (ISRS) 4400 Engagements to Perform Agreed-upon Procedures, was applied following the rule below:

Total population (number of iterations of control activities)	Sample size
Over 350	25
52-350	15
13-51	5
5-12	2
1-4	1

Please refer to Chapter 5 for details regarding the agreed upon sampling methodology used for each department (sampling methodology agreed upon as per the Initial Report).

2. Evaluation of the quality of management - verification of the adequacy of the following elements:
 - the way the management of ANI manages its managerial tasks on the selected sample;
 - applying procedural rules:
 - formalizing and observing procedural steps;
 - use of standard documents;
 - documentation of the analysis and evaluation indicators;
 - reporting chart;
 - the circuit of documents;
 - operational procedures;
 - attributions and responsibilities, delimitations and delegations of competence, diagrams of relations, clearly formulated in the Organization and Operation Regulations;
 - how to manage and instrument the decisions;
 - compliance with regulatory obligations;
 - compliance with deadlines;
 - staff workload.

The details of the items to be verified were established on the basis of the audit trails and the applicable procedure manuals, depending on the specific situation.

- Checking the IT system for assessing the extent to which the IT system responds to the needs arising from the specific tasks the ANI has to fulfill.
- Verifying the process of protecting individuals with regard to the protection of personal data.

4. Reporting

Following the evaluations made, Deloitte submits to ANI management this factual findings report containing the deficiencies identified regarding internal processes and/or procedures applicable at the Agency's level, as detailed in Chapter 5 - Work methodologies specific to each verified area.

3. Action measures implementation status related to the Strategy for prevention and sanctioning of conflicts of interest, incompatibilities and unjustified assets (2016 - 2020)

The "Strategy for Prevention and Punishment of Conflicts of Interest, Incompatibilities and Unjustified Assets (2016-2020)" was approved by the National Integrity Council through Decision no. 4, June 14, 2016.

For the January 1 2016 – December 31, 2019 period we followed the implementation status of the measures assumed in the Strategy for the prevention and sanctioning of conflicts of interest, incompatibilities and unjustified assets (2016-2020).

The following statistics resulted from the tests performed to determine the degree of implementation of the measures related to the ANI Strategy for combating and preventing the accumulation of unjustified assets, conflicts of interest and states of incompatibility:

Total number of measures	Implemented	Partially Implemented	Not Implemented
59	41	15	3

Please refer to Appendix 1 for a detailed analysis of the progress related to the measures included in the 2016 – 2020 Strategy for the prevention and sanctioning of conflicts of interest, incompatibilities and unjustified assets.

4. Remediation status for deficiencies identified during the verifications for the period 2009-2018

Following the tests performed to determine the degree of remediation of the findings identified following the verifications related to the period 2009 - 2018, the statistics of the state of remediation of the findings on December 31, 2019 resulted, which are presented below:

Directorate/ Department	Total number of recommendations	Status		
		Implemented	Partially implemented	Not Implemented
Integrity Inspection	7	1	6	-
Analysis and Prevention Department *	6	-	1	5
Internal Public Audit Department	1	-	-	1
Contentious Department	3	1	1	1
Communication, Public Relations and Strategy Directorate	3	-	2	1
Implementation of Structural Funds, Studies and Strategies Department	1	-	1	-
Human Resources Department	1	1	-	-
General Registry and Archive Department	2	1	1	-
Internal managerial control system	2	1	1	-
Personal data processing activities	9	4	3	2
Systemic findings	1	-	-	1
Information Technology Department	15	1	7	7
Total	51	10	23	18

For details on the implemented / partially implemented recommendations please refer to Chapter 5 Working methodologies specific to each verified area.

5. Specific work methodologies to each verified area

Following the evaluation of the activity performed during 2019, we noted a continuation of the management's efforts for processes improvement and for streamlining the activity performed in order to achieve the planned objectives.

Follow-up on how the findings identified throughout the 2009-2018 missions were remedied

The following systemic deficiency **has not been remedied**:

- *No employee training sessions were conducted for the use of the SAP modules.*

The following systemic deficiency **has been partially remedied**:

- *Findings on the Strategy for preventing and sanctioning conflicts of interest, incompatibilities and unjustified assets (2016 - 2020):*
 - *Measurement tracking indicators are not SMART and in some cases are not complete;*
 - *Completion deadlines are not correlated with the objective of the measure*
 - *Not all risks are identified.*

For two of the measures of the Strategy the defined indicators are not quantifiable.

a) ANI Management

We have analyzed the responsibilities of ANI President and Vice-President as stated in the ANI Internal Organization Manual (ROF).

We noted that a high degree of communication is maintained at the Agencies management level through weekly management meetings that facilitate the process of identification of possible cross-functional issues and the best solutions.

President, Vice-president and General Secretary

ANI's leadership fulfill their responsibilities based on the provisions of the Law 144/2007, the Law no 176/2010 regarding the integrity and dignity in the exercise of public functions for modifying and completing Law no 144/2007 on the establishment, organization and functioning of ANI and to amend and supplement other regulations and the ROF.

In December 2019, the mandate of the president of ANI ended by right, and according to art. 28 paragraph (2) of the second sentence of Law no. 144/2007, with the subsequent amendments and completions, the management of the Agency is ensured by the vice-president of ANI.

The Secretary General of ANI is the person appointed to coordinate and monitor the Integrity Plan of ANI in order to implement the National Anticorruption Strategy 2016-2020, approved by Order of the President of ANI 6476 / 12.05.2018.

We obtained and revised the Narrative Report regarding the activity of the National Integrity Agency for the implementation of the objectives established by SNA for 2019 together with the monitoring report on the implementation of the objectives of the Integrity Plan.

Regarding the status of implementing the action measures corresponding to the Strategy for preventing and sanctioning conflicts of interests, incompatibilities and unjustified assets (2016 - 2020), 93% of the measures

defined for achieving the objectives have been either implemented or partially implemented, ANI's leadership being actively implicated in this process.

In 2019, no discrepancies have been identified between the practical activity and the ROF provisions regarding the positions of President, Vice-president and General Secretary.

b) Integrity Inspection

During 2019, the activity of the Integrity Inspection was carried out under the provisions of Law no. 176/ 2010 on integrity in the exercise of public functions and dignities, amending and completing Law no. 144/ 2007 on the establishment, organization and functioning of ANI, as well as for the modification and completion of other normative acts, published in Official Monitor no. 621/ 02.09.2010, and under the provisions of Law no. 184/ 2016 re the establishment of a mechanism to prevent conflicts of interest in the procedure for awarding public procurement contracts.

In order to evaluate the management activities within the Integrity Inspection, we selected a sample based on the following procedure agreed upon with ANI's Management:

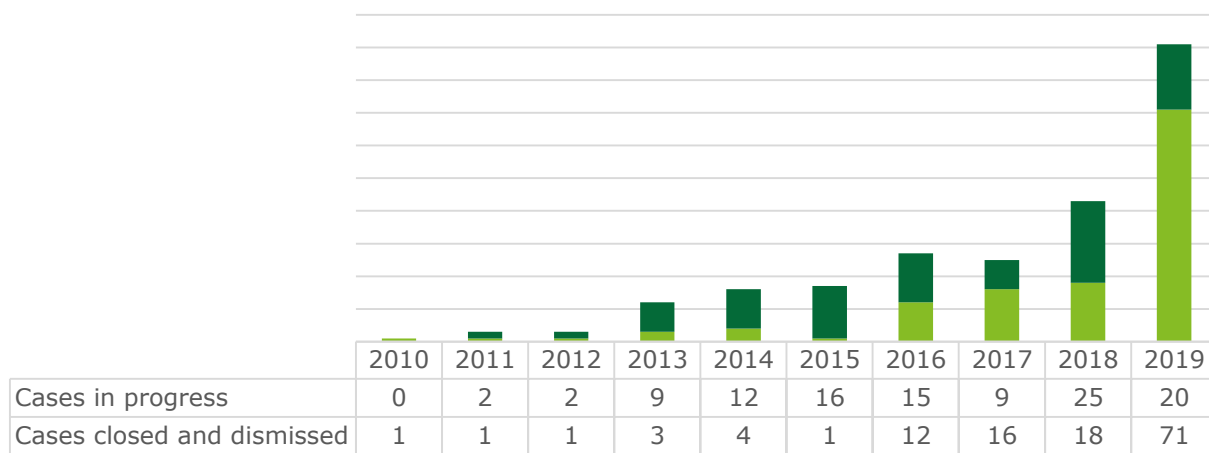
- We requested the statistics regarding the number of causes verified by ANI in 2019, based on the following structure: files settled and in progress, files dismissed and files reallocated as of December 31, 2019. With respect to settled files, we requested their breakdown in the following categories: wealth, penal conflicts, administrative conflicts, incompatibility, fines; with regards to files in progress, we inquired their breakdown in the following categories: unjustified wealth, conflicts of interest, contraventions, incompatibility, possible contraventions;
- based on the statistics we determined the size of the sample subject to analysis;
- we have requested the list of the causes which were subject to ANI's evaluation procedures in 2019;
- based on the list of causes, we randomly selected the sample of files subject to verifications.

Following the procedures presented above, a sample of 136 files resulted as follows:

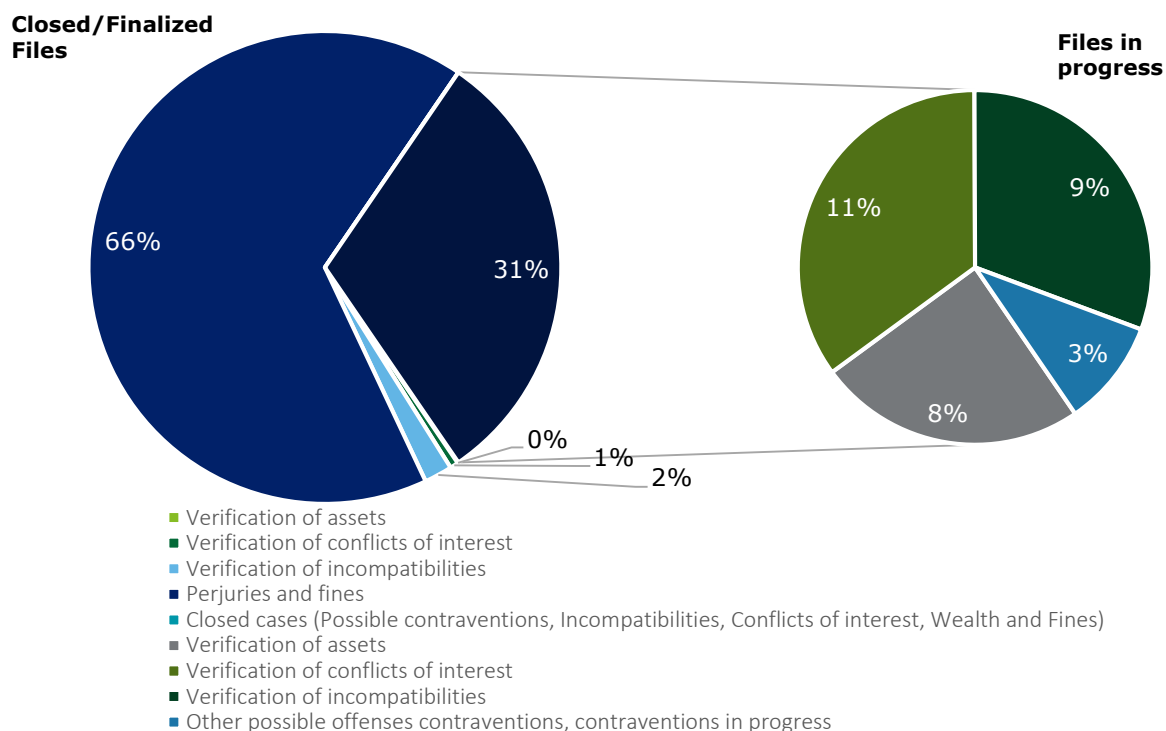
Number of cases closed in 2019 (1st January– 31st December)	Sample size	
Verification of assets	4	1
Verification of conflicts of interest	39	5
Verification of incompatibilities	131	15
Perjuries, fines and closed cases (Incompatibility, Conflict of interest, Possible contraventions and Fines)	4,548	25

Number of cases in progress as of 31st December 2019	Sample size	
Verification of assets	517	25
Verification of conflicts of interest	739	25
Verification of incompatibilities	649	25
Contraventions, possible contraventions	206	15

Yearly distribution of files included in the sample



Files in progress and files closed/finalized as of 31.12.2019



The methodology for testing the sample was developed following our understanding and evaluation of the operational procedures. We have analyzed the content of the operational procedures in order to identify the processes within the Integrity Inspection and determine relevant criteria for stratifying the sample base according to the specific activities of the department.

Therefore, the documents contained in the analyzed files were verified according to the steps determined based on the operational procedures regarding the activities of verifying assets, conflicts of interest and incompatibilities, carried out in 2019 by the integrity inspectors.

Aspects regarding the activity of the Integrity Inspection

Aspects noted from the analysis of the sample of cases representing the verification of assets

Based on the sampling method described above, we obtained a number of 32 cases regarding the verification of assets, out of which:

- 11 files derived from ANI's ex-officio notification, and
- 21 files derived from notifications submitted by individuals or legal entities.

Aspects noted from the analysis of the sample of cases representing the verification of conflicts of interest

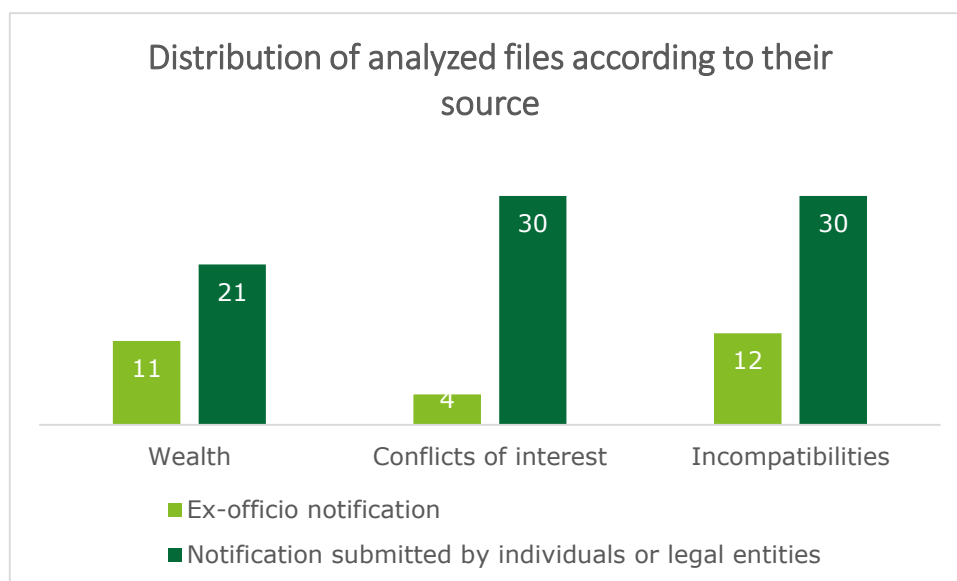
Based on the sampling method described above, we obtained a number of 34 cases regarding the verification of conflicts of interest, out of which:

- 4 files derived from ANI's ex-officio notification, and
- 30 files derived from notifications submitted by individuals or legal entities.

Aspects noted from the analysis of the sample of cases representing the verification of incompatibilities

Based on the sampling method described above, we obtained a number of 42 cases regarding the verification of incompatibilities, out of which:

- 12 files derived from ANI's ex-officio notification, and
- 30 files derived from notifications submitted by individuals or legal entities.



Aspects noted from the analysis of the sample of cases representing compliance with legal requirements regarding the timely completion and submission of wealth and interest statements.

Based on the sampling method described above, we determined 28 files representing the verification of complying with the legal requirements regarding the timely completion and submission of wealth and interest statements.

The activity of the Integrity Inspection is standardized and takes place according the specific operational procedures, developed in compliance with the provision of Order no. 600/ 2018 regarding the approval of the internal managerial control Code for public entities.

Follow up on the remediation of the findings identified for the period 2009-2018

The following deficiency has been **remedied**:

- *Failure to submit on time a letter to the ANAF regarding the unpaid minutes ascertaining the minor offense, to register the debt.*

In the sample of 18 files analyzed, the integrity inspectors drew up and sent in time (90 days) the notes to the competent institutions within whose radius the offender is domiciled regarding the unpaid minutes ascertaining the minor offense, to register the debt.

The following deficiencies **were partially remedied**:

- *Procedural acts have not been issued for periods longer than 30 days, in terms of preparing the evaluation report (when the information existed within the file) or submitting other information requests;*

On March 24, 2019 Law no. 54/ 2019 came into effect, for the competition of Law no. 176/ 2010 on the integrity in exercising public functions and dignities, for the amendment and supplementation of Law no. 144/2007 on the establishment, organization and functioning of ANI and for the amendment and supplementation of other acts of legislation , through which under article 25 of Law 176/ 2010, a new paragraph is added, stipulating the following: "Civil or administrative liability, disciplinary, for the facts which determine the existence of conflict of interest or incompatibility of the persons exercising public functions or dignities is removed and cannot be engaged in the circumstances in which the prescription deadline of 3 years from their commencement is exceeded, according to art. 2.517 of Law no. 287/ 2009 regarding the Civil Code, republished and subsequently amended."

