Welcome speech by the President of the National Agency of Civil Servants

The report which we would like to bring into your attention - the 5th report from the series of yearly reports published by the National Agency of Civil Servants, which summarizes the main achievements of the National Agency of Civil Servants during the 1st of January and 31st of December 2007, based on statistics and monitoring indicators, which were focused on the activity of The National Agency of Civil Servants as a specialized central public administration body dealing with the management of civil service and civil servants.

During 2007, after becoming an European Union Member State, Romania has intensified the efforts, including the administrative reform area, in order to promote good practices and high quality of standards, comparable with the other European Union Member States.

This report has revised the progress made within the legislative area regarding the civil service and the civil servants, the changes that took place in the career management field and the integrated information system, the civil society partnerships and the international collaborations within the modernization process and continuous development of public administration reform in Romania.

Reading this report, one could have the possibility to understand the activities performed by the Agency during last year, and to became familiar with the principles of a modern public management, based on clear objectives, monitoring indicators, performance indicators, well defined responsibilities and on innovative practices linked to the implication of the citizens IN the local decision making process, the quality improvement of the public services performed by the civil servants trough decisional transparency and stakeholders consultation.

We kindly invite you to read the “Report on the management of civil service and civil servants for 2007”, that was realized as a guide meant to help the civil servants from the public institutions and authorities, but that is useful, in the same time, to the citizens, students, civil society - as civil service beneficiaries.

We are hoping that this document is going to represent a useful instrument meant to present the civil service position and civil servants area of activity to the national partners as well as to the international ones-from whom we have prepared the English version. We have the certitude that this report will contribute to the creation of a realistic vision upon our area of activity, because we believe that a modern administration begins by building the citizen’s and our employee’s trust into the public authorities and institutions.
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I. Administrative context of drafting a civil service positions and civil servants management report

1.1. Civil service reform from the perspective of the objectives defined in the Management Program for the period 2005-2008

By the meaning of the Management program for the period 2005-2008, the values the Romanian Government has assumed and promotes are “democracy, capitalism and European values for a sustainable economic development of Romania, increasing the welfare of the citizens and recovering the national dignity”. At the same time, the commitment aimed at the realization of the management act with the observance of five fundamental principles - the principle of communication and transparency, the principle of participation, the principle of responsibility, the principle of efficiency, coherence - that will be implemented with the observance of the two “institutional axis”:

- Proportionality between the power held by the central administration for the regulating and policy implementation competences and the one held by local authorities, the civil society or the private sector;

- Subsidiary, respectively the acknowledgement of the ability of intervention of the central public administration only in cases in which the local development objectives cannot be efficiently and sufficiently realized by the public administration and local community.

With reference to the objectives set for the field of the public administration reform, the civil service position is found distinctively approached in the measurements regarding the reinforcement of the institutional capacity. Although, in time, it has proven to be necessary to adapt the predefined objectives, the central idea of reformation of the human resource management system from the public administration, generally, also of the civil service position system, particularly, has not changed, in terms of the guiding lines:

- Updating and adapting to the new social-economic and administrative realities of the normative frame for the civil service position and public servants, regarding the recruitment, career, performance evaluation, professional training, wage system, disciplinary regime and last but not least, the social dialogue in the relation employee—employer;

- De-monopolizing the professional training system of civil servants and reinforcing its ability to fulfill the professionalizing objective of the body of public servants;

- Reinforcing the ability of public authorities and institutions to meet the civil service ethic and integrity requirements, by updating to the normative behavior frameworks and to the one afferent to the disciplinary regime, respectively adopting the administrative measures for the implementation, as well as, by providing the necessary premises for an increase of the degree of undertaking of the responsibility for the behavior in the exercising of the functions held by civil servants;

- Training civil servants in domains for Romania to assume the statute of EU member, respectively in domain in which reform measures were introduced;
- **De-politicizing the public service**, by adopting measures that lead to a good definition of the political block from the administrative block, the observance of the good governing principles by administrative grounding the political decision and, last but not least, reforming the management system of civil service positions, from the category of high ranking servants.

Based on the aforementioned, the activity in the field of management of the civil service position and public servants for 2007 wanted to reach the governmental objectives, according to the evolutions estimated for the reference period and announced in the previous reports, particularly:

- **Development of the civil service position**, particularly:
  
  - Completing the normative frame of the civil service position and civil servants and adopting a civil service development strategy;
  
  - Development of the institutional capacity of the National Agency of Civil Servants, for providing the premises for improving the management process for the civil service position and civil servants;
  
  - creating an integrated human resource management information system;
  
  - Continuing the transposition of the community acquis in the Romanian law in domains with incidence on the domain of civil service and civil servants in Romania, for harmonizing the national law with the European law in domains such as the free circulation of people or the implementation of the principles of equality of chances;
  
  - developing partnerships and collaborations with different similar public institutions from the European Union member states, as well as other international collaborations for supporting the improvement of the civil service and public servant management.