Through this amendment, all files which are in progress when Law 54/ 2019 comes into effect, and for which the prescription term mentioned above became effective, will be dismissed.

- *The reminders were not drawn up and sent to the institutions that failed to respond to ANI's initial letters in the procedure term of 30 days.*

In one case out of the 136 files selected for verification, we noted that, in 2019 an institutions to which information an information request was sent, did not reply within 30 days, and the integrity inspectors to which the files were allocated, did not perform the necessary steps indicated in the operational procedure.

- *The address to the petitioner regarding the start of the assessment procedure was not sent.*

In one case out of the 136 files selected we noted that the address regarding the start of the assessment procedure was not sent to the petitioner and in two cases the address was sent with a delay.

The operational procedures have been updated and mention that when taking over redistributed files, the integrity inspectors will communicate to the petitioner the address regarding the start of the assessment procedure in case the document has not been sent.

- *The proposal-to-sanction report was not prepared which results in dismissing the offence.*

Based on the performed tests, we identified that in 3 files pertaining to possible contraventions, the proposal-to-sanction report was not prepared within the deadline of the operational procedure (6 months from the deadline for submitting wealth and interests statements – 06/15/2019), resulting in the dismissal of the offence

- *The minute for acknowledgement of the contravention was not published on ANI's website.*

In one case, out of the 18 files analyzed, representing contraventions, we found that the sanctioned person did not confirm the receipt of PVCC. Consequently, the Local Taxes and Fees Directorate (DITL) refused to charge the contravention on the basis of Article 27 of O.G. 2/2001.

In the activity of 2019, one **new deficiency** was found:

- *In two files regarding possible contraventions, we noted that the prescription period intervened and the address was not sent containing the deficiencies found in completing and submitting the declarations of the responsible persons within the entities from which the persons who did not comply with the legal provisions.*

c) Analysis and Prevention Department

Throughout 2019, the Analysis and Prevention Department functioned under the provisions of Law no. 184/2016 regarding the establishment of a prevention mechanism for conflicts of interest in the procedure of awarding public procurement contracts.

In view of evaluating the management actions within the Analysis and Prevention Department, a sample was selected based on the following procedure agreed upon with ANI's Management:

- a request was made for the statistics regarding all public procurement procedures published in SEAP, that were automatically transmitted to Prevent system in 2017, which were the subject of verification by integrity inspectors of the Analysis and Prevention Department, with the following structure: type of procurement procedure, date of offers submission, number of lots, source of financing, date of completion of the Identity Form, type of awarding contract, type of participation notice, the status of the public procurement procedure
- the size of the sample subject to analysis was determined;
- the sample of procedures subject to testing was randomly selected, based on the principle of "procedure=lot."

Based on the methodology presented above, a sample of 25 public procurement procedures resulted, corresponding to a number of 270,400 public procurement procedures (lots) which were part of the verification performed by the Analysis and Prevention Department in 2019.

The sample testing methodology was developed as a result of our understanding and evaluation of the operational procedures, of Law no. 184/2016 regarding the establishment of a mechanism to prevent the

conflict of interest in the procedure for the award of public procurement contracts and the functionality of the PREVENT system.

We have analyzed the content of the operational procedures regarding the verification of procedures initiated through the public system of public procurement in view of preventing conflicts of interest and other suspicions of irregularities identified in the procedure of awarding public procurement contracts, in order to understand the actions/processes at the level of the Analysis and Prevention Department and to determine the relevant criteria for stratifying the sampling base, in accordance with the functionality of the PREVENT system.

Follow-up on the extent to which the findings identified in the 2018 engagement were addressed:

The following deficiency has been **partially remedied**:

- *In 2018, public procurement procedures of the type “Negotiation without an announcement of participation” existed, which were allocated for verification to the integrity inspectors through the PREVENT system, even though the legal provisions stipulate that only public procurement procedures carried out through SEAP are subject to ex-ante verifications, for which the Contracting Authorities have the obligation of preparing the Integrity Form. Procurement procedures performed by private companies were also received for analysis. This leads to an inefficient utilization of the Department, which has to clarify these situations even though the inspectors do not perform an analysis of these procedures.*

During 2019, together with the Helpdesk service of Authority for the Digitization of Romania (ADR), a common effort was made to achieve a unitary approach regarding the support provided to Contracting Authorities in the completion of the Integrity Form. During 2019, public procurement procedures of the type “Negotiation without an announcement of participation” were allocated for analysis to the integrity inspectors through the PREVENT system.

The following deficiencies **were not remedied**:

- *The algorithm for calculating the score of possible conflicts of interest, which is established automatically by the PREVENT system following the query of ONRC, DEPABD and SEAP databases, is not visible in order to allow its evaluation regarding the degree of adequacy.*
- *The PREVENT system does not allow users to generate monitoring reports of the activity of the Analysis and Prevention Department. During 2017, the monitoring performed quantitative, not qualitative.*

The Analysis and Prevention department sent requests to the IT Department within ANI, with regards to the possibility of the system to generate certain reports which would allow visualizing the calculation algorithm of the possible conflicts of interest score. At present, the system allows the generation of 3 types of reports (according to the answer of the IT Department), with the mention that only one report, “Report regarding the canceled procedures”, is completely functional. The other 2 reports, “total procedures and lots”, and “total procedures for which the 5-day deadline was exceeded”, allow the generation of information which, at present, changes every time updates are performed on the systems used through other agencies involved in the process of collecting information (e.g. ONRC – Ministry of Justice, DEPABD – MAI, SICAP – ADR). The reports related to the provisions of art. 14, para. (1) of Law 184/2016 “A.N.I. publishes quarterly, on its website, analysis and statistics on the results of the mechanism for preventing conflicts of interests in the public procurement procedure.” are prepared using a single Report, namely “PREVENT Communication date of modification”.

For the generation of reports relevant to the monitoring of the Analysis and Prevention Department's activity, an IT expert should update the PREVENT system accordingly, after clearly establishing the requirements of the Analysis and Prevention Department. The Analysis and Prevention Service transmitted, both in 2017 and 2018, the typology of reports that are relevant to the purpose of the PREVENT system. The creation of Reports specific to the activity of the Analysis and Prevention Service is conditioned by the development of some Reports in the PREVENT Reporting Module by the external supplier.

- *The PREVENT system does not take over the status of the procedure from SICAP, but from the Integrity Form which is filled in manually/automatically by the Contracting Authority.*

The Analysis and Prevention Department sent requests to the IT Department, regarding to the possibility of allowing the PREVENT system to automatically take over the status of the procedures from SICAP. Additionally, PREVENT users have reported deficiencies of the system with regards to the retrieval of information from other systems. These deficiencies were reported electronically to the support department (helpdesk). In order to retrieve information, communication was ensured through direct correspondence with the Contracting Authorities. Additionally, discussions with ADR took place, in order to correct the deficiencies of the SICAP system.

- *The PREVENT system cannot display a history of the score of possible conflicts of interest, from the moment the procurement procedure is allocated until its completion.*

Analysis and Prevention Department sent requests to the IT Department, with regards to the possibility of allowing the PREVENT system to generate reports which allow displaying the history of the score of possible conflicts of interest. . At present, the system allows the generation of 3 types of reports (according to the answer of the IT Department), with the mention that only one report, "report regarding the canceled procedures", is completely functional. The other 2 reports, "total procedures and lots", and "total procedures for which the 5-day deadline was exceeded", allow the generation of information which, at present, changes every time updates are performed on the systems used through other agencies involved in the process of collecting information (e.g. ONRC – Ministry of Justice, DEPABD – MAI, SICAP – ADR). For the generation of reports relevant to the monitoring of the Analysis and Prevention Department's activity, an IT expert should update the PREVENT system accordingly, after clearly establishing the requirements of the Analysis and Prevention Department.

- *PREVENT system's interface does not have enabled the option of archiving the public procurement procedures assigned, aspect which makes it difficult to use the system.*

From our interview with the person responsible within ANI's Analysis and Prevention Department, our understanding is that a request was sent to the IT Department, regarding improving the PREVENT system so it would allow the archiving of the completed public procurement procedures

d) Public Internal Audit Department

We analyzed the responsibilities within ANI for the Internal Public Audit Department (hereinafter "CAPI") in accordance with the ROF provisions and the "Methodological Norms regarding the Exertion of the Internal Public Audit Activity within ANI" and the operating procedures that documents the CAPI activity.

The structure activity is standardized and based on specific operating procedures developed in accordance with the Order No. 600/2018 regarding the Internal/Managerial Control Code for public entities, published in the Official Gazette on 7 May 2018.

The analysis was focused on the compliance of the ROF, internal norms and operating procedures with the applicable laws.

We organized a number of interviews with this department's representative in order to assess the compliance of the practical activity with the procedures' provisions and we performed a number of detailed tests on the following processes within CAPI:

- Preparation of the internal public audit annual plan;
- Preparation of the strategic internal public audit plan;
- Preparation of the quality assurance and improvement program;
- Elaborating the annual report over the internal public audit activity;
- Performing the internal audit engagements;
- Assessment of the individual professional performances;
- The continuous vocational training of internal auditors.

In order to evaluate the managerial actions within the Public Internal Audit Department, we selected from the "Annual Public Audit Plan for 2019" two audit missions, "Evaluation of the corruption prevention system" and "Monitoring the implementation stage of the recommendations formulated as following the internal audit mission with the theme Counseling in the activity of protection of persons regarding the processing of personal data within ANI".

In this respect, we obtained and assessed the documentation applicable for each process in respect to the following criteria: frequency, compliance with the legal provisions, authorization, and compliance with the legal terms, relevance and completeness of the data.

Based on the methodology applied and following the evaluation of the operating procedures, no deficiencies regarding the activity performed at the level of Internal Public Audit Compartment were identified.

In 2019 the following deficiency **was identified**:

- *According to the "Methodological norms regarding the internal public audit activity within ANI" and the procedure "Evaluation of the individual professional performances" auditors must attend at least 15 days of professional training per year. In 2019, the internal auditors did not participate in any professional training courses.*

Follow up of the remediation of the findings identified for the period 2009-2018

The following deficiency **has not been remedied**:

- *Attesting internal auditors*

In June 2015, OMFP Order no. 659/2015 appeared and was amended in 2016 by OMFP Order no. 783/2016. Under Section 3 - Other rules of the later the following are specified:

"Art. 44. - The activities carried out by the Central Harmonization Unit for Public Internal Audit and the responsibilities in carrying out the process of coordination and development of the national attestation process of internal auditors in the public sector and individuals are established by the Operational Procedure "Attestation of internal auditors from the public sector and individuals ".

Art. 45. - The activities carried out by the Attestation Commission and the responsibilities established in carrying out the processes of granting / maintaining the validity / suspension / termination of the suspension of attestation certificates are established by the Operational Procedure "Evaluation by the Attestation Commission of files submitted by public internal auditors and natural persons in order to grant / maintain the validity / suspension of attestation certificates ";

Art. 46. - The operational procedures provided in art. 44 and 45 shall be elaborated by the Central Harmonization Unit for the Public Internal Audit (UCAAPI) and shall be approved by order of the Minister of Public Finance. ”

Until the time of the audit, the procedures have not been approved, which makes it impossible for UCAAPI to certify the internal auditors. At the same time, OMFP Order no. 645/2015, art. 3 specifies the fact that ”(5) The internal auditors who are in office at the date when Law no. 191/2011 enters into force, have the obligation to obtain the attestation certificate within 6 years ”, (term that expires in November 2017).

e) Legal, Public Relations and Communication General Directorate

The activity of the Legal, Public Relations and Communication General Directorate is standardized and runs based on specific operating procedures, drafted in accordance with the provisions of Order No. 600/2018 regarding the Internal/Managerial Control Code for public entities, published in the Official Gazette on 7 May 2018.

In order to analyze the compliance of the practical activity of this directorate with the provisions of the ROF, we interviewed the Manager of the Legal, Public Relations and Communication General Directorate, who identified the risks and areas of activity that could be improved in order to increase the activity’s efficiency.

We analyzed the responsibilities of the Legal, Public Relations and Communication General Directorate (hereinafter “DGJRPC”) stated in the ROF approved by Order of ANI President no 1.288/01.02.2017 regarding the amendment and the improvement of ANI’s ROF, approved by the President of the agency through Order no. 7962/04.05.2016. The operational procedures were updated/ modified in 2018.

Contentious Department

Legal activity - representation in cases pending before the courts of law and Commissions for wealth investigation near the Courts of Appeal

The directorate consists of seven employees – legal advisers (including management positions). During 2019 two employees left the Legal Department: one legal adviser and the General Director. In addition, a legal advisor joined the Agency and a new General Director was appointed.

During the month of December 2019 a testing process to fill in 2 legal advisor positions was organized. The hiring process was finalized in January 2020. The two selected candidates started working within ANI from January 2020 onwards after the finalization of the aforementioned testing process.

Regarding the carried out activity, it is mostly contentious. Taken into consideration are the complaints regarding the evaluation reports, reports drafted by inspectors - incompatibility / conflict of interest that may be challenged through litigation in court, those concerning the notification of the penal (criminal) prosecution authorities if the Inspector of Integrity considers that there are indications regarding certain criminal offenses or those that are prepared in the matter of administrative confiscation.

As practice at the Directorate level, without being yet transposed in operational procedures, throughout 2019, legal advisors always represent ANI in cases pending before the High Court of Cassation and Justice, Court of Appeal, or in cases that may set a precedent the judicial practice. During 2019, the legal advisers of ANI carried out 86 travels in order to represent the institution on the files on the dockets of the courts of law. For all other cases, ANI is applying for judgment by default, submitting written findings. The operational procedure pertaining to the department’s activity was updated in May 2020.

The situation of the court hearings and workload per legal adviser between January 2019 and December 2019 was as follows:

- 308 new registered cases at the DGJRPC in 2019;
- about 55 court representation on monthly average – 650 court representations in 2019;
- about 250 pending cases/legal adviser.

From the information provided by DGJRPC's management, about 78% of the litigations completed during 2019, ANI received favorable solutions, while for the files registered during 2019, and the percentage of favorable solutions was 82%.

According to the operational procedure PO 01/DGJRPC, Drafting of documents and National Integrity Agency representation before the courts, defense / greeting, shall be made in writing and approved by the Chief of DGJRPC. Each file is assigned to a responsible, but the hearings may be attended by another legal adviser chosen by the Director in accordance with criteria such as: experience in specific case, the complexity of the case, oratorical qualities and so on. This practice was not formalized in a procedure in 2019; it was although included in procedure "PO 01 / DGJRPC Drafting documents and representation of the National Integrity Agency before the courts" during May 2020.

During 2019, vocational training courses were approved for 3 DGJRPC employees. These employees participated in training courses in the field of public procurement ("Public procurement. Normative and procedural framework (Amendments to Law no. 98/2016, SICAP" - August 2019) and projects funded by European funds ("Development and Implementation of Projects with Financing from European Structural and Investment Funds (FESI 2014-2020)" - October 2019).

In respect to the review of possible conflicts of interest, according to the status of civil servants, we were informed that throughout 2019 there were no cases of legal advisors abstaining with regards to compliance with the provisions of the Civil Servants' Statute concerning the prevention of conflicts of interest in the management of the files that were assigned to them or of the files in which they represented The National Integrity Agency in the courts over the year in question.

During the audit work carried out, we selected a sample of 15 files out of more than 308 new files pending before the courts of law and before the Wealth Investigation Commissions attached to the Courts of Appeal in 2019, in order to test the following procedural aspects:

- The manner of recording and assigning the files on the dockets of the courts of law;
- Presentation or preparation, within the specific timelines of procedural documents pertaining to the case's stage in court, by the legal consultant who was assigned the case to represent ANI;
- Compliance with DGJRPC internal procedures.

Follow up of the remediation of the findings identified for the period 2009-2018

The following deficiency **was remedied**:

- *We noted inconsistencies between the work carried out and the provisions of PO 07 regarding the communication of the Procedural acts to the Integrity Inspection concerning the deadline for transmission of the information concerning the appeal and the communication of the Civil Decisions.*

In 2018 the OP 07 concerning the communication of procedural acts to the Integrity Inspection, including the provisions regarding the deadline for transmitting the information concerning the appeal and communication of the Civil Decisions, was updated. Thus, the aforementioned 24-hour deadline was replaced by a 5-day deadline. Following the verifications performed for 2019, no procedural deviations were identified.

The following deficiency **was partially remedied**:

- *Number of legal advisors is insufficient for the workload.*

In December 2019 a contest to fill in the vacant positions was initialized and therefore, from January 2020 onwards 2 new legal advisers started working within the Legal, Public Relations and Communication General Directorate.

However, the current staff structure (7 civil servants - legal advisers, including management positions) is not enough. We noted that in 3 instrumented files out of the 15 selected for testing, the response to the injunction or the written notes was sent at a later stage than the deadline mentioned in the Communication. In addition, in one of the analyzed files, ANI's decision was not to file for an injunction, but to submit written conclusions before the trial period.

The following deficiency **was not remedied**:

- *At the level of Directorate there are certain practices that are not transposed into the operational procedure, as follows:*
 - *The Agency is always represented in court by legal advisers in the cases before the High Court of Cassation and Justice, Bucharest Court of Appeal as well as in the cases that may constitute a precedent of judicial practice. For all other cases, the Agency requests judgment in absentia by submitting written conclusions.*
 - *With regards to the distribution of files to advisers, each case is assigned to a responsible person, but another legal adviser chosen by the Director of the Division may take part in the trial terms according to criteria such as: the case-specific experience, the complexity of the case, the oratory qualities, etc.*

Operational procedure OP 01 / DGJRPC The drafting of documents and the representation of the National Integrity Agency before the courts was updated in March 2020, by documenting these practices.

Other activities in responsibility of the Contentious Department

Among the responsibilities of legal advisers are also answers made under Law 544/2001, Ordinance 27/2002, issuance of points of view required by the Department for Relations with the Parliament or / and Ministry of Justice, endorsing the legitimacy of ANI internal documents (Explanatory note for procurement, contract, addendums, committees), participation as members of disciplinary commissions and dissemination of relevant information on court cases /uniform approach to integrity inspectors.

Except for the aspects mentioned above, we did not identify other deficiencies related to the activity of the Legal Department.

Communication, Public Relations and Strategy Directorate

The activity of the Directorate is standardized and conducted based on the specific operational conditions elaborated in conformity with the Order No. 600/2018 regarding the Internal/Managerial Control Code for public entities.

We analyzed the responsibilities of the Communication, Public Relations and Strategy Directorate (hereinafter "DCRPS") within ANI both for compliance with the ROF and the operating procedures. The focus of the analysis was the conformity of the operating procedures valid over 2019 with ROF provisions and the applicable legislation.

In order to conclude on the conformity of the practical activity with the procedural provisions, we organized a number of interviews with the DCRPS representative and we assessed through detailed tests the following processes:

- preparing the answers to the requests received based on the Law no. 544/2001 regarding the free access to public interest information- **systemic process**;
- monitoring the press publications;
- reporting to Justice Ministry on the implementation status of the measures belonging to ANI for the fulfilment of MCV (Cooperation and Verification Mechanism) Benchmarks;
- implementing the measures for ANI's Strategy on combating and prevention of unjustified assets, conflict of interest and incompatibility Action Plan implementation;
- implementation of the National Anticorruption Strategy (SNA)

For the detail tests required, we selected from the "Registry of applications received in 2019" a sample of 15 public information petitions and, in order to test the media monitoring procedure, we selected 15 days from the year in scope.

To this effect, we obtained and assessed the documentation applicable to each process in respect to the frequency, compliance with the legal conditions, authorization, adherence to legal terms, etc.

Regarding the implementation of the National Anticorruption Strategy at the level of ANI, we examined the Institutions Integrity Plan and evaluated the process of monitoring its implementation.

Follow up of the remediation of the findings identified for the period 2009-2018

The following deficiencies **were partially remedied**:

- *Replying to requests for information of public interest exceed the maximum term of 30 days from filing the request.*

Following the verification of a sample of 15 responses containing public interest information, sent at the request of physical or legal persons, we identified the following:

- In 3 of the selected cases, the 10 day response deadline (from the point when the request was registered) was exceeded. The information solicitor was not informed about the transmission of the response within the 30 days response limit. In addition, in one case, the 30-day response limit was exceeded.
 - In one case, the 5 day response deadline (from the point when the request was registered) was exceeded (case when a refusal to communicate the response existed).
 - in 4 of the selected cases, the response was sent before the formal approval was received in DMS.
- *Evidence of Public Interest Information Requests in the document management system DMS is not transparent to ensure the completeness of reporting on this issue.*

Although the document management system (DMS) has the option to separate the types of correspondence received by ANI, this facility is not used to differentiate and monitor the requests for public information falling under Law 544/2001. Therefore, DMS does not provide an updated image of requests for public interest information received and their status in order to be able to monitor the compliance with the lawful deadline and avoid the fines that can be received.

At the level of the Communication, Public Relations and Strategy Department, a register was defined in Excel format in which the requests that fall under the incidence of Law no. 544/2001 are registered. The requests are registered by the person in charge of DCRPS and sent to the Registry to be registered in the DMS and assigned to the structure responsible for formulating the response. Compliance with the response deadlines is monitored weekly by the DCRPS manager, who will then communicate the applicant's response.

The following deficiency **has not been remedied**:

- *The integrity plan of ANI for the implementation of the National Anti-corruption Strategy for 2016-2020 includes indicators to assess the degree of implementation of the measures defined to achieve the objectives. In some cases these indicators are not measurable or related to a reference system that allows an objective evaluation.*

The indicators will be modified once the Integrity Plan is remade at the beginning of the new strategic cycle.

Implementation of Structural Funds, Studies and Strategies Department

In order to analyze the compliance of work performed by this Department with the provisions of the ROF, we attended an interview with the head of Department, based on which the risks and areas of activity that could be improved, in order to increase the efficiency of the performed activity were identified.

We were informed that throughout 2019 the activity of the department was carried out in the first half of the year by a single employee and in the second one by an average of two employees.

Within the Department, the following types of current activities are carried out:

- Identification of ANI needs for project applications;
- Identification of opportunities for application and related project calls;
- Development of applications for projects with extra-budgetary funding (ESF through POCA, grants, etc.).
- Maintaining relations with institutional partners with which there are ongoing projects (e.g. Transparency International Romania, General Anticorruption Directorate, etc.)

Starting with 31.07.2018 ANI became the beneficiary project "LINC - Increasing the Capacity of Central Public Administration to Prevent and Identify Cases of Conflicts of Interests, Incompatibilities and Unjustified Assets", a project that is being developed in partnership with Transparency International Romania (a project funded through the Administrative Capacity Operational Program).

In 2019, within the frame of the LINC project, the following activities were carried out:

- A project presentation conference was organized. A number of 90 representatives from the central institutions attended;
- 15 training sessions on the central integrity system were organized for 246 representatives from the central public authorities and institutions;
- A public policy proposal on conflicts of interest and incompatibilities applicable to Members of Parliament and candidates in parliamentary elections has been made;
- A procedure for the prevention of potential conflicts of interest, a procedure for the prevention and early identification of situations of incompatibility (addressed to staff in the central public administration) and a procedure for assessing and monitoring the risks of conflicts of interest (addressed to the Control Bodies or Working Groups designated for this purpose) have been developed;

- A collection of cases relevant to the central public administration on conflicts of interest, incompatibilities and unjustified wealth has been developed (the case collection will be disseminated in early 2020);
- 24 integrity inspectors from ANI participated in two study visits organized at the High Authority for Transparency in Public Life (HATVP) in France and at the French Anticorruption Agency (AFA).

The progress of this project was highlighted both in the MCV report and in the July 2019 GRECO report.

Moreover, in order to improve the process of submitting declarations of assets and interests, as well as data processing, on April 25, 2019, ANI developed and submitted an European funding application, entitled "EMOD - Development of the institutional capacity of the National Integrity Agency for streamlining both the internal workflows and the submission process of assets and interest declarations in the electoral and annual process". This project proposes to increase the capacity of ANI and aims to optimize the administrative processes that ensure compliance with the rules on integrity during the electoral processes and during the submission of the annual declarations. Moreover the project also aims to implement a series of innovative information systems that would simplify and streamline the provision of ANI services. The aforementioned project obtained the necessary funding and is under implementation since September 2019.

The responsibilities of the representative of this service also include:

- Expert implementing the National Anticorruption Strategy (2016 - 2020) within ANI;
- Technical Secretary of the SCIM Commission;
- LINC project manager (SMIS 118824) funded by POCA;
- Expert designated by ANI within a twinning project (project lead in Romania: General Anticorruption Directorate).

The following deficiency **has been partially remediated**:

- *At the level of the Implementation of Structural Funds, Studies and Strategies Department, although there is a high volume of work, currently only one position is filled, two positions are temporary unoccupied and five unoccupied.*

Throughout 2019 the activity of the department was undertaken by an average of 1.5 employees.

f) Human Resources Department

We analyzed the responsibilities of the Human Resources Department (hereinafter "SRU") within ANI, in accordance with ROF provisions and the operating procedures that document SRU activity. The analysis was focused on the conformity of the valid operating procedures during 2019 with provisions of ROF and applicable legislation.

In order to conclude on the compliance of the practical work with the procedural provisions, we organized a series of interviews with the SRU representative and we subjected to the following processes the evaluation through detailed tests:

- maintaining the professional file, for both public servants and contractual personnel;
- organizing contests for employment and promotion within ANI;
- receiving, recording, tracking the declarations of assets and interests for the personnel of ANI;
- preparation, certification and the circuit of the timesheets, including inventory of the paid, medical and unpaid leaves etc.;
- professional training – training plan for 2019 and evaluation of training activities;
- confirming the permanent positions for debutant personnel during 2019;

- evaluating the performance of ANI personnel;
- preparation of the work chart of public functions plan for the year 2019;
- operation procedure regarding promotions;
- procedure for terminating work relations;
- monitoring the compliance of ANI personnel with the conduct norms;
- disciplinary Commission Activity at ANI level;

For this department we used two methods of testing, based on the nature of the assessed activity:

- Test an operation from initiation to finalization;
- Stratify the population and test for each segment an operation from initiation to finalization.

To conduct the tests on the activity of the Human Resources Department, we have requested on a sample basis the documentation for the following selections:

- from the "List of contests organized by ANI in 2019", we selected 2 contests;
- from the "Contractual personnel of ANI in 2019", we selected 5 professional files;
- from the "List of labor relationships terminated", we selected 2 files;
- from the "Nominal table of ANI personnel who attended vocational training courses/seminars in 2019", we selected 2 persons who attended such courses/seminars;
- from the "Record of public servants", we selected 15 professional files;
- from "List of new-comers in 2019", we selected 2 personnel files;

To this effect, we obtained and assessed the applicable documentation for each process in respect to the periodicity, compliance with legal conditions, authorization, adherence to legal terms, and errors handling.

Furthermore, following the interviews held with the department's representatives and ANI management, as well as from the analysis performed over HR Department's activity during 2019, we noted the fact that the personnel from this department has a good professional background adequate to the complexity of the tasks to be performed.

Also, we performed an analysis of the responsibilities as per the job descriptions and noted that these are differentiated according to the professional position held and in line with the provisions stipulated in the national legal framework specific to each specialization. Distinct responsibilities for the coordinators of the structures were to be seen, which leads to an improvement of the managerial control function.

The activity of the Human Resources Department is standardized and operates on the basis of specific operational procedures developed in accordance with the provisions of Order no. 600/2018 for the approval of the Code of Internal / Managerial Control of Public Entities.

Follow up of the remediation of the findings for the period 2009-2018

The following deficiency **has been remedied**:

- *Following the analysis of the operational procedure "PO 19 / SRU - Termination of Service Relations", we noted that the documents to be drawn up in case of termination of the transfer service transfer are not specified.*

In 2019, the operational procedure PO 30 S.R.U was drafted - "Modification of the service report of the civil servant within the National Integrity Agency", procedure in which the documents that are necessary to be prepared in case of termination of service by transfer are specified.

Labor Protection Compartment

We assessed the overall compliance of the operating procedures valid for 2019 with the ROF provisions and the applicable legislation. Furthermore we organized an interview with the representative of the Labor Protection Department (hereinafter “CPM”) in order to draw conclusions on the compliance level of the practical activity with the provisions of the operating procedures.

The activity of the compartment is standardized and operates on the basis of the specific operational procedures elaborated according to the provisions of Order no. 600/2018 for the approval of the Code of Internal / Managerial Control of Public Entities.

Following the verifications performed for the year 2019, no findings pertaining to the activity of the Human Resources Department were identified.

g) Economics Department

We analyzed and evaluated the compliance of the operational procedures applicable for 2019 with the ROF and applicable legislation. We also conducted an interview with the Director of the Economic Department to conclude on the compliance of the practical work with the provisions of the operational procedures.

The Economics Department activity is standardized and operates on the basis of specific operational procedures developed in accordance with the provisions of Order no. 600/2018 for the approval of the Code of Internal / Managerial Control of Public Entities.

The Financial Office and the Accounting Compartment

In order to assess the managerial actions within Economics Department we performed detailed test on the following processes:

- Procedure for establishing the necessary credits for 2019;
- Procedure for drafting the expenses budget;
- Implementing the investment project for 2019;
- Expense commitment, liquidation, authorization and payment processes
- Cash register;
- Internal preventive financial control;
- Monitoring the expenses of personnel;
- Asset count.

In this regard, we have obtained and evaluated the documentation applicable to each process in terms of periodicity, compliance with legal provisions, authorization, compliance with legal deadlines and the treatment of errors.

As a result of the work carried out in 2019, no findings were identified.

h) General Registry and Archive Compartment

In 2019, the contractual position of archivist was filled in through secondment, based on Order no. 14634 / 10.15.2019.

Currently archiving is done following the operational procedure PS 07 / ANI - Archiving and keeping of documents within ANI. Based on service contracts for archival processing, scanning, conversion, indexing and storage concluded, in 2019, all the Declarations of Assets and Interests received and the solved / filed files prepared by the integrity inspectors were archived both physically and electronically.

By address number no.18424 / 17.11.2016 the National Integrity Agency submitted to the National Archives of Romania, the Central Historical National Archives Service, the Administrative and Cultural Archives Bureau the draft Archival Nomenclature. The Archival Nomenclature was approved by address 19638 / 13.12.2016.

As a result of the work carried out in 2019, no findings were identified.

Follow up on how the remarks identified during the 2009-2018 missions have been addressed

The following deficiency **has been remedied**:

- *In 2018, the employment contract of the designated archiving officer was terminated, and the new employee who took over the archiving duties did not have archival competencies.*

In 2019, the person designated with the archiving activity, participated in a training course for the position of Archivist. The person was afterwards certified through the Graduation Certificate no. 00111676 / 08.10.2019.

The following deficiency **has been partially remedied**:

- *The files belonging to ancillary activities have not been archived physically or electronically;*

In 2019, the activity of physical archiving the documents pertaining to the internal directorates of ANI was started. At the same time, the activity of electronic archiving of documents was initiated by implementing an electronic archiving platform, electronic registry and physical archive management of documents. This process is meant to support the activity of the General Directorate of Legal, Public Relations and Communication. The General Directorate of Legal, Public Relations and Communication was a pilot project that is to be implemented in 2020 at the level of all of the institutions structures.

i) Procurement, Investment and Logistics Office

We analyzed the responsibilities of the Procurement, Investment and Logistics Office in accordance with ROF provisions and operating procedures that document its activity. The analysis focused on the compliance of the operating procedures valid during 2019 with the ROF provisions and the applicable legislation.

To conclude on the conformity of the practical activity with the procedural provisions we organized a number of interviews with Procurement, Investment and Logistics Office representative and we assessed through detailed tests the public procurement process.

We obtained the full list of public procurements started in 2019. Following the analysis of this, we noted the fact that during 2019, goods, services and assignments were purchased through the processes of call for tenders, open tender, direct purchase and subsequent contracts.

For the necessary detail tests, we selected 15 direct purchases, 2 simplified purchase procedures, and 1 negotiation without prior publication of a notice of participation from the "2019 Procurement List".

We have also stratified the sample so that it includes different types of purchases of goods and services and direct purchase works.

The evaluation of the acquisitions included in the sample concerned the compliance of the activities carried out with the legal provisions and operational procedures in force in 2019.

As a result of the work carried out in 2019, no findings were identified.

j) The activity of the Commission for monitoring the internal control management system at ANI level

To ensure compliance with Standard 15 of SGG Order no. 600/2018, at A.N.I. the Monitoring Committee for the Managing Control System (SCM), which functions permanently with attributions and responsibilities in:

- the development of the internal management control system of A.N.I.,
- sustaining the independent external audit, conducted annually for the evaluation of the management quality of ANI,
- Updating ROF and Evaluation Reports of the individual annual performance of subordinate staff.

Thus, by Order no. 7290 / 25.05.2018 establishes the composition of the SCM Monitoring Committee (Annex 1) and the tasks of the Monitoring Committee of the SCM (Annex 2) regarding the development of the SCM of ANI (Annex 2 and Annex 5), the support of the independent external audit (Annex 3) as well as tasks related to updating ROF and Annual Individual Performance Reports (Annex 4).

Order of the President no. 7290 / 25.05.2018 repeals the provisions of the President's Order no. 17751 / 29.12.2017 on the functioning of the SCM Monitoring Commission and those of the Order no. 17748 / 29.12.2017 on the composition of the risk management team.

Taking into account the need to manage the risks that may affect the achievement of the general objectives and the specific objectives of the departments within the ANI, the members of the SCC Management Committee are also risk managers at the level of the institution.