- **Development of the potential of attracting funds and implementing external financing programs**, included through projects in partnership with the civil society, aiming at the process of participation of citizens to the government act and measures of improving the image of the administration and civil service. In this context, the strengthening of the administrative and institutional capacity has become one of the priorities of the European Social Fund for the schedule period 2007-2013. According to this specific condition the Operational Program for the Development of the Administrative Capacity was processed to essentially contribute to the realization of the theme priority "Building efficient administrative facilities" within the National Strategic Referential Frame and to monitor the priorities from the Community Strategic Directions regarding cohesion., in which it is imposed the development of the administrative capacity and in this context the modernization/reform of the civil service. Other external funds, specially established and destined for different areas of intervention are added to these financing instruments of the national initiatives for the alignment to the European Union requirements.

Also, the activity in the reporting period was also circumscribed to the need to complete the **remaining measures in the field of ensuring the capacity of assumption of the statute of EU member state**, starting from January 1st, 2007. Therefore, in 2007:
- Law no. 188/1999 on the Statute of civil servants was republished and all the projects of normative acts announced at the last change, were completed ¹;
- The draft of the normative act for setting an unitary wage system for civil servants was completed by the National Agency of public servants, by consulting all the interested factors, and forwarded for approval/notification;
- The necessary measures for a better integration from the point of view of reconciliation of the normative frame, of the specific civil service by the public management in the Romanian civil service system, were initiated;
- Law no. 7/2004 regarding the civil servants code of conduct was republished on the basis of the changes brought ²;
- The effects of setting the year 2007 as European union of equality of chances were also felt in the civil service domain;
- The civil service domain was a distinctive object of the implementation evaluation process of the Strategy for the acceleration of the public administration reform 2004-2006, approved by GO no. 699/2004, results obtained by developing a proposal of Development strategy of the civil service for the period 2007-2010.

1.2. Civil service reform based on the civil society evaluation

On December 17th, 2007, the Soros Foundation within the project „Statute of civil servant for a good government, launched the legal evaluation report “The Civil Servant’s statute for a Good Governing”.

The report made by the Soros foundation is a preliminary research procedure, starting from the realities of the Romanian normative frame for the civil service, for underlining the current necessities as they were identified. The declared purpose of the study was to contribute to the improvement of the normative frame by highlighting some of the corrections that must be made to the normative frame afferent to the statute of civil servant to the benefit of the civil service oriented towards an efficient and responsible government.

The document highlights that the amendments brought to the normative frame for the statute of the civil servants, during the current law, especially in the years 2006 and 2007, is an important step in the process of the civil service reform. The new regulations are considered to have approved the de-centralization principle in the civil service plan, to have brought a number of necessary clarifications and good amendments for the recruitment and promotion of civil servants, change, suspension and termination of the working reports thereof. Also, the report underlines the fact that there are still a series of legal problems to approach for the civil position and the management thereof to contribute to a large extent to the increase in the quality of the civil services in Romania.

¹ Law no. 251/2006 for the change and completion of Law no. 188/1999 for the Status of public servants
² Law no. 50/2007 for changing and completing Law no. 7/2004 for the Civil servants code of conduct
Based on the good government requirements, the practice of the civil service position is considered to be reported to the characteristics imposed by typologies thereof: participation, law priority, transparency, obligations for institutions to immediately fulfill the citizens’ needs, mutual agreement-direction, equity and inclusion, efficiency and liability. According to the evaluation made, the majority of reforms of the civil service were based on the following objectives: developing the skills of civil servants to efficiently respond to the challenges of the service, to improve the quality of the body of servants, institutions reform that assigns the liability of developing reform measures. Moreover, the liability, efficiency, transparency and dedication of the civil servant towards the duty it has were defined and remain irrefutable priorities of the quality civil service.

As conclusion to the evaluation we include the following:

- Although after the amendments brought in the last 2 years, the norms on the recruitment and career of civil servants are generally capable of contributing to the development of a professional body of public servants, we think that there are regulations by which the evaluation of the recruitment of civil servants can be made according to criteria and procedures leading to a selection based on professional and competence performances.