In addition, ANI's procedures manual includes the risk management system procedure for the unitary application of risk identification and control principles across ANI's functional structures. It contains provisions on:

- Implementation and development of the implementation of Standard 15 of Order no. 600/2018 for approval of the Code of internal / managerial control of public entities;
- The risk management process at ANI level;
- Establishing and implementing actions / measures / control devices.

In order to assess the adequacy and effectiveness of the Commission for monitoring the internal control management system at ANI's level, we analyzed the following aspects through the actions taken during 2019:

- The program for the development of the managerial internal control system;
- Regular meetings of the Commission for monitoring the internal managerial control system;
- Quarterly/annual reporting to SGG regarding the implementation status of internal control management system;
- Unique Risks Registry prepared and revised at ANI level;
- The process of risks identification, reporting, assessment and monitoring;
- Existence of procedures / internal norms to formalize the risk management process;

Following the verifications performed in 2019 **the following deficiency was identified:**

- *System procedures 02 and 03 are not updated, taking into account the amendments established by SGG Order 600/2018 and the provisions of the Regulation on the organization and functioning of the SCM Monitoring Commission at ANI level.*

Follow up of the remediation of the deficiencies identified for the period 2009-2018

The following deficiency **was remedied:**

- *The organization and functioning of the SCM Monitoring Committee is not updated as Order 400/2015 has been repealed*

In 2019, the Regulation on the organization and functioning of the SCM Monitoring Commission no. 5 was issued, in accordance with SGG Order no. 600/2018.

The following deficiency **was partially remedied:**

- *Managing ANI's public interest alerts is not carried out by an independent person. The role of the Ethics Adviser in recent years has been limited to ANI staff awareness of the Code of Conduct of the institution and has not been explicitly directed towards the legal framework governing SNA 2016-2020.*

Until the date of the verifications, a person responsible for the management of the notifications formulated by the integrity warner has not been designated. On 23 October 2019, Directive 2019/1937 of the European Parliament and of the Council on the protection of persons reporting breaches of Union law was issued, and the appointment of a responsible person will be made with the transposition of this directive into Romanian law.

PS 10/SCM on Integrity Alerts (p.8) was revised. Until the date of the audit, no person has been appointed to handle complaints from whistleblowers.

k) The assessment of personal data processing activities

According to Article 2, paragraph 2, point d), the General Data Protection Regulation no. 679/2016 (hereinafter referred to as "**Regulation**" or "**GDPR**") shall not apply to the competent authorities for the purpose of the prevention, investigation, detection or prosecution of criminal offenses or the execution of criminal penalties. Thus, with regards to the processing of personal data collected by completing and registering wealth / interest declarations (whose incomplete, incorrect completion is a criminal offenses), the GDPR provisions will not apply. In this respect, from February 2019, regarding the data processing activities, there are applicable the provisions of Law no. 363/2018 on the protection of individuals with regard to the processing of personal data by the competent authorities for the purpose of prevention, discovery, investigation, prosecution criminal and counterfeiting of offenses or the execution of sentences, educational and safety measures and the free movement of such data.

Although the GDPR does not apply to the processing of personal data by National Investigation Agency (hereinafter referred to as "**ANI**" or "**Agency**"), the Agency has implemented a number of good practice measures with regard to the protection of personal data, implementing the requirements of the Regulation.

With respect to the employees and / or of the representatives (or contact persons) of the contractual partners personal data processing activities carried out by ANI the GDPR provisions are fully applicable, and there is no applicable exemption in this respect.

In this context, our assessment considered the good practices in the area of personal data protection in respect to ANI's processing activities related to the object of Agency's activity (those relating to wealth and interest declarations). At the same time, regarding the personal data processing activities carried out by the ANI in relation to its own employees and with the representatives (or, if applicable, the contact persons) of the legal entities with whom ANI has contractual relations, our assessment considered the principles of GDPR.

In order to assess the compliance with good practices in the area of personal data protection and GDPR requirements, the main elements we assessed were:

- responsibilities at the level of ANI regarding the protection of personal data;
- the need of a Data Protection Officer ("DPO")
- positioning the DPO relative to ANI organigram (in accordance with the criteria imposed by the Regulation)
- professional qualities, competence and tasks of the DPO;
- policies and procedures (personal data protection policy, notification procedure for security incidents affecting personal data, procedure / data access template for data subjects) to ensure compliance with the requirements of the Regulation;
- reporting mechanisms to monitor compliance with the requirements of the Regulation;
- privacy notices of individuals targeted on processing activities and in accordance with the requirements of the Regulation;
- training and awareness programs on personal data protection and compliance with legal requirements.

The evaluation implied, as phases of the process: understanding and knowing the ANI internal rules and procedures, as well as interviewing the representatives of the main departments which are processing personal data.

This section of the report contains our findings resulting from the verifications made for this area and it is based on the documentation and information received from the DPO and the employees who were involved in the interviews.

Follow up of the remediation of the deficiencies identified in 2018

The following deficiencies **have been remedied**:

- *A procedure for the processing of personal data within the Agency was drafted and implemented. The procedure mentions the categories of personal data collected and processed by ANI, by reference to the applicable legal regulations without exemplifying the types of data. The process of identifying and notifying the breach of personal data security is briefly addressed in the documentation defined by*

ANI for the management of security incidents, without including a methodology to facilitate their analysis and classification based on the associated risk.

In 2019, the operational procedure PS 11 / SCM / GDPR on the processing of personal data within the ANI was updated and Annex no. 3 which contains defined categories of data that are collected and processed by ANI as an operator with respect to its employees has been defined.

- *In order to comply with the principle of limitation related to the storage of personal data, as well as for ANI not to keep data for periods longer than those necessary for processing purposes, the operator has established an archival nomenclature approved by the National Archives by address no. ANB -11423-U which provides specific deadlines for keeping all documents, including documents containing personal data. The analysis of the document in question shows that there are documents that will be kept permanently, as well as documents that will be kept for terms of 5-10 years.*

In 2019, PS 06/ANI "Archiving and keeping documents within ANI" system procedure was updated by introducing mentions regarding:

- the procedure applicable after the expiry of the document storage period;
 - the obligation to draw up a written argument in support of any decision to keep certain documents after the expiry of the storage period provided for in the archival nomenclature.
- *In order to comply with art. 30 of the Regulation, ANI has drawn up an internal register on personal data processing activities. In this sense, the register contains all the mandatory information to be included, according to art. 30, except for the data of the associated operators, if they exist. Also, from the analysis of the legal grounds mentioned in the register, it appears that ANI bases its data processing in almost all cases on legal obligations. However, there may be cases where the processing is based on other legal grounds, such as the legitimate interest.*

In 2019, the operational procedure PS 11 / SCM / GDPR on the processing of personal data within ANI was updated and the structure of Annex 2 was amended by introducing two new columns on: (i) Data of the associated operator and (ii) personal data (DCP) processed in the legitimate interest of ANI (if applicable).

Also, ANI representatives confirmed to us that the personal data processing activities carried out by ANI, which fall under the scope of the Regulation, were analyzed and it was found that the applicable basis is the legal obligation of the operator (art. 6 paragraph (1) letter c) of the Regulation). Therefore, it was not deemed necessary to amend the information mentioned in the "legal basis" column of the register of processing activities.

- *Operational procedure PS 12 / SCM / GDPR regarding the Processing of Personal Data within ANI does not include mentions with regards to the right of data subjects to be informed.*

In 2019, operational procedure PS 11 / SCM / GDPR on the processing of personal data within ANI was updated by including a point "on the right of informing data subjects" (i.e. ANI employees) in section 8.4. which deals with the rights of data subjects.

The following deficiencies **were partially remedied**:

- *The process of identifying and notifying the breach of personal data security is briefly addressed in the documentation defined by ANI for the management of security incidents, without including a methodology to facilitate their analysis and classification based on the associated risk.*

In 2019, operational procedure PS 11 / SCM / GDPR on the processing of personal data within the ANI was updated and the following additions were made:

- the notion of personal data breach has been defined (4. Definitions - point 4)
- classification of personal data breaches as breaches of confidentiality, integrity and availability (point 8.6.4)
- references have been included to the "Methodology on the analysis and management of security risks of IT systems and services and support processes to be used in risk assessment (MT 01 / SMSI)" for risk assessment in the event of an incident.

The defined procedure for data protection and the risk methodology defined at ANI level does not include a risk assessment methodology from the perspective of the data subject in case of a security breach. (The risk methodology defined at ANI level treats risks from an operational perspective, taking into account the impact on current activity and the achievement of objectives and the financial impact).

We recommend supplementing the Risk Methodology with a new section defining the specific methodology for determining the risk to data subjects in the event of a data security breach.

- *Although technical and organizational measures have been taken to demonstrate compliance with the provisions of the GDPR, the interviews with the responsible persons identified areas covered by the Regulation that are not technically implemented (period of storage of data / activity logs in the system, the implementation of the right to be forgotten).*

In 2019, a manual action was performed to identify the storage period regarding the wealth declarations displayed on the site and to align them with the provisions of the archival nomenclature. Statements older than 3 years were identified and withdrawn from the site (approximately 600,000 statements). Internally, the information is stored for a period in accordance with legal provisions.

A digitization project was launched in 2020 that will automate the process and send notifications when the storage period expires and the data must be deleted.

Due to budgetary constraints, no measures have been implemented regarding the recommendation to define a retention period for activity logs and a process for their regular review.

- *In the analyzed contracts concluded with the IT service providers as authorized persons, a compliance clause is provided with the GDPR requirements, without including the provisions of article 28 par. 3 of the Regulation.*

In order to verify the fulfillment of our recommendations, we were provided with the following contracts concluded with service providers:

- Subsequent contract no. 6 services concluded with the association Computer Sharing Bucharest SRL and Logika IT Solutions SRL, having as object the provision of IT administration services;
- "Storage Services" contract concluded with Digital Archiving Solutions SRL;

The contracts concluded with IT service providers (Computer Sharing Bucharest SRL and Logika IT Solutions SRL), as well as with the archiving / storage service provider (Digital Archiving Solutions SRL) include specific data protection clauses, which stipulate the general obligation of the parties to comply with the provisions applicable in this field.

The contractual clauses do not show how the suppliers were qualified from the point of view of data protection (e.g.: authorized person, operator or associated operator).

Also, if the providers mentioned above are qualified as authorized persons in relation to ANI, the data protection clauses identified do not contain the minimum provisions set out in Article 28 of the Regulation.

The following deficiencies **have not been remedied**:

- *At the time of the evaluation, after consulting the Agency's updated organizational chart, we noted that the position of Data Protection Officer (DPO) is not distinctly defined.*

The position of the DPO was not defined separately in the ANI organization chart. During 2019, the internal audit department of ANI performed an internal audit mission during which the activity of the DPO was also evaluated. One of the findings referred to the conflict of interest resulting from the fact that the position of the DPO is held by a person from the Internal Audit department.

- *Regarding awareness-raising sessions related to personal data protection and information security, the DPO as well as other ANI employees participated in various training sessions.*

During 2019 ANI employees did not participate in training and awareness programs on data protection issues.

I) IT System Evaluation

The IT system procedures consisted of evaluation of applications and processes that sustain their operation, as follows:

1. We evaluated the integrated Information System for the Management of Declarations of Assets and Interests (**SIMIDAI**), its functionalities and the related infrastructure, as well as the process of data recovery and the related risks, in order to assess the way in which the IT system responds to the necessities derived from the specific tasks ANI has to fulfil.
2. We have performed verifications on the **SAP ERP** IT system, designed for the Agency's support activities, as well as on the operating of the application's security controls, the databases and operating systems.
3. We have performed verifications on the **PREVENT** IT system and the operating of the application's security controls, as well as the databases and operating systems. The Prevent system has a preventive role, it identifies the conflict of interest cases during SEAP offences.

In order to test and evaluate the IT environment, we covered the following phases:

- Understanding ANI's IT system;
- Establish the evaluation criteria and develop the testing plan;
- Performing and documenting the tests;
- Defining the identified deficiencies.

In order to understand ANI's IT system we attended interviews organized to present and discuss the system functionality with IT Department representatives and with the team that provides the services for designing, administration, analysis and development of the IT system on behalf of the external partner responsible for these services.

This report includes the factual findings from the verifications carried out on ANI's IT system and is based on:

- The information and documentation made available by the employees of the Information Technology Department;
- Analysis of the daily activities performed by the IT Department;

- Visiting and checking the locations where the hardware serving ANI's software and infrastructure is installed.

IT environment and management of IT systems security evaluation

We verified the manner in which IT systems architecture and structure answer the needs of their operation from the point of view of sufficient internal control implementation possibility.

The IT system verification comprised the following steps:

- Verification of the adequacy and operational effectiveness of IT system general controls;
- Review of the IT system;
- Perform a diagnosis of IT environment security.

Verifications of the IT general controls comprised the identification of the potential risks that might adversely affect the functioning of the application, as well as the evaluation of the control elements designed to mitigate these risks.

During our system verification activities, we paid close attention to the evaluation of the:

- functionalities of the integrated IT system;
- process of data recovery and related risk assessment;
- critical areas and data to be recovered;
- documentation and recovery procedures;
- the roles of the personnel involved in the data recovery process.

IT systems functionalities evaluation

For the applications in scope, we evaluated the initial end-users requirements as they were submitted by the beneficiary. Based on these requirements, as well as the most common end-user issues we verified how applications meet the requirements.

The verification procedures for the Agency's IT system consisted of evaluating the applications and processes supporting their operation.

We also analyzed the integrated IT system for managing assets and interest statements (**SIMIDAI**), **PREVENT** and **DMS** and their functionalities, as well as the process of data recovery and related risks, in order to appreciate how they respond to the needs emerging from the specific tasks ANI has to fulfill.

In order to carry out the aforementioned verifications, we participated in meetings organized to present and discuss their functionalities with the representatives of the Information Technology Service and the team that ensures the creation, administration, analysis and development of information systems by the external partner dealing with these services.

The Information Security Management System used by the Agency went through a successful re-certification process in 2019 according to ISO 27001:2013. Governed by the provisions of Standard ISO 27001:2013, ISMS offers better control to the Management on the information flow within the Agency and can provide a unitary management of the matters related to IT security through the active control of internal resources and processes.

Findings

Following the evaluation of the operating procedures and based on the methodology applied, the following deficiencies have been identified, which affect the areas:

- Business continuity;
- Maintenance and support services provided by external suppliers;
- Logical and physical security;
- Change management process.

In addition, following the verifications performed, we found that the Agency lacks an entire array of competences necessary to manage the systems/technologies it is currently using. Consequently, continuity in managing and operating the IT systems depends on the services provided by external suppliers. During 2019, we noted that there was no continuity of contracts with IT and related service providers for the Agency's applications.

In conclusion, we found that for 8 of the deficiencies reported in previous years, corrective measures were implemented, one deficiency being fully implemented and the other seven partially implemented, and for the remaining seven, the Agency is evaluating some corrective measures that fully minimize the risks identified by the Deloitte team regarding the IT environment and IT systems security management. No new findings were added as a result of the 2019 evaluation.

Use of the present report

This report is intended for the use of the management of ANI, for its communication to the National Council for Integrity and publication on ANI website. As such, the findings/deficiencies included in this report should not constitute a basis for any other type of action.

Our findings, as presented in this Report, are based upon the documentation made available to us by ANI.

We cannot exclude that we may have arrived to additional or different findings had further information and documentation been provided to us. We have relied upon the contents of such documentation and information provided to us, and we have assumed the documentation and information to be accurate and complete.

Should further information and/or documentation and/or data exist, which was not divulged or provided to us, or if any of the verbal statements or explanation are incorrect or misleading, any findings, interpretations or opinions contained herein may be incomplete and may have generated different results, which would require further or amended procedures outside of the applicability area of the present engagement.

The verification procedures performed by us were agreed between Deloitte and ANI. Deloitte provides no assurance regarding the sufficiency of these verification procedures performed for the purposes of ANI.

Had we performed additional specified procedures other matters might have come to our attention, which would have been reported to ANI.

This Report must not be construed as expressing opinions on matters of law, which are outside our area of expertise.

Deloitte has no responsibility to update the Report for events and circumstances occurring after December 31, 2019.

This Report or its contents should not be used, reproduced or circulated to any other party or for any other purpose than that for which it was intended, in whole or in part, without our prior written consent, except those provisions stipulated in the first paragraph. Furthermore, we do not accept responsibility to any third parties for any breach of this obligation or for any opinion expressed, or information included within this Report. The information within this Report is provided on the basis that the recipient will not rely upon it as the sole basis for any action or decision. This Report relates only to the items specified above and does not extend to any other financial information.

Some of the information included in this Report has been provided by external sources. We were unable to test the accuracy and completeness of the information obtained from these external sources in all the cases. Therefore, we take no responsibility and we do not provide any assurance upon the accuracy and completeness of the information provided by these external sources.

This report refers only to the audit of ANI's management quality for the year 2019 conducted in accordance with the provisions of standard ISRS 4400, as defined in the specifications.

ANNEX 1 Implementation Status of action measures related to ANI Strategy for combating and preventing undue accumulation of assets, conflicts of interest and states of incompatibility

Objective no. 1: Boosting prevention and awareness activities

1.1 Preventing the conflict of interest in public procurement

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.1.1.	Implementation and full functioning of the computer system PREVENT after publication in the Official Journal.	Permanent action evaluated on an annual basis	<p>Analyze all public procurement procedures, initiated and carried out annually, exclusively through SICAP, by the contracting authorities provided in art. 4 of Law 98/2016 and art. 4 of Law 99/2016.</p> <p>All Integrity Warnings issued annually through the PREVENT computer system analyzed and solved</p>	<p>Technical malfunctions</p> <p>Insufficient human resources</p>	ANI	<p>Implemented</p> <p>The PREVENT system was officially launched at the end of June 2017.</p> <p>According to the data provided by the management of the Analysis and Prevention Department, during the reference period, 21,364 public procurement procedures were analyzed through the PREVENT system. Of these, 14,772 were single public procurement procedures (without lots), 6,592 were subsequent public procurement procedures and 3,407 procedures referred to contracts financed from European funds.</p> <p>During the same reporting period, the integrity inspectors issued 40 integrity warnings regarding possible violations of the legislation on conflicts of interest in public procurement amounting to approximately 618.9 million lei.</p> <p>At the same time, the integrity inspectors notified the National Agency for Public Procurement (ANAP) with</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>regards to a number of 14 irregularities regarding possible relations that may exist between persons from the contracting authority and persons from economic operators who have the quality of bidders within the procurement procedures initiated by a contracting authority.</p> <p>During the reference period, 2,818 contracting authorities, 14,421 economic operators and 296,187 persons representing public institutions and tenderers were analyzed through the PREVENT system. The results of this analysis were highlighted both in the GRECO interim compliance report (July 2019) and in MCV report (October 2019) and European Commission Report (October 2019).</p>
1.1.2.	Entry into force of the legislation on the prevention of conflicts of interest in public procurement and monitoring how it is applied, in relation to the legislative framework pertaining to public procurement;	Permanent action evaluated on an annual basis	<p>Law published in MOF no. 831 of October 20, 2016</p> <p>Statistical data resulting from the PREVENT computer system published quarterly</p> <p>Half-yearly informative notes, exclusively on procurement procedures financed</p>	Submission of ineffective amendments to the legislative text	Romanian Parliament	<p>Implemented</p> <p><i>Law no. 184/2016 regarding the establishment of a mechanism for prevention of the conflict of interests in the procedure of awarding the public procurement contracts was adopted by the Parliament of Romania and was published in the Official Gazette no. 831 of 20 October 2016. According to the legal provisions, the PREVENT computer system became operational on 20 June 2017.</i></p> <p>The quarterly activity reports published by ANI include statistical data on the results obtained under the conflict</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			by / from European funds, to the Ministry of Regional Development and Public Administration, Ministry of Agriculture and Rural Development, Ministry of European Funds, as well as to other institutions with responsibilities in managing European funds, regarding the number integrity warnings issued regarding these procedures			<p>prevention mechanism in public procurement financed through national and European funds. .</p> <p>At the same time, in 2019, ANI issued 4 press releases regarding the results of the PREVENT IT System.</p>
1.1.3.	Publication of statistical data in open format on the results of the conflict of interest prevention mechanism in public procurement financed	Permanent action evaluated on an annual basis	<p>Statistical data published on a quarterly basis on the ANI website</p> <p>Half-yearly informative notes, exclusively on procurement</p>	<p>Insufficient human resources</p> <p>Delay in receiving data from the responsible structures</p>	ANI	<p>Implemented</p> <p>The quarterly activity reports published by ANI include statistical data on the results obtained under the conflict prevention mechanism in public procurement financed through national and European funds. .</p> <p>At the same time, in 2019, ANI issued 4 press releases regarding the results of the PREVENT IT System.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
	from national and European funds.		procedures financed by / from European funds, to the Ministry of Regional Development and Public Administration, Ministry of Agriculture and Rural Development, Ministry of European Funds, as well as to other institutions with responsibilities in managing European funds, regarding the number integrity warnings issued regarding these procedures			

1.2 Preventing corruption and integrity incidents among the members of the Parliament

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.2.1.	Working with Parliament to improve the consulting system regarding the integrity, by providing regular specialized training and clarifying implications for the members of Parliament on the conflicts of interest, incompatibilities and enforcement in practice, in line with the recommendations of GRECO	Permanent action evaluated on an annual basis	One Joint Working Group/year Designated ANI expert Formalized consulting system	Lack of human and technical resources Insufficient financial resources	ANI Romanian Parliament	<p>Partially implemented</p> <p>An integrity inspector has been appointed to clarify certain aspects of how to fill in the wealth and interest statements as well as to observe the deadlines for their submission because of the relationship developed with those responsible for the implementation of D.A.I. from the two Chambers of Parliament.</p> <p>For the implementation of objective 5.2 from within the National Anticorruption Strategy 2016 - 2020, starting with 31.07.2018, the National Integrity Agency became the beneficiary of the project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets" SMIS 118824, which was implemented and developed in partnership with the Romanian Association for Transparency (TI-Ro).</p> <p>The objective of this project is to improve the activity of identifying, sanctioning and preventing cases of incompatibilities, conflicts of interest and unjustified wealth at the level of central public administration authorities and Parliament, seeking to clarify the role of the Parliament in conflicts of interest and incompatibilities. This is done in line with the GRECO recommendations.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>As an action to help achieve this result, the "Research Report on EU Member States' Regulations on Conflicts of Interest and Incompatibilities of Members of Parliament and Candidates in Parliamentary Elections" was prepared.</p> <p>In addition, during 2019, the project experts developed a public policy proposal on conflicts of interest and incompatibilities applicable to Members of Parliament and candidates in parliamentary elections. This document was submitted for debate on 13 June 2019 and is available on the project's website.</p>
1.2.2.	Identify ways to accelerate and enforce judgments relating to incompatibilities for the members of Parliament	Permanent action evaluated on an annual basis	Steps taken to implement court decisions in 100% of the cases	Non-implementation of judgments by the Parliament	ANI Romanian Parliament	<p>Implemented</p> <p>The "Procedure regarding the communication of procedural documents to the Integrity Inspectorate" was elaborated to ensure the speedy communication of the court solutions to the integrity inspectors in order to dispose the legal measures required when the evaluation reports remain final</p> <p>Mentions were included in the operational procedures according to which the integrity inspector requests the D.G.J.R.P.C. a point of view on legislative issues, prior to the transmission of requests to the Romanian Parliament.</p> <p>ANI continued to take steps to enforce the court decisions, in the sense that it asked the Parliament to apply the legal provisions to the persons in case the</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						courts have issued final and irrevocable decisions which confirm the Agency's findings.

1.3 Preventing corruption and integrity incidents among judges and prosecutors

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.3.1.	Strengthen the cooperation with CSM in order to provide assistance in relation to the Code of Ethics on the recommendations of GRECO Report	May 2018	Participation in at least one event per year Designated ANI expert Formalized consulting system	Lack of human and technical resources Insufficient financial resources	ANI CSM	Partially implemented At the request of the Superior Council of Magistracy, the National Integrity Agency issues views on possible incidents of integrity found, which concern the magistrates. Between November 22-23, 2018, two integrity inspectors participated in the meeting on " <i>Combating crime in the priority areas of the Public Ministry: corruption, conflict of interests, tax evasion, smuggling and money laundering</i> ", which took place in Poiana Brasov. The meeting was attended by general prosecutors of the prosecutor's offices attached to the courts of appeal and the prosecutors of the prosecutor's offices attached to the tribunal, as well as the prosecutors who managed the cases selected to be presented at the meeting.

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.3.2.	Increasing training efforts and awareness with regards to integrity	Permanent action evaluated on an annual basis	Participation in at least one event per year	<p>Lack of human and technical resources</p> <p>Insufficient financial resources</p>	<p>ANI</p> <p>CSM</p>	<p>Implemented</p> <p>The President of the Agency together with the Secretary General of ANI participated on May 31 in a round table event organized by ANI in collaboration with the World Bank and StAR initiative. The event was attended by representatives of political parties, magistrates, representatives of the civil society and civil servants from within the central public administration.</p> <p>During this event, the advantages that the electronic filing of wealth and interest declarations can bring were detailed and discussed. In this sense a debate was launched regarding the need to improve the legislative framework in Romania, as to introduce the obligation to submit and transmit wealth and interests declarations in electronic format.</p>

1.4 Enforcement of the integrity rules in the electoral processes organization

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.4.1.	Improving the effectiveness of reporting and submission of DA / DI	Permanent action evaluated on an annual basis	<p>The number of notifications sent to prefectures</p> <p>Contact Person designated within ANI</p> <p>Number of meetings held at local / central level</p>	Lack of responsiveness of decision makers at the local / central level	<p>ANI</p> <p>Prefectures</p> <p>Parliament</p> <p>AMR</p> <p>AOR</p> <p>ACR</p>	<p>Implemented</p> <p>In the context of the European Parliamentary and presidential elections that took place in 2019, a section for the electoral process was created on the Agency's website, section which included a "Single point for publishing the declarations of assets and interests submitted by the candidates". In this regard, 1,401 declarations of assets and interests were published in the section for the European Parliamentary elections, and 34 declarations of assets and interests in the section for the presidential elections.</p> <p>In addition, a dedicated contact form has been created for reporting irregularities in the way of completing the declarations of assets or interests submitted by candidates.</p> <p>In the section specially dedicated to the electoral process, the e-form wealth and interest declarations were published.</p> <p>Throughout the whole timeline of these events, ANI inspectors were at the disposal of the candidates offering points of view whenever they were formulated by the candidates participating in the elections.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.4.2.	Updating the guidelines on incompatibilities and conflicts of interest / DA / DI completion	Permanent action evaluated on an annual basis	Updated guide	N/a	ANI NGOs	Implemented In 2019, the National Integrity Agency updated the <i>Guide for completing declarations of assets and interests</i> , the <i>Guide on incompatibilities and conflicts of interest</i> and in April the <i>Guide for the designated person with the implementation of the provisions on declarations of assets and declarations of interests</i> was developed.
1.4.3.	Study regarding the repetitive cases in matter of conflicts of interest and incompatibilities with reference to several categories of public offices	June 2016	Drafted study	N/a	ANI NGOs	Implemented Based on the expertise accumulated in the field of integrity incidents, the National Integrity Agency has synthesized, in the context of the local and parliamentary elections of 2016, the most frequent cases of incompatibilities and conflicts of interest applicable to local elected representatives and members of Parliament, alongside the cited law, which are published on the website of the Agency.
1.4.4.	DA / DI Collection and publication in a separate section on the website	June 2016	All statements published on the ANI website	Delays caused by the documents transmission by the electoral offices	ANI External provider	Implemented All declarations of assets and interests submitted in the context of the 2019 European Parliamentary and Presidential elections have been collected, processed and published in a separate section on the Agency's website. Thus, 1,401 declarations of assets and interests were published in the section for the European Parliamentary

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						elections and 34 declarations of assets and interests in the section for the presidential elections.
1.4.5.	Creating a special contact line for effective communication with candidates	June 2016	Special section published on the ANI website	Delays in design and programming execution	ANI External provider	Implemented In the context of the 2019 European and presidential elections, in addition to the two dedicated sections on the website, ANI created and made available to candidates a special e-mail address created to issue quick responses on how to complete the declarations of wealth and interests.
1.4.6.	Updating the list of people under the ban to run for elective position	Permanent action evaluated on an annual basis	Updated list of persons Updated web section	N/a	ANI	Implemented The National Integrity Agency permanently updates the section "Definitive Incompatibilities - 3 Years Ban" on its Internet site.
1.4.7.	Creating a special section on the ANI website that would group all relevant information on the existing obligations that all the candidates in elections have.	June 2016	Special section created and available on the ANI website	Delays in design and programming execution	ANI External provider	Implemented In the context of the European Parliamentary and presidential elections that took place in 2019, a section for the electoral process was created on the Agency's website, section which included a "Single point for publishing the declarations of assets and interests submitted by the candidates". In this regard, 1,401 declarations of assets and interests were published in the section for the European Parliamentary elections, and 34

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>declarations of assets and interests in the section for the presidential elections.</p> <p>In addition, a dedicated contact form has been created for reporting irregularities in the way of completing the declarations of assets or interests submitted by candidates.</p> <p>In the section specially dedicated to the electoral process, the e-form wealth and interest declarations were published.</p> <p>A dedicated section was also created on the Agency's website, which included the main legislative texts governing the legal regime of incompatibilities, conflicts of interest and unjustified assets. In addition, the Guide to completing declarations of assets and interests and the Guide on incompatibilities and conflicts of interest were also published.</p> <p>Throughout these electoral events, the ANI inspectors were at the disposal of the candidates offering points of view whenever they were formulated by the candidates.</p>

1.5 Preventing corruption and integrity incidents among civil servants

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.5.1.	Collaboration with the National Agency of Civil Servants in order to organize training courses on integrity compliance in public function	Permanent action evaluated on an annual basis	Participation in at least one event per year	Lack of human and technical resources Insufficient financial resources	ANI ANFP	<p>Implemented</p> <p>In December 2019, an integrity inspector participated in the public consultation on "Ethics in public administration" organized within the Project ETHICS - Efficiency, Transparency and Interest for Conduct in Administration, organized by the National Agency of Civil Servants.</p> <p>Throughout 2019, ANI inspectors together with representatives of the Ministry of Regional Development and Public Administration and the Ministry of Justice carried out 90 thematic evaluation missions of the implementation of the National Anticorruption Strategy (SNA) 2016 - 2020 at local levels, at county councils and town halls.</p>
1.5.2.	Adopting measures in order to improve the submission process for the assets and interests statements	Permanent action evaluated on an annual basis	Guide for completing the DAI disseminated among public institutions annually, before June 15	Lack of responsiveness from decision makers	ANI Decision makers in public institutions	<p>Implemented</p> <p>Prior to the deadline for submitting wealth declarations and declarations of interests, in 2019 ANI carried out the following series of activities:</p> <ul style="list-style-type: none"> - The Guide for completing the declarations of assets and interests, and the Guide on incompatibilities and conflicts of interest were updated and in April the Guide for the designated person with the implementation of the

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			<p>Press release on the mandatory submission of DA / DI published annually, prior to June 15</p> <p>ANI contact person appointed annually to provide advice on how to complete and submit the DA / DI, upon request</p> <p>At least one event per year organized</p>			<p>provisions regarding declarations of assets and declarations of interests was elaborated.</p> <ul style="list-style-type: none"> - ANI inspectors sent official notifications to public authorities and institutions as to provide advice to those responsible for implementing the legal provisions regarding the declarations of assets and interests. - An e-mail address (completareDAI@integritate.eu) has been created in order to clarify possible issues that could interfere with the process of completing and submitting declarations of assets and interests. Such issues were also managed by telephone by two designated inspectors throughout 2019. - Two press releases of "question and answer type" were issued, regarding the obligations of submitting the declarations of assets and interests. These communiques were also posted on the Facebook page of the Agency. - Throughout 2019, the National Integrity Agency issued views to individuals and legal entities on how to complete and submit declarations. This was done through the Directorate of Law, Public Relations and Communication.