- Regarding the wage of persons occupying civil service positions, the Soros Foundation thinks that the non-adopting of the law for the unitary wage system for civil servants is one of the most serious arrear that generates negative consequences on the Romanian process of "civil service reform".

In the period 2001-2007 there was a multitude of normative acts with successive orders in chronological order, of annulling and suspending the civil servants' salary rights, has negative consequences on the civil servants and their career.

By adopting a new norm for the wage system of civil servants, the deficiencies of the current "system" must be taken into account, as they were identified and made public even by the European Commission and ANFP experts:

- Attractively of a public career and the motivation of civil servants are low;
- Salary indexation from the most recent years did not manage to keep the pace with the inflation;
- The basic salaries differ for civil servants that exercise similar activities;
- The wage system for the majority of civil servants debutants is under the level of a “decent living”;
- The basic salaries of civil servants are still at a low level, so that faculty graduates entering the civil service have the tendency of migrating towards the private sphere after accumulating a certain knowledge and professional experience;
- The wage level does not reflect the amount of liability associated with the position;
- Classifying positions and the afferent wages do not refer to a standard job evaluation system;
- The system is difficult to implement and monitor.

- The wage issues, that constitute the main reason for making the civil career unattractive and non-motivating, are completed by the system of **interdictions and incompatibilities for civil servants**, one of the most restrictive and excessive imposed to persons occupying civil positions and civil dignities. **Such interdictions should be set** – as they are actually set for categories of civil servants with special statute – excluding economic activities and mandates connected to the civil positions occupied, respectively to the attributions held in the fulfillment of the public power prerogatives. At the same time the report underlines that the legal provisions in force condition the occupation of civil service positions by a person that did not develop „a political police activity, by the meaning of the law”. **The applicable interdiction to the categories of persons occupying a civil position or dignity is considered, by the authors of the study, as unconstitutional and discriminatory.**

The report processed by the Soros Foundation mentions that a number of legal interventions must be made in connection to the National Agency of Civil Servants, especially if an insufficient degree of institutional independence of the institution can affect the quality fulfillment of the legal duties it has.

The main source of controlling the conclusions of the legal study of the Report developed by the Soros foundation were the reports regarding the activity of monitoring the implementation of the law in the civil service field, processed by the National Agency of Civil Servants.

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**II. Civil service and civil servant management in 2007**

According to the law, in order to create and develop a professional, stable and impartial body of civil servants, in 2000, the National Public Servant Agency (ANFP) was established, specialized body of central public administration that has as mission to insure the implementation of the strategy and the Government Program in the field of civil service and civil servant management. For the fulfillment of its role, the institution mentioned fulfills the attributions in the fields:

a) regulating the civil service, particularly: drafting, analyzing and endorsing normative act drafts for the civil service and civil servant, as well as coordination and support granted to the other public authorities and institutions with regulatory authority, for normative act drafts that contain provisions afferent to the civil service and civil servant;

b) management of the civil service and civil servants, particularly: processing and monitoring the manner of implementation of the principles, policies, strategies and programs for the management of the civil service and civil servants, drafting reports, analysis and prognosis in the field of competence, management and record of the civil service and civil servants, management of administrative procedures, as well as methodological coordination and granting specialized support to the human resources departments within the central and local public institutions and authorities;

c) professional training of civil servants, particularly: setting priority fields for perfecting the professional training of civil servants, notification of sector strategies for the continuous
training of civil servants, centralizing information in the field, sent by public authorities and institutions, as well as granting support to institutions that organize the programs of perfecting the professional training of civil servants;
d) managing civil service programs, particularly: grounding, drafting, management and monitoring programs for the civil service and civil servants; as well as drafting and administering the data base including the national record of civil service and civil servants, as well as the vacant civil service positions;
e) monitoring and control of the activities regarding the civil service and civil servants, particularly: the methodological coordination, monitoring, control and checking the implementation and observance of the legal provisions for the civil service and civil servants, refer the matter to the administrative court, as the case may be, ascertaining offences and applying sanctions, as well as periodical reporting regarding the degree of fulfillment of the capabilities and tasks;
f) representation, respectively: representation of central and local public administration authorities in the relations with legal and natural persons, in the field of management of the civil service and civil servants, collaboration with the public authorities and institutions, similar institutions and bodies from the country and abroad according to the field of competence, taking part in negotiations with union organizations of civil servants, closing agreements and international collaboration drafts in the field of civil service, of civil servants and of the human resource management, as well as other forms of collaboration with the civil society, generally speaking.