1.6 Preventing corruption and integrity incidents among local elected officials

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.6.1	Stimulating the prevention activity, by disseminating guides and informative materials on the risks and consequences of violating the integrity rules	Permanent action evaluated on an annual basis	Guide for completing declarations of assets and interests and Guide on incompatibilities and conflicts of interest updated annually and published on the ANI website	N/a	ANI	Implemented In 2019, the Guide for completing the declarations of assets and interests, and the Guide on incompatibilities and conflicts of interest were updated and in April the Guide for the designated person with the implementation of the provisions regarding declarations of assets and declarations of interests was elaborated.
1.6.2	Developing and implementing projects to prevent conflicts of interest and incompatibility situations at central public administration level.	Permanent action evaluated on an annual basis	At least one collaboration protocol concluded At least one event organized per year Guide on incompatibilities and conflicts of interest	Not allocating the necessary resources Lack of receptivity of decision makers at the central level	ANI Decision makers at the central public administration level	Implemented During the events attended by the integrity inspectors, the Guide for completing the integrity form was disseminated together with the Guide for completing the declarations of assets and interests, the Guide on incompatibilities and conflicts of interest and the Guide for the person designated to implement the provisions on declarations of assets and declarations of interests. In 2019, ANI initiated and / or implemented the following projects to prevent conflicts of interest and

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			disseminated annually			<p>incompatibilities at the level of central and local public administration:</p> <p>Throughout 2019, ANI inspectors together with representatives of the Ministry of Regional Development and Public Administration and the Ministry of Justice carried out 90 thematic evaluation missions of the implementation of the National Anticorruption Strategy (SNA) 2016 - 2020 at local levels, at county councils and town halls.</p> <p>In February, the Secretary General of ANI, together with an integrity inspector, participated at a round table event, "Up-to-date typology of conflicts of interest and incompatibilities, results of the local prevention activity and the reaction of central authorities", an event organized in collaboration with the Institute for Public Policy.</p> <p>In July, the National Integrity Agency organized at its secondary headquarters, in collaboration with the Institute for Public Policy, the workshop titled "Development and implementation of integrity plans at the level of local public administration" where Henk Bruning, expert in Dutch integrity and good governance, former Director of Human Resources at the Municipality of Amsterdam. The expert spoke on the most important</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>Dutch principles and good practices with regards to conflict of interest prevention.</p> <p>In 2019, within the frame of the LINC project, the following activities were carried out:</p> <ul style="list-style-type: none"> • A project presentation conference was organized. A number of 90 representatives from the central institutions attended; • 15 training sessions on the central integrity system were organized for 246 representatives from the central public authorities and institutions; • A public policy proposal on conflicts of interest and incompatibilities applicable to Members of Parliament and candidates in parliamentary elections has been made; • A procedure for the prevention of potential conflicts of interest, a procedure for the prevention and early identification of situations of incompatibility (addressed to staff in the central public administration) and a procedure for assessing and monitoring the risks of conflicts of interest (addressed to the Control Bodies or Working Groups designated for this purpose) have been developed;

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<ul style="list-style-type: none"> • A collection of cases relevant to the central public administration on conflicts of interest, incompatibilities and unjustified wealth has been developed (the case collection will be disseminated in early 2020); • 24 integrity inspectors from ANI participated in two study visits organized at the High Authority for Transparency in Public Life (HATVP) in France and at the French Anticorruption Agency (AFA). <p>The progress of this project was highlighted both in the MCV report and in the July 2019 GRECO report.</p>

1.7 Improvement of prevention and awareness actions at all levels

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
1.7.1.	Professional training of persons from public institutions designated to implement the law on DA / DI	Permanent action evaluated on an annual basis	50 trained persons	Lack of budgetary resources	ANI	<p>Implemented</p> <p>In support of the responsables for the implementation of the provisions of Law no. 176/2010, ANI inspectors sent official notifications to public authorities and institutions as to provide advice to those responsible for implementing the legal provisions regarding the declarations of assets and interests.</p> <p>Following the evaluation activity, ANI inspectors identified the fact that the persons designated with the implementation of the legal provisions regarding DAI within the public institutions encounter difficulties regarding the attributions imposed by the provisions of Law no. 176/2010. In this regard, a dedicated guide was developed in which the provisions of art. 6 of Law no. 176/2010 were represented both in text and graphic format.</p> <p>In the informing activity carried out by the ANI inspectors, guides on the attributions of the designated person, guides on how to complete the DAI as well as guides on incompatibilities and conflicts of interest were disseminated to public institutions.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>Two press releases of "question and answer type" were issued, regarding the obligations of submitting the declarations of assets and interests. These communiques were also posted on the Facebook page of the Agency.</p> <p>Moreover, during 2019, within project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets" SMIS 118824, implemented by the National Integrity Agency (ANI) in partnership with the Association Romanian for Transparency (TI-Ro) 15 training sessions on the central integrity system were organized for 246 people from the central public authorities and institutions.</p>
1.7.2.	Implementing „software” programs for constant education of persons covered by Law 176/2010	December 2019	<p>Designed program</p> <p>Program implemented in 5 pilot institutions</p>	Lack of budgetary and technical resources	ANI	<p>Implemented</p> <p>An e-learning module is available on the LINC project website, www.proiect-linc.ro, which includes a training course on the integrity system at the level of central public administration and a course on the use of the PREVENT application by the central public administration authorities. This e-learning module was promoted on throughout the events that took place within the project.</p> <p>The Moodle / Open Meetings platforms are scheduled to be integrated into the technical specifications for the</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						development of Agency's integrated IT systems for 2019-2020 period.
1.7.3.	Stimulating the cooperation activity with the designated persons	December 2019	<p>New section created on the Agency's website</p> <p>Updated database of designated persons</p> <p>Minimum 100 designated persons trained</p>	<p>Insufficient financial resources</p> <p>Insufficient human resources</p>	ANI	<p>Partially Implemented</p> <p>The forwarding notes through which the persons designated with the implementation of the provisions of Law no. 176/2010 at the level of public authorities and institutions submit to the Agency the annual declarations of assets and interests are managed by the National Integrity Agency and are registered in the Integrity Inspection Register (SIMIDAI), and may be interrogated whenever necessary.</p> <p>An e-mail address (completareDAI@integritate.eu) has been created in order to clarify possible issues that could interfere with the process of completing and submitting declarations of assets and interests. Such issues were also managed by telephone by two designated inspectors throughout 2019.</p> <p>At the same time, in the information activity carried out by the ANI inspectors, guides on the attributions of the designated person, guides on how to complete the DAI as well as guides on incompatibilities and conflicts of interest were disseminated to public institutions.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						Moreover, during 2019, within project “LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets” SMIS 118824, implemented by the National Integrity Agency (ANI) in partnership with the Association Romanian for Transparency (TI-Ro) 15 training sessions on the central integrity system were organized for 246 people from the central public authorities and institutions.

General objective no. 2: identification and sanction of incompatibilities, conflicts of interest, unjustified wealth and ensure the compliance with the legal regime of DA / DI submission

2.1 Improvement of integrity incidents evaluation

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
2.1.1.	Continue to identify and sanction integrity incidents	Permanent action evaluated on an annual basis	Steps taken in 100% of the definitive evaluation files	<p>Legislative limitations</p> <p>Non-implementation of disciplinary sanctions by disciplinary commissions</p> <p>The non-unitary practice of the courts</p> <p>Legislative changes</p>	ANI	<p>Implemented</p> <p>In 2019, integrity inspectors from ANI completed a number of 1859 files/evaluation reports. The existence of an integrity incident was indicated or the file has been filed away/closed.</p> <p>Moreover, integrity inspectors applied 696 sanctions for minor offenses, most of them for failing to submit or late submitting statements of wealth and interests and for disregarding disciplinary sanctions because of the final retention of the evaluation report, all categories of persons prescribed by law.</p> <p>Following the finality of the evaluation reports issued by the A.N.I., the integrity inspectors asked the institutions to take the disciplinary measures required, according to the law, in 276 cases.</p>
2.1.2.	Strengthening the proactive approach in monitoring the	Permanent action evaluated on an	Studies on compliance with the legal regime of	Lack of human and technical resources	ANI	<p>Implemented</p> <p>In 2019, within the framework of project "LINC - increasing the capacity of the central public</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
	statements of assets and interests	annual basis	incompatibilities , conflicts of interest or unjustified assets made annually			<p>administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets” SMIS 118824, implemented by the National Integrity Agency (ANI) in partnership with the Romanian Transparency Association (TI-Ro), the following deliverables were developed:</p> <ul style="list-style-type: none"> • A procedure for the prevention of potential conflicts of interest, a procedure for the prevention and early identification of situations of incompatibility (addressed to staff in the central public administration) and a procedure for assessing and monitoring the risks of conflicts of interest (addressed to the Control Bodies or Working Groups designated for this purpose) have been developed; • A collection of cases relevant to the central public administration on conflicts of interest, incompatibilities and unjustified wealth has been developed (the case collection will be disseminated in early 2020);
2.1.3.	Improving the quality of evaluation reports issued by the integrity inspectors	Permanent action evaluated on an	Updated operational procedures	The existence of an insufficient practice in the matter of	ANI	<p>Implemented</p> <p>In order to improve the quality of the evaluation reports issued, ANI updated the operational procedures in accordance with the audit recommendations, as well as with the practice of the courts.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
		annual basis		integrity incidents		Furthermore, the evaluation reports are prepared in relation to the Agency's practice maintained by the courts, and include relevant case law on the integrity incident.
2.1.4	Incorporating the practice of courts in the activity of the integrity inspection	Permanent action evaluated on an annual basis	Jurisprudence included in over 75% of the evaluation reports	n.a.	ANI	<p>Implemented</p> <p>The evaluation reports are prepared in accordance with the practice of the Agency maintained by the courts and include relevant case law on the integrity incident.</p> <p>In 2019, a computer system of jurisprudence was purchased, which was made available to integrity inspectors.</p>

2.2. Effective monitoring of the status of cases completed by ANI that come before the courts

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
2.2.1.	Increasing the confirmation percentage of the cases completed by ANI	Permanent action evaluated on an annual basis	<p>Percentage of confirmation in court of cases of incompatibilities and conflicts of administrative interest greater than 80%</p> <p>Percentage of confirmation in court of cases of unjustified wealth greater than 50%</p>	<p>Changes in incident legislation</p> <p>Failure to send legal documents on time</p>	ANI	<p>Partially implemented</p> <p>At the end of 2019, the final statement of ANI in the case of unjustified wealth, conflicts of interest and incompatibilities is as follows:</p> <ul style="list-style-type: none"> out of 1,534 final cases of incompatibility, 1,215 were won by ANI, the percentage of confirmation of the Agency's findings regarding incompatibilities being 79,20%, out of 516 cases of administrative conflicts of interest which remained final, 466 were won by ANI, the percentage of confirmation of the Agency's findings in the field of administrative conflicts of interest being 90.31%; out of 67 cases of unjustified wealth which remained final, 32 were won by A.N.I., the percentage of confirmation of the Agency's findings regarding the unjustified wealth being 47.76%; <p>Furthermore, by the end of 2019, the courts issued 1,650 final decisions on complaints against</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						administrative fines issued by ANI. In <u>1,337 out of these cases, the decision was to maintain the contravention sanctions applied by ANI</u> . Thus, the percentage of confirmation of administrative fines applied by ANI is 81% .
2.2.2.	Improving the work on providing assistance to those seeking clarification on the legislative framework governing the integrity system	Permanent action evaluated on an annual basis	Views / answers sent to 100% of the requests made under Law no. 544/2001 and Ordinance no. 27/2002, in compliance with the legal terms Operational procedures reviewed annually or whenever required	The complexity of the requests addressed to ANI that require a longer response time Insufficient human resources	ANI	Partially implemented In 2019, the Agency issued views on both the possibility of a state of incompatibility and / or a conflict of interest, as well as how to fill-in / submit the assets and interests declarations. In 2019, there were also cases in which the legal deadlines were exceeded due to the large volume of requests sent to ANI, compared to the number of staff assigned with the elaboration of the answers. In order to cover as large an area of requests as possible, the National Integrity Agency updated the Guide for completing declarations of assets and interests, the Guide on incompatibilities and conflicts of interest and in April the Guide for the designated person with the implementation of provisions on declarations of assets and declarations of interests was drafted. At the same time, the Guide to fill-in the integrity form is available on the Agency's website. The National Integrity Agency has appointed integrity inspectors

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>which are responsible to assist in the completion and submission process of the integrity forms or the asset/interest declarations.</p> <p>At the same time, in order to improve the activity pertaining to assisting individuals which request clarifications regarding the legislative framework governing the integrity system, the operational procedures regarding the settlement of petitions, within the General Directorate of Integrity Inspection and D.G.J.R.P.C. have been updated.</p> <p>At the same time, the operational procedure for settling petitions is disseminated annually to integrity inspectors in order to improve the procedural steps contained within this document.</p>
2.2.3.	Improve the recovery of the amounts ordered for confiscation by final and irrevocable decisions issued by courts, following the procedures regarding unjustified wealth	Permanent action evaluated on an annual basis	Percentage of confirmation on each evaluation report that takes into account the unjustified difference between the realized income and the acquired wealth	<p>Lack of precautionary measures</p> <p>The low level of involvement of relevant institutions and authorities</p>	<p>ANI</p> <p>ANAF</p>	<p>Implemented</p> <p>At the end of 2019, out of the 68 cases of unjustified assets which remained final, 30 were won by ANI through final and irrevocable court decisions. Thus, the percentage of confirmation of the Agency's findings regarding unjustified assets is 47.76%.</p> <p>As a result of the final and irrevocable decisions issued by the courts, at the end of 2019, the amounts ordered for confiscation were amounting over 27 million lei (approx. € 5.9 million). In these cases, ANI informed the</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
				<p>The non-unitary practice of the courts</p> <p>Lack of cooperation of the evaluated persons</p>		National Agency for Fiscal Administration (ANAF) in order for it to take the necessary measures to confiscate these amounts.

General objective no.3: Administrative consolidation of the National Integrity Agency

3.1 Internal Consolidation of ANI's administrative activities

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.1.1.	Optimal assurance and efficient design of financial, human and technical resources	Permanent action evaluated on an annual basis	Parliament Approved Budget Complete staff scheme Acquired / implemented technical resources	Lock of political will Economic instability	ANI The Government The Parliament	<p>Partially implemented</p> <p>By the State Budget Law no. 50/2019, the expenditure budget of the National Integrity Agency for 2019 was approved:</p> <p>> Commitment loans in the total amount of 22,316,000 Lei, of which:</p> <ul style="list-style-type: none"> ➤ Personnel expenses - 11,243,000 Lei; ➤ Goods and services - 9,000,000 Lei; ➤ Programs from the European Social Fund (ESF) - 1,288,000 Lei; ➤ Other expenses - 100,000 Lei; ➤ Capital expenditures - 685,000 Lei. <p>➤ Budget credits in the total amount of 22,554,000 Lei, of which:</p> <ul style="list-style-type: none"> ➤ Personnel expenses - 11,243,000 Lei; ➤ Goods and services - 9,000,000 Lei; ➤ Programs from the European Social Fund (ESF) - 1,526,000 Lei; ➤ Other Expenses - 100,000 Lei;

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>➤ Capital expenditures - 685,000 Lei.</p> <p>The budget of the National Integrity Agency for 2019, following the budget corrections was 21,271,000 Lei, as follows:</p> <ul style="list-style-type: none"> ➤ Personnel expenses - 12,755,000 Lei; ➤ Goods and services - 6,600,000 Lei; ➤ Capital expenditures - 314,000 Lei; ➤ Other Expenses - 70,000 Lei; ➤ Programs from the European Social Fund (ESF) - 1,532,000 lei <p>In 2019, organizational measures were taken regarding the reorganization of the structures within the National Integrity Agency.</p> <p>Law on fiscal-budgetary responsibility no. 69/2010 introduces provisions for defining the notions of fiscal responsibility, efficiency in the use of public resources, efficient management of personnel expenses paid from public funds and establishes clear responsibilities for the main authorizing officers in the sphere of salary policies and execution of personnel expenses.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>Through the reorganization of the National Integrity Agency, the job structure for 2019 has been adapted to the requirements of fiscal responsibility regarding the rationalization of budget expenditures, salary policies and execution of personnel expenses. The aim is to implement a job structure that meets the requirements of efficient operating.</p> <p>The change in structure involved reducing the number of existing departments, from 5 to 4. Taking into account the fact that in the previous period there were 5 job positions occupied by civil servants with a management function, a professional testing exam was organized at the level of the institution. Following this exam, a number of 3 civil servants were admitted to fill public management positions, the rest of the candidates who did not pass the professional testing exam opted for filling a vacant public executive position within the Agency.</p> <p>In order to ensure the necessary human resources, in 2019, procedures were initiated to fill the vacancies as follows:</p> <p>I. 7 recruitment contests were organized in order to fill in a number of 11 vacancies, of which: - 2 management function vacancies and 9 executive function vacancies (5 vacancies for general positions and 4 vacancies for specific positions with a special status).</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>Following these recruitment competitions, a number of 4 vacancies were filled, of which: 2 management function vacancies and 2 executive function vacancies. At the end of 2019, the recruitment competition for filling in 4 specific executive function vacancies with special status as well as the competition initiated for filling 2 executive function vacancies were still ongoing.</p> <p>II. A number of 6 executive vacancies were filled by secondment, of which: 2 vacancies in the civil service and 4 contractual vacancies;</p> <p>III. A number of 5 vacancies were filled in through transfers.</p> <p>At the level of the 2019 budget year, due to the limited budget, no acquisition costs could be covered in order to replace the old IT&C infrastructure which dates back to 2008-2009.</p> <p>Also for the same reason, in 2019, the Agency also accessed European funds to cover the necessary expenses to be incurred, through the EMOD project - Developing the institutional capacity of the National Integrity Agency to streamline internal workflows and how to submit wealth declarations and of interests in the electoral and annual process.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.1.2.	Efficiently plan resources in order to boost activity	Permanent action evaluated on an annual basis	<p>Staffing scheme for the minimum staffing requirements for each department and the conditions required for occupying the vacancy drawn up quarterly and annually</p> <p>Number of staff maintained at least at the minimum threshold level of staff required each year</p> <p>Minimum 70% of ANI staff trained annually and monitored training, so that over a period of 3 years all ANI employees have participated in at least one</p>	Insufficient financial resources	ANI	<p>Partially implemented</p> <p>In 2019, the change of the structures within ANI involved the reduction of the number of existing departments, from 5 to 4.</p> <p>Taking into account the fact that in the previous period there were 5 positions occupied by civil servants with a management position, a professional testing exam was organized at the level of the institution. Following the exam, a number of 3 civil servants were admitted to occupy the public management positions.</p> <p>In the fourth quarter of 2019, procedures were initiated regarding the organization of an employment contest in order to fill in a number of 4 public executive vacancies. A total of 35 contest files were submitted.</p> <p>During 2019, a number of 5 ANI employees participated in training and development programs.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			professional training course			
3.1.3	Establishment of a service within ANI, tasked with implementing structural funds, studies and strategies	December 2018	Modified organization chart At least one employee	The difficulty of attracting new staff due to the low level of pay	ANI	Implemented By amending and supplementing the ROF of the National Integrity Agency, in April 2018, the Communication, Public Relations and Strategy Directorate within the General Directorate of Legal, Public Relations and Communication was reorganized, establishing the Structural Funds, Studies and Strategies Implementation Department.
3.1.4	Operationalization of the service responsible for implementing structural funds, studies and strategies	2020	Modified organization chart At least two employee	The difficulty of attracting staff due to the low level of pay	ANI	Implemented During 2019, there was a staff turnover within the Structural Funds Implementation, Studies and Strategies Department. At the end of the year the activity of this department was carried out by 2 employees with executive functions and 1 employee with a management function.
3.1.5	Increase in the number of externally funded projects or projects funded by the state budget.	Permanent action evaluated on an annual basis	At least one project initiated annually	Lack of budgetary resources	ANI External partners	Implemented Project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets" SMIS 118824

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			All initiated projects implemented	Lack of human resources		<p>For the implementation of objective 5.2 of the National Anticorruption Strategy 2016 - 2020, starting with 31.07.2018, the National Integrity Agency became the beneficiary of the project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and assets unjustified" SMIS 118824, which was implemented and developed in partnership with the Romanian Association for Transparency (TI-Ro).</p> <p>This project lasts for a period of 18 months and has the following objectives:</p> <ul style="list-style-type: none"> • Increasing the role of ethics advisors and control bodies from the public administration in the field of prevention and identification of integrity incidents, by developing and adopting specific procedures for them and by increasing the capacity of the National Integrity Agency; • Developing the knowledge/expertise of the staff that has a role in preventing and combating the violation of the legislation on integrity at the level of the central public administration, by training 205 people; • Intensifying the dialogue on the role of the Parliament in the field of promoting integrity and formulating proposals (as per GRECO recommendations);

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<ul style="list-style-type: none"> Increasing the efficiency of ANI in carrying out its own activities for the unitary application of norms, mechanisms and procedures on ethics and integrity in public authorities and institutions, by increasing capacity among 40 inspectors throughout the project period. <p>In 2019, within the frame of the LINC project, the following activities were carried out:</p> <ul style="list-style-type: none"> A project presentation conference was organized. A number of 90 representatives from the central institutions attended; 15 training sessions on the central integrity system were organized for 246 representatives from the central public authorities and institutions; A public policy proposal on conflicts of interest and incompatibilities applicable to Members of Parliament and candidates in parliamentary elections has been made; A procedure for the prevention of potential conflicts of interest, a procedure for the prevention and early identification of situations of incompatibility (addressed to staff in the central public administration) and a procedure for assessing and monitoring the risks of conflicts of interest (addressed to the Control

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>Bodies or Working Groups designated for this purpose) have been developed;</p> <ul style="list-style-type: none"> • A collection of cases relevant to the central public administration on conflicts of interest, incompatibilities and unjustified wealth has been developed (the case collection will be disseminated in early 2020); • 24 integrity inspectors from ANI participated in two study visits organized at the High Authority for Transparency in Public Life (HATVP) in France and at the French Anticorruption Agency (AFA). <p>The progress of this project was highlighted both in the MCV report and in the July 2019 GRECO report.</p> <p>EMOD project - Development of the institutional capacity of the National Integrity Agency for as to streamline its internal workflows and the way of submitting declarations of assets and interests in the electoral and annual process</p> <p>This project aims to improve the process of submitting assets and interest declarations and data processing. The financing application was submitted on April 25, 2019, the project was approved on August 14, 2019 and thus entered into its implementation stage starting with October 1, 2019. Up until now being the initial consulting services for the development and</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>implementation of the information system that will manage the declarations of assets and interests were purchased.</p> <p>This project will involve the complete digitization of declarations of assets and interests. In this sense, a legislative proposal for amending and supplementing Law no. 176/2010 is in parliamentary procedure. Through the draft law no. L599 / 2019, the initiators propose to modify the way of completing and submitting the declarations of assets and interests, in the sense that this should be done in electronic format.</p>
3.1.6.	Expansion and operationalization of the workspace	July 2016	Purchased and operationalized workspace	<p>Lack of adequate space</p> <p>Lack of security personnel</p> <p>Lack of budgetary resources</p>	<p>ANI</p> <p>The Romanian Government</p>	<p>Implemented</p> <p>At the end of 2019, the operationalization of the secondary headquarters of the National Integrity Agency, which will serve as a workspace for the administrative staff of the Agency, was completed, the necessary steps being taken to move 12 employees, an operation that ended at the beginning of January 2020.</p>
3.1.7.	Improving the institutional capacity by implementing recommendations made by the external auditors	Permanent action evaluated on an annual basis	At least 90% of the recommendations made by the external auditors implemented annually	Lack of resources	ANI	<p>Partially implemented</p> <p>63% of the external auditors recommendations had „implemented” or „partially implemented” status.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.1.8.	Improve the operational working procedures	Permanent action evaluated on an annual basis	Minimum 90% of operational procedures reviewed annually	Insufficient human resources and time to update operational procedures	ANI	Implemented In 2019, 185 operational and system procedures were updated / revised / issued, specific to the activity carried out within ANI.
3.1.9.	Increasing the quality of the conducted activities of the Public Internal Audit Department and implement the recommendations laid out in the Public Internal Audit Report	Permanent action evaluated on an annual basis	Staffing scheme for the minimum staffing requirements for each department and the job requirements drawn up quarterly and annually A system / performance audit mission performed every 3 years Certified internal auditors Annual professional training performed	Lack of budgetary resources	ANI	Partially implemented In order to increase the quality of the activities carried out by the Public Internal Audit Department (CAPI), in 2019, CAPI performed, according to the Annual Public Internal Audit Plan for 2019, a public internal performance audit mission and a public internal system audit mission. The work area for the Internal Audit Compartment is in compliance. Internal ANI auditors are not certified because the procedures mentioned in OMFP Order no.659 / 2015 modified by the Order of OMFP no. 783/2016, have not been approved, which leads to the failure to certify internal auditors by UCAAPI.

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			Workspace for internal auditors			
3.1.10	Elaboration of the Information Technology Policy	June 2016	Drafted Information Technology Policy	N/a	ANI	Implemented In April 2016, the Information Technology Service developed a document called the IT Strategy for 2015-2020, approved by ANI's Management.

3.2 Increasing the efficiency of the Human Resources Policy

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.2.1.	Increasing the number of employees in supporting departments for the Integrity Inspection	Permanent action evaluated on an annual basis	<p>Competitions organized for the remaining vacancies / identified as necessary, under the conditions established by law</p> <p>Budgeted and vacant job positions occupied at least 90% each year, under the conditions established by law and the approved budget</p>	Insufficient budgeted job positions	ANI	<p>Implemented</p> <p>In order to ensure the necessary human resources, in 2019, procedures were initiated to fill the vacancies as follows:</p> <p>I. 7 recruitment contests were organized in order to fill in a number of 11 vacancies, of which: - 2 management function vacancies and 9 executive function vacancies (5 vacancies for general positions and 4 vacancies for specific positions with a special status).</p> <p>Following these recruitment competitions, a number of 4 vacancies were filled, of which: 2 management function vacancies and 2 executive function vacancies. At the end of 2019, the recruitment competition for filling in 4 specific executive function vacancies with special status as well as the competition initiated for filling 2 executive function vacancies were still ongoing.</p> <p>II. A number of 6 executive vacancies were filled by secondment, of which: 2 vacancies in the civil service and 4 contractual vacancies;</p> <p>III. A number of 5 vacancies were filled in through transfers.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.2.2.	Increasing the number of integrity inspectors	Permanent action evaluated on an annual basis	<p>Job competitions organized for the remaining vacancies / identified as necessary, under the conditions established by law</p> <p>Budgeted and vacant job positions occupied at least 90% each year, under the conditions established by law and the approved budget appropriations</p> <p>Minimum number of integrity inspectors ensured throughout the year, according to the staffing scheme</p>	<p>Insufficient number of budgeted positions</p> <p>Low exam pass rate</p> <p>Government blocking public sector employment</p>	ANI	<p>Partially implemented</p> <p>Through the reorganization of the National Integrity Agency, the job structure for 2019 has been adapted to the requirements of fiscal responsibility regarding the rationalization of budget expenditures, salary policies and execution of personnel expenses. The aim is to implement a job structure that meets the requirements of efficient operating.</p> <p>The change in structure involved reducing the number of existing departments, from 5 to 4. Taking into account the fact that in the previous period there were 5 job positions occupied by civil servants with a management function, a professional testing exam was organized at the level of the institution. Following this exam, a number of 3 civil servants were admitted to fill public management positions, the rest of the candidates who did not pass the professional testing exam opted for filling a vacant public executive position within the Agency.</p> <p>In order to ensure the necessary human resources, in 2019, procedures were initiated to fill the vacancies as follows:</p> <p>I. 7 recruitment contests were organized in order to fill in a number of 11 vacancies, of which: - 2 management function vacancies and 9 executive function vacancies (5</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>vacancies for general positions and 4 vacancies for specific positions with a special status).</p> <p>Following these recruitment competitions, a number of 4 vacancies were filled, of which: 2 management function vacancies and 2 executive function vacancies. At the end of 2019, the recruitment competition for filling in 4 specific executive function vacancies with special status as well as the competition initiated for filling 2 executive function vacancies were still ongoing.</p> <p>II. A number of 6 executive vacancies were filled by secondment, of which: 2 vacancies in the civil service and 4 contractual vacancies;</p> <p>III. A number of 5 vacancies were filled in through transfers.</p>
3.2.3.	Elaborating the human resources management policy	January 2018	Drafted policy	Insufficient human resources and time	ANI	<p>Not implemented</p> <p>At the end of 2019, the Human Resource Management Policy was in the process of being developed.</p>
3.2.4.	Training ANI's experts on train the trainers component	Permanent action evaluated on an annual basis	Minimum 70% of ANI staff trained annually so that over a period of 3 years all ANI employees have participated in at least one	Lack of training offers	ANI External suppliers	<p>Partially implemented</p> <p>In 2018, 18 integrity inspectors participated in trainings.</p> <p>No ANI experts participated in such training sessions in 2019.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			professional training course			
3.2.5.	Integrity inspectors and administrative staff training	Permanent action evaluated on an annual basis	Minimum 70% of ANI staff trained annually so that over a period of 3 years all ANI employees have participated in at least one professional training course	Lack of training offers Lack of financial resources	ANI External suppliers	Partially Implemented During 2019, a number of 5 ANI employees participated in training and development programs.

3.3 Streamlining the communication policy

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
3.3.1.	Elaborating the communication policy	December 2019	Drafted policy	Insufficient human resources and time	ANI	Partially implemented At the end of 2019, the Communication Policy is pending its approval.
3.3.2.	Improving the process of communicating information of public interest, including that available on the Agency's website	Permanent action evaluated on an annual basis	Web sections updated annually Improved operational procedures	Insufficient human resources and time	ANI	Implemented The web sections of the Agency's website are constantly updated. 47 public information materials were posted on the Agency's website in 2019. PS 13 / S.C.M. System Procedure was developed; this system procedures refers to "The activity of communicating information of public interest within the National Integrity Agency".
3.3.3.	Modernizing the communication tools	January 2018 / Permanent action evaluated on an annual basis	Updating the ANI's presentation brochure Using newsletter and social media tools	Lack of budgetary resources	ANI External suppliers	Partially implemented On the 10th anniversary of the establishment of the National Integrity Agency, ANI has produced a brochure summarizing the activity and the results achieved in the 10 years of fighting corruption through administrative means. The brochure includes detailed information on the legal framework of operation, institutional

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			Using info graphs to present relevant information			<p>organization, administrative capacity, evolution of the wealth and interest statements system, the results obtained in identifying, preventing and sanctioning integrity incidents, the work in the field of export of best practices at international level, and the main challenges and strategic objectives for the coming years. The brochure can be consulted electronically on the Agency's website, both in Romanian and English. At the same time, ANI will disseminate the Brochure among institutions and organizations in Romania as well as internationally.</p> <p>In 2018, two infographics there were elaborated on Conflicts of interest and incompatibilities among MPs, as well as the submission of statements of wealth and interests in electronic format.</p> <p>In order to improve the level of knowledge and understanding of the Agency's activity at the local and regional level, ANI has used social media platform (Facebook) for the dissemination of the published public information materials. At the same time, the Agency has published on the Facebook page information about the main events and projects it has been part of.</p>

General objective no. 4: Ensuring an adequate level of transparency

4.1 Ensuring an adequate level of transparency with regards to asset and interest declarations

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
4.1.1.	Increasing the number of people submitting assets and interest statements in electronic format	December 2019	20.000 assets and interest statements submitted in electronic format	<p>Persons refusing to submit statements in electronic format</p> <p>Lack of resources</p>	<p>ANI</p> <p>Persons that are obliged to submit the Assets statement/ Interest statement</p> <p>Public institutions</p>	<p>Implemented</p> <p>During 2018, 20,000 declarations of assets and interests were submitted in an electronic format.</p> <p>In order to improve the process of submitting declarations of assets and interests, as well as data processing, on April 25, 2019, ANI submitted an European funding application, entitled "EMOD - Development of the institutional capacity of the National Integrity Agency for streamlining both the internal workflows and the submission process of assets and interest declarations in the electoral and annual process".</p> <p>This project proposes to increase the capacity of ANI and aims to optimize the administrative processes that ensure compliance with the rules on integrity during the electoral processes and during the submission of the annual declarations. Moreover the project also aims to implement a series of innovative information systems that would simplify and streamline the provision of ANI services.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>At the same time, in 2019, a legislative proposal for amending and supplementing Law no. 176/2010 was introduced. Through the draft law no. L599 / 2019, the initiators propose to modify the way of filling-in and submitting the declarations of assets and interests, in the sense that this should be done also in an electronic format.</p> <p>Starting with 2022, all responsible individuals as per the legal requirements will have the obligation to complete and submit the declarations in electronic format. For the aforementioned draft law, in 2019 the Agency sent a positive point of view.</p>
4.1.2.	Ensuring continuity on public declarations of assets and interests and helping institutions in presenting the declarations of assets and interests in a transparent manner	Permanent action evaluated on an annual basis	100% of the declarations of assets and interests received each year, archived and uploaded on the ANI website, within 3 months from their submission	Lack of budgetary and human resources	ANI	<p>Implemented</p> <p>During the entire period of 2019, the continuity in the publication of the wealth and interest statements on the institution's website was ensured.</p> <p>In the context of the European Parliamentary and presidential elections that took place in 2019, a section for the electoral process was created on the Agency's website, section which included a "Single point for publishing the declarations of assets and interests submitted by the candidates". In this regard, 1,401 declarations of assets and</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						interests were published in the section for the European Parliamentary elections, and 34 declarations of assets and interests in the section for the presidential elections.