The details on the means of action are found in the organization and operating regulation of the Agency, approved by Government order and updated in 2007.
The current human resource and civil service management is organized and performed, within each public institution and authority, by a specialized department, collaborating directly with ANFP.

2.1. Strategic planning and regulation in the field of civil service and civil servants

Regarding the competence area of the institution responsible with ensuring the management of the civil service and civil servants, on the domains mentioned this mainly refers to the legal regime applicable to general civil service positions and the service relations of civil servants occupying these positions. For the specific civil service positions, regulated by special statutes (such as, for example, civil servants with special statute from the penitentiary administration, parliament civil servants within the specialized structures of the Romanian Parliament, the civil servants called civil managers, the civil servants with special statute from the National Customs Authority, the civil servants with special statute from the national defense, public order and national safety public institutions, etc.), management competence for the respective civil service and civil servants belongs to the initiating authorities and institutions, with the ANFP notification. A similar situation is registered for the incidental domains of the civil service domain. ANFP with the role of collaborator, limited to the extent to which activities or specific actions trigger effects on the working relations of public servants.

During the reference period, according to the political and administrative context, as previously described, the strategic planning activity – processing civil policies and strategic documents an
d regulation in the civil service and civil servants domain has as object the development of the civil service domain, the development of the potential of attracting funds and implementing external financing plans, as well as harmonizing the regulations for increasing the efficiency and transparency of the governing act.

Therefore, to implement the Government Program for the period 2005-2008 and for the fulfillment of the measures included in the Priority measure plan for the European accession, in the period 2005-2006 the agency’s efforts were concentrated on modifying and completing the normative frame from the civil service domain. Consequently, on July 19th, 2006 the Law 251/2006 for the change and completion of Law no.188/1999 for the statute of civil servants (law presently republished) entered into force.

The main changes brought to the Law no.188/1999 aimed at:
- De-centralizing the attributions in the civil service field, for increasing the flexibility of the civil service activity, especially for the organization of contests for occupying the vacant civil service positions, means of notification of various administrative procedures and approval of the manpower plan for civil servants. Upon regulating, it was considered that the de-centralizing method proposed can provide a balance between the local autonomy and the need to unitarily implement the legal civil service and civil servant provisions.
- Change of the legal provisions for the category of high ranking servants and updating it so that it is allowed, starting with January 1st, 2006, a more integrated approach that includes the prefect and sub-prefect civil service position. This lead to the establishment of the general rules for the conditions of occupying the civil service positions from the category of high ranking servants, the manner of organization of the recruitment, professional training contest and mobility of the civil servants of this category.
- Changing the approaching angle for defining the rights of civil servants, to provide a career in the civil service and effective implementation of the right of promotion of civil servants, the promotion on a vacant position being replaced by the promotion by transforming the position filled by the civil servant based on an exam, within the limits of the civil service positions reserved for the promotion through the manpower plan for civil servants and by observing the budget funds allotted.
- Considering the fact that the civil service career systems are based on experience, connected to professional performances, the necessary experience for occupying a civil service position was modified (from 5 years for the upper professional degree -maximum level of the execution civil service position - at 9 years).
- Also it was taken into account the need to attract and keep in the system the young competitors, reason for which it was regulated the possibility of organizing a national annual contest, for the fast civil service promotion.

Among the reference points in the process of professionalizing the civil service and creating a body of professional, efficient and unbiased civil servants, there is also the neutrality of the civil servants, essential value in the civil service of any state, and de-politicizing the civil service. To increase the efficiency of this principle, changes were made to the legal system of association in political parties as well as of the right of civil servants to be appointed or to candidate for occupying civil service positions. The reason behind the change consisted of a more clear need to set the borders of the political layer from the administrative layer and to avoid the "migration" between the two layers.
After the entry into force of the changes mentioned, regulating activity and strategic planning which had as priority object the facilitation of implementation of new provisions. This until the end of 2007:

The secondary law in the implementation of the Law no. 188/1999 regarding the statute of civil servants, was processed and adopted, together with the instruments of presentation and motivation, as well as studies and analysis of impact, as the case may be (6 Government decision drafts adopted and, respectively, 4 general applicability orders of the president of ANFP; presently on the circuit of notification there are only 3 Government order drafts – for the professional training or civil servants, the organization and development of the career of civil servants, and the one for changing the Government Order no. 1000/2006 for the organization and operation of the National Agency of Civil Servants);
The draft law regarding the unitary wage system and other rights of civil servants was completed and sent on the notification line;
The representation of the institution was ensured, according to the competence limits set by law, for 5 working/collective inter-institutional groups, made for drafting, updating or harmonizing, as the case may be, the normative frame (changing the normative frame for the specific civil position of civil manager, clarifying the civil regime applicable to experts from the institutional brotherhood projects, clarifying the legal regime applicable to national experts detached, Applying the provisions of the directives 2003/88/EC for the organization of the working schedule and, respectively, 86/378/CEE for the equality of treatment between men and women in the social security occupational regimes), respectively at the activities of European working groups – groups within the European Public Administration Network - EUPAN (in the field of human resources, improving the quality of the regulation, of innovating civil services, Group of General Managers responsible for the Public Administration) EUROSTAT working group for the implementation of the provisions of article 65 of the Regulation (European Council) regarding the personnel and Public Ethics and Participating Democracy Committee within the European Council;
The representation of the institution was provided, according to the competences set by law, within the process of execution of the strategic planning and reporting documents for the domains of administrative reform and assuming the Romania’s statute of EU member state, wither by appointing members in specially constituted groups, or by sending and, where required, analysis of information.

Furthermore, special attention will be placed in the reference period, on promoting the equality of chances, particularly to the anticorruption domain.

2.1.1. Civil service and civil servants strategic planning

The evaluation of the implementation of strategic measures set for the period 2004-2006 Part of the Updated Strategy of the Romanian Government for accelerating the public administration reform, 2004-2006, approved by GO no. 699/2004, the objectives for the civil service position were defined in order to provide the necessary support for the implementation of the long term reform measures.
In order to ensure the coherence of the long and short term reform, the distinction between the measures that involve the human resource management and human resource development was made within the strategy:

<table>
<thead>
<tr>
<th>2004 – 2006</th>
<th>Political management of the public administrative reform</th>
<th>Human resource management</th>
<th>Human resource development</th>
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<tbody>
<tr>
<td>Change management strategies</td>
<td>Development of the capacity of forms of public policies by consolidating the role of the high ranking servants and managing civil servants. Implementing the legal provisions regarding the career of management civil servants</td>
<td></td>
<td>Development of the high ranking servants’ careers - developing specialized training programs for the high ranking servants, managing civil servants - developing career opportunities for managing civil servants through the young professionals scheme (YPS) - developing a training system for management civil servants</td>
</tr>
<tr>
<td>2007 – 2010</td>
<td>Stabilizing and strengthening strategies</td>
<td>Human resource management within the public administration (ANFP together with other public administration institutions involved)</td>
<td>Training civil servants (INA and other suppliers of continuous training)</td>
</tr>
</tbody>
</table>

The civil service objectives set in the strategic document, followed during the implementation period which represented the object of the evaluation at the end of the time horizon set are:

Creating and implementing a recruitment, evaluation and graduation system based on results in the civil service
Creating and implementing a unitary wage system for civil servants
Developing the institutional capacity of the National Agency of Civil Servants to draft, implement, monitor and coordinate the implementation of the policies for the human resource management in the civil service system.
Modernizing the human resource management

The main results and general conclusions in the evaluation made at the end of the implementation period were identified as follows:

Significant progress was made in the reference period regarding the career structure, evaluation and graduation procedures. Although procedures, guides and laws were adopted, there is still a relative absence of clarity and transparency regarding the safety mechanisms for reducing the discretionary feature of the entire process. In addition, the mobility of civil servants remains a critical aspect of the system, the mobility between institutions and government level remaining low.

**Standardizing the procedures and providing a unitary practice remains a permanent activity**, mainly performed through the regulating, endorsing, methodological coordination and control activity, respectively through the implementation of projects with foreign technical assistance. Also, given the fluctuations in the economic-social and administrative field, the instruments developed are permanently perfectible and can be completed with new ones and the permanent character of the training need makes the organization and development of training programs necessary.
Plan for the following periods

According to the project of the Civil service development strategy, the specific objectives for the period 2007-2010 and the estimated changes after the implementation of the measures proposed are:

a) strengthening the civil service system, by:

Through a sustained and long term effort that involved the allotment of resources for a significant period of time, the assistance from international experts, consulting public authorities and institutions and social dialogue partners, the law draft for the unitary wage system was completed and sent for endorsement.