4.2 Updating the ANI web page

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
4.2.1.	Developing the English version of the Website	December 2019	Translated sections of the ANI web page	Lack of budgetary resources Insufficient human resources	ANI External supplier	Not implemented In the technical specifications made for the development of ANI's integrated information systems for the period 2019 - 2020, it is provided to translate the labels from the content of the ANI website into at least one international language.
4.2.2.	Constantly completion of the website sections	Permanent action evaluated on an annual basis	Permanently updated sections	Lack of human resources	ANI	Implemented Based on an internal note on the methodology for updating the content of the sections on the Agency's website, each department responsible for a section / subsection requests, whenever necessary, the publication of information and data. The sections available on the Agency's website are permanently updated, as follows: <ul style="list-style-type: none"> • <i>Definitive incompatibilities - 3-year ban;</i> • <i>Files in court;</i> • <i>Definitive and irrevocable judgments of the courts;</i> • <i>Minutes for sanctioning contraventions;</i> • <i>Legislation views;</i> • <i>Organization;</i> • <i>Budget and public procurement;</i> • <i>Statements of Wealth;</i>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<ul style="list-style-type: none"> • <i>Legislation;</i> • <i>Reports and Audit;</i> • <i>A.N.I careers;</i> • <i>Cooperation;</i> <p>In 2019, in order to raise awareness in the context of the European Parliament and presidential elections, the Agency created a section on the website for the electoral process, which included a number of useful headings (Point single publication of declarations of assets and interests submitted by candidates in elections, guides, section containing the main applicable legislative texts, contact form, etc.)</p> <p>At the same time, in 2019 the Guide for Completing the Declarations of Assets and Interests and the Guide on incompatibilities and conflicts of interest were updated whilst a new Guide for the designated person with the implementation of the provisions regarding declarations of assets and declarations of interests was elaborated.</p> <p>At the same time, the Guide for completing the integrity form is available on the Agency's website in a specially designated section.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>47 public information materials were posted on the Agency's website.</p> <p>In order to complete the staffing scheme, the Agency published announcements regarding the organization of recruitment competitions for filling vacancies on its website.</p>
4.2.3.	Publication of final and irrevocable decisions issued by courts on matters regarding wealth confiscation, conflicts of interest and incompatibilities	Permanent action evaluated on an annual basis	At least 80% of final and irrevocable decisions issued by courts published on the ANI website	Insufficient human resources and time	ANI	Not implemented

General objective no 5: Cooperation with inter-institutional and non-institutional entities

5.1 Cooperation at national level

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
5.1.1.	Disseminating the concept of integrity in schools	Permanent action evaluated on an annual basis	<p>Minimum 2 events with educational institutions</p> <p>At least one collaboration protocol initiated per year</p>	<p>Lack of budgetary resources</p> <p>Lack of available experts</p>	<p>ANI</p> <p>Educational institutions</p>	<p>Partially implemented</p> <p>During May 2019, the Secretary General of ANI received a study visit from masters students of the "Public Integrity and Anticorruption Policies Masters" from within the National School of Political and Administrative Studies.</p>
5.1.2.	Fostering of cooperation with public institutions and authorities, as well as with the associative structures of local authorities	Permanent action evaluated on an annual basis	<p>Minimum 2 events organized/year</p> <p>At least one collaboration protocol initiated per year</p>	Lack of human or financial resources.	<p>ANI</p> <p>National Union of County Councils in Romania</p> <p>Association of Municipalities in Romania</p>	<p>Implemented</p> <p>During the reporting period, the Agency carried out cooperation activities with public institutions and authorities, as well as with the associative structures of local public administration authorities, as follows:</p> <p>Throughout 2019, ANI inspectors together with representatives of the Ministry of Regional Development and Public Administration and the Ministry of Justice carried out 90 thematic evaluation missions of the implementation of the National Anticorruption Strategy (SNA) 2016 - 2020 at local levels, at county councils and town halls.</p> <p>At the end of 2019, preliminary discussions took place with the Association of Romanian Communes - AcoR</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
					<p>Association of Romanian Towns</p> <p>Association of Communes of Romania</p>	<p>for the provision of expertise by the National Integrity Agency within the project "Improving access and quality of services for citizens - a transparent and accountable public administration". This project is implemented by AcoR in partnership with the Association of Local and Regional Authorities of Norway - KS and the Association of Romanian Municipalities - AMR and aims to strengthen the capacity of local governments in Romania by increasing accountability, transparency and raising awareness about incompatibilities and conflict of interest.</p> <p>The project started in October 2019 and has an implementation period of 3 years.</p>
5.1.3.	Develop and strengthen partnerships with non-governmental organizations	Permanent action evaluated on an annual basis	<p>Minimum one event organized</p> <p>At least one collaboration protocol initiated per year</p>	Lack of human or financial resources.	<p>ANI</p> <p>NGO's</p>	<p>Implemented</p> <p>Project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and unjustified assets" SMIS 118824</p> <p>For the implementation of objective 5.2 of the National Anticorruption Strategy 2016 - 2020, starting with 31.07.2018, the National Integrity Agency became the beneficiary of the project "LINC - increasing the capacity of the central public administration in preventing and identifying cases of conflicts of interest, incompatibilities and assets unjustified" SMIS 118824,</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>which was implemented and developed in partnership with the Romanian Association for Transparency (TI-Ro).</p> <p>Collaboration with the Institute for Public Policies</p> <p>In February, the Secretary General of ANI, together with an integrity inspector, participated at a round table event, "Up-to-date typology of conflicts of interest and incompatibilities, results of the local prevention activity and the reaction of central authorities", an event organized in collaboration with the Institute for Public Policy.</p> <p>In July, the National Integrity Agency organized at its secondary headquarters, in collaboration with the Institute for Public Policy, the workshop titled "Development and implementation of integrity plans at the level of local public administration" where Henk Bruning, expert in Dutch integrity and good governance, former Director of Human Resources at the Municipality of Amsterdam. The expert spoke on the most important Dutch principles and good practices with regards to conflict of interest prevention.</p> <p>Collaboration with other non-governmental organizations</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>In May, at the proposal of the Expert Forum Association, together with the Center for Legal Resources of Moldova, the National Integrity Agency received a study visit from a delegation from the Republic of Moldova, consisting of 11 integrity inspectors recently selected for the National Integrity Authority of Moldova.</p> <p>In June, at the proposal of the INK Association and the Romanian Center for European Policies, the National Integrity Agency received at its headquarters a visit from 16 participants of the LEAD 2019 program, a program dedicated to young lawyers from the Republic of Moldova.</p> <p>At the end of October, at the invitation of the Expert Forum Association, two representatives of the National Integrity Agency participated in a workshop dedicated to integrity inspectors in the Republic of Moldova, organized within the framework of project "Promoting the rule of law and strengthening integrity in the Republic of Moldova" financed by the Embassy of the Netherlands in Romania.</p>
5.1.4.	Providing viewpoints to entities that have legislative initiative regarding drafting	Permanent action evaluated on an	100% points of view issued on the requests received within the imposed deadlines	The refusal of the authorities to request views from ANI	ANI DRP	<p>Implemented</p> <p>The National Integrity Agency constantly expresses its views on the draft normative acts regulating its activity.</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
	laws related to ANI's objects of activity	annual basis				<p>In 2019, A.N.I. has granted 3 points of view to the entities that have a legislative initiative regarding the draft laws related to the Agency's object of activity, referring to the following normative acts:</p> <ul style="list-style-type: none"> ▪ Government Emergency Ordinance amending and supplementing the Government Emergency Ordinance no. 66/2011 on the prevention, finding and sanctioning of irregularities in obtaining and using European funds and / or national public funds related to them; ▪ Government Emergency Ordinance on the Administrative Code of Romania; ▪ Government Emergency Ordinance to amend Law no. 129/2019 for preventing and combating money laundering and terrorist financing, as well as for amending and supplementing some normative acts.
5.1.5.	ANI involvement in implementing the objectives and measures of National Anticorruption Strategy	Permanent action evaluated on an annual basis	<p>Participation in all activities organized by the Technical Secretariat of SNA</p> <p>Minimum 2 experts appointed to assist the Technical Secretariat</p>	Lack of human resources	ANI	<p>Implemented</p> <p>In 2019, the ANI representative appointed with the implementation of the National Anticorruption Strategy (SNA) participated in all meetings of the Platform for cooperation of independent authorities and anti-corruption institutions. These meetings had as a primary role the establishment of the next steps in fulfilling the objectives provided by the SNA and also to</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
			<p>Attend at least one meeting per year</p> <p>Participation of ANI experts in the evaluation missions, requested by the Technical Secretariat of SNA</p>			<p>present the methodology for monitoring the implementation of the National Anticorruption Strategy.</p> <p>At the beginning of 2019, the report regarding the stage of implementation of the measures provided by the SNA 2016 - 2020 related to the year 2018 was sent.</p> <p>Throughout 2019, ANI inspectors together with representatives of the Ministry of Regional Development and Public Administration and the Ministry of Justice carried out 90 thematic evaluation missions of the implementation of the National Anticorruption Strategy (SNA) 2016 - 2020 at local levels, at county councils and town halls.</p> <p>In September 2019, the Ministry of Justice carried out a thematic evaluation mission on the implementation of the National Anticorruption Strategy (SNA) 2016-2020 at the Agency's headquarters, the topics under evaluation being: conflicts of interest during and after exercising the function, incompatibilities, transparency of public institutions and access to information of public interest.</p> <p>In 2019, within the frame of the LINC project, the following activities were carried out:</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<ul style="list-style-type: none"> • A project presentation conference was organized. A number of 90 representatives from the central institutions attended; • 15 training sessions on the central integrity system were organized for 246 representatives from the central public authorities and institutions; • A public policy proposal on conflicts of interest and incompatibilities applicable to Members of Parliament and candidates in parliamentary elections has been made; • A procedure for the prevention of potential conflicts of interest, a procedure for the prevention and early identification of situations of incompatibility (addressed to staff in the central public administration) and a procedure for assessing and monitoring the risks of conflicts of interest (addressed to the Control Bodies or Working Groups designated for this purpose) have been developed; • A collection of cases relevant to the central public administration on conflicts of interest, incompatibilities and unjustified wealth has been developed (the case collection will be disseminated in early 2020); • 24 integrity inspectors from ANI participated in two study visits organized at the High Authority

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>for Transparency in Public Life (HATVP) in France and at the French Anticorruption Agency (AFA).</p> <p>The progress of this project was highlighted both in the MCV report and in the July 2019 GRECO report.</p>
5.1.6.	Harmonization and clarification of the legal framework on incompatibilities	December 2019	<p>Working group established</p> <p>No. of proposals submitted</p> <p>Legislative changes made</p>	<p>Legislative instability</p> <p>Legislative delay</p> <p>The dilution of the existing legislative framework</p>	<p>ANI</p> <p>MJ</p>	<p>Implemented</p> <p>Considering the initiative to harmonize the legislation on conflicts of interest and incompatibilities regarding the civil service (draft Administrative Code), on July 5, 2019 Ordinance no. 57/2019 regarding the Administrative Code was published. This normative document regulates the general framework for the organization and functioning of the public administration authorities and institutions. Within the provisions of this document aspects regarding the integrity framework are included.</p> <p>The draft Administrative Code was adopted on July 9, 2018 by the Parliament and sent for promulgation to the President of Romania. A petition for unconstitutionality was filed, which was approved by the Constitutional Court of Romania on November 6, 2018.</p>

5.2 Cooperation at international level

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
5.2.1.	Agency involvement in technical assistance projects	Permanent action evaluated on an annual basis	<p>Participation in at least one activity per year</p> <p>At least one ANI expert involved in technical assistance projects</p>	<p>Lack of resources</p> <p>Lack of experts</p>	<p>ANI</p> <p>MAE</p> <p>Civil society</p>	<p>Implemented</p> <p>In 2018, the consortium composed of Romania, represented through the General Anticorruption Directorate, and Lithuania, through the Special Investigations department, was declared winner of the Twinning Project “Strengthening the capacities of the internal control in the fight against corruption in the Ministry of Internal Affairs of Serbia”.</p> <p>Together with the General Anticorruption Directorate, experts from ANI participated in the implementation of the Minister’s Control Body and the General Directorate for Communications and Information Technology of the Ministry of Internal Affairs.</p> <p>In May 2019, an ANI representative participated as a short-term expert in the evaluation mission included under component "3.1 Assessment of the internal control capacity of the IAS". Throughout this event the ANI expert ensured the transfer of expertise on the wealth declaration component and identified the main differences between the existing legislative framework in Romania and the one in Serbia.</p> <p>In October 2019, the second evaluation mission took place, within component "3.4. - Training of IAS staff in the field of wealth declarations", an activity based on</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						training sessions for an effective control of wealth declarations. During this mission, the Secretary-General of the Agency, together with a representative of the ANI, delivered the training sessions to the IAS representatives.
5.2.2.	Continuation of the export of good practices regarding the Romanian system of declarations of wealth and interests	Permanent action evaluated on an annual basis	Participation in at least 5 activities per year Designated responsible ANI expert	Lack of resources Lack of expert availability	ANI MAE Civil society	<p>Implemented</p> <p>In 2019, the National Integrity Agency was actively involved in the export of good practices regarding the Romanian system of declarations of wealth and interests, as follows:</p> <p>In March, at the invitation of the European Commission, the Secretary-General of the National Integrity Agency participated, as a speaker, in the TAIEX seminar on wealth declaration and conflicts of interest avoidance, which took place in Tunisia.</p> <p>In March, the National Integrity Agency received a study visit from a delegation of 7 representatives from the Jordanian Anticorruption and Integrity Commission.</p> <p>At the invitation of the Italian National Anticorruption Authority (ANAC), a representative of the Agency participated in a workshop "Guidelines on Codes of Conduct" which was held in the month of April in Rome. The ANI representative participated as an appointed expert in order to support ANAC in the elaboration of a</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>set of guides regarding the codes of conduct of public entities.</p> <p>At the end of April, at the invitation of the European Commission, the Secretary-General of the National Integrity Agency participated as a speaker in the Eastern Partnership Rule of Law panel dedicated to Effective asset declarations systems, which took place in Brussels, Belgium.</p> <p>In May, at the proposal of the National Anticorruption Directorate, the National Integrity Agency organized at its headquarters a study visit for a Tunisian delegation. The delegation consisted of 3 representatives of the National Anticorruption Authority of the Republic of Tunisia - INLUCC.</p> <p>Also in May, at the proposal of Expert Forum and the Center for Legal Resources of Moldova, the National Integrity Agency received a study visit from a Moldavian delegation consisting of 11 integrity inspectors from the National Integrity Authority of Moldova.</p> <p>As part of the Twinning project SR 15 IPA JH 01 08 "Strengthening internal control capacities in the fight against corruption in the Serbian Ministry of Interior", two representatives of the Agency participated, as</p>

Level	Action	Deadline	Evaluation indicators established by ANI	Risks	Responsible institutions	Deloitte Evaluation as of 31.12.2019
						<p>experts, in two evaluation missions, which took place in Belgrade in May and October.</p> <p>In June, at the invitation of the European Commission, the Secretary-General of the Agency participated as a speaker in a workshop on the Assessment of Corruption Risks in the Public Procurement Program. The workshop was held in Tallinn, Estonia.</p> <p>In June, at the proposal of the Innovation Needs Knowledge Association (INK) and the Romanian Center for European Policies, the National Integrity Agency received at its headquarters a study visit of 16 participants in the LEAD 2019 leadership program, dedicated to young lawyers from the Republic of Moldova.</p> <p>In October, at the invitation of the International Monetary Fund, the Secretary General of the National Integrity Agency participated as a speaker at the "Good Governance and Anticorruption" event, which took place in the context of the IMF Annual Meetings in Washington DC, USA.</p> <p>In October, at the invitation of the Expert Forum Association, two representatives of the National Integrity Agency participated in Chisinau, Moldavia, at workshop dedicated to integrity inspectors from the Republic of Moldova. The event was organized within the framework of the "Promoting the rule of law and</p>

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						<p>strengthening integrity in the Republic of Moldova" project, funded by the Embassy of the Kingdom of the Netherlands in Romania.</p> <p>At the proposal of the Directorate-General for Anti-Corruption, the National Integrity Agency received at the end of June, the study visit of an 8-person delegation from Turkey. The visit was part of the twinning project "TR 15 Ipa JH 02 17 R - TR2015 / RL / 04 / A1.9-01 Independent Police Complaints Commission and Complaints System for the Turkish National Police, Gendarmerie and Coast Guard".</p> <p>In July, at the proposal of the Independent Commission against Corruption (ICAC) from Hong Kong, the National Integrity Agency received a study visit composed of a delegation of 6 ICAC representatives.</p> <p>At the request of the Lithuanian Government Office, the National Integrity Agency received in September the study visit of a delegation from the Georgian Civil Service Bureau, consisting of 9 representatives. The visit was part of the twinning project "Capacity Building of the Civil Service Bureau of Georgia to Implement the Civil Service Reform ", funded by the European Union.</p>

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5.2.3.	Cooperation in activities belonging to organizations of which ANI is a part of	Permanent action evaluated on an annual basis	Participation at a minimum of 3 events/year Assigned ANI responsible	Lack of expert availability	ANI Regional/inter national organizations	<p>Implemented</p> <p>International Association of Anticorruption Authorities (IAACA)</p> <p>In January, the leadership of the National Integrity Agency participated in the tenth edition of the Annual Conference and General Assembly in Vienna, "15 Years of the United Nations Convention against Corruption: Achievements and Prospects". The event brought together high-ranking representatives of public authorities from over 60 states, international and European organizations, regional associations and non-governmental organizations thus intensifying the exchange of information and experience.</p> <p>Organization for Economic Co-operation and Development (OECD)</p> <p>In March, at the invitation of the OECD, two representatives of the National Integrity Agency participated in the OECD Global Anti-Corruption & Integrity Forum in Paris. The "Tech for Trust" forum brought together representatives of the political environment, the private sector, public policy makers, as well as representatives of civil society and academia.</p>

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						<p>European Anti-Corruption Partners Network (EPAC / EACN)</p> <p>In December, a representative of the National Integrity Agency attended the 19th Annual Professional Conference and General Assembly in Stockholm, organized by the Swedish Department of Special Investigations of the Swedish Police Authority. The conference entitled "Understanding the basic mechanism of corruption - global challenges and preventive measures" was dedicated to the latest developments in the field of law enforcement at international and European level (measuring corruption, integrity and anti-corruption efforts, as well as money and politics / corruption and funding political parties).</p> <p>World Bank</p> <p>On May 31, the President and Secretary General of ANI participated in a round table event organized by the National Integrity Agency, in collaboration with the World Bank and StAR initiatives. The event was attended by relevant actors (representatives of political parties, magistrates, representatives of civil society and civil servants within the central public administration) as to debate the benefits that electronic filing of declarations of assets and interests can bring. On this occasion, the new developments in</p>

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						the field of declarations of assets and interests at an international level were discussed. The fact that there is a need to improve the Romanian legislative framework was also launched into debate, in the sense of introducing the obligation to submit and submit declarations of assets and interests in an electronic format.



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