The pilot project for the evaluation of the positions, scheduled to take place in the period 2005-2005, was completed, and based on the results obtained it should be established whether the system will be or not generalized at the level of the entire

After the evaluation of the institutional capacity of the National Agency of civil servants, a series of measures for the consolidation thereof were initiated and adopted, targeting areas of intervention from the personnel training to the standardization and increasing the flexibility of the working method and increasing the number of positions allotted through the normative act of organization and operation of the institution. Nevertheless, it remains a priority to continue the measures to improve the knowledge level and the personnel's abilities, a priority in the fields for Romania’s undertaking of the obligations as EU member state. Furthermore, the relatively low level of manpower in the civil service continues to be a problem.

Measures for improving the planning capacity of human resourced were initiated and adopted in the reference period. Thus, the means of processing and approval of the manpower plans was modified, a special focus being placed for the local administration on the implementation of the de-centralization principle, the means of keeping the records in the domain of civil service and civil servants was improved and an IT system for the management of human resources from the public administration was created and the persons involved were instructed in this sense. An evaluation of the degree of effective improvement could be made only with the implementation of new instruments.

Promoting the behavior standards of civil servants remains a permanent concern, reflected in the measures of strengthening the institutional capacity of management of this aspect (see the changes brought to the law in the field, respectively the measures for strengthening the monitoring and control capacity of implementation of the Law no. 7/2004 on the Civil servants code of conduct, republished).
Consolidating the administrative capacity of ANFP: implementing the integrated IT system for the human resource management, training the agency personnel, connection to the networks of similar EU institutions, development of the capacity of development of public policies/strategies/projects, standardizing the procedures;
Consolidating the human resource department of the public authorities and institutions in the context of the de-centralization of the ANFP liabilities: improving the training/professional training system for civil servants, a better legal stability, improved inter-institutional communication, identifying and promoting good practices;
Improving the image of the civil service system: actions for promoting the civil function, information campaigns, public recruitment offer, making the civil service portal operational;

b) Modernizing the civil service
Increasing the career development perspectives: updating the recruitment, promotion and evaluation system, introducing the individual career plan and provisional management of the civil service positions, strengthening the ability of realization of the mobility in the civil service position;
Increasing the degree of training for civil servants: analyzing the training needs at the level of the public administration, making training of civil servants a priority, enhancing the inter-institutional collaboration;
Motivating civil servants: wages, flexible hours and partial working schedule
Prevention and combating corruption: updating the provisions in the incompatibility and conflict of interest domains.

2.1.2. Year 2007- European year of Equal Opportunities for All

Starting from the commitments our country has undertaken for the accession to the European Union, respectively the obligations afferent to the statute of member state, a special attention is placed on the implementation of the principle of equality of chances between men and women in all the fields of activity, in the day to day life, in the civil service domain. Besides, the institution providing the civil service and civil servant management is represented in the National Committee of Equality of Chances, as well as in the Commission for equality of chances between women and men in the Bucharest municipality.
The European Year of Equal Opportunities for All is a campaign initiated by the European Commission and implemented in all the member states, for highlighting the diversity and promoting the observance of the citizens’ rights to non-discrimination and quality of chances irrespective of the ethnic origin, sex, sexual orientation, age, religion and disabilities. For this European Year, the objectives will target:
Rights
Representation
Recognition
Respect

Regarding the activities and events for the implementation of the European campaign in the field of equality of chances, in Romania, the competent institution for providing the
management of the civil service and civil servants was involved or, as the case may participate at:

1. opening the European Year of Equal Opportunities for All – year 2007, event developed under the patronage of the Romanian president;

2. drafting the articles on the theme "year 2007 – European Year of Equal Opportunities for All", but also on other themes connected to the domain of equal opportunities;

3. organization and development of training programs for civil servants with the theme “Equal Opportunities in the Civil system”, to which the civil servants from the central and local administration participated, as well as including the afferent modules in the training classes for civil servants and other professional categories;

4. sending information, respectively completing, in March 2007, the questionnaire requested in the project financed by the Swiss Embassy in Romania “Equal competitors, Equal Partners, Integrating the gender equality in civil policies”, project for analyzing the state of integration/ incorporation of the gender perspective in the processing of civil policies and a good practice guide in the field;

5. launching the volume „Equal Partners. Equal competitors”, containing directions of actions in civil policies integrating the gender domain;

6. participating at the meetings of the Commission for equal opportunities

7. Analysis of the Government Decision Draft for the approval of the Rules of organization and operation of county commissions and of Bucharest municipality in the field of equal opportunities between men and women and the Order draft of the President of the National Agency for Equal Opportunities between man and woman for the approval of the rules of organization and operation of the National Commission in the field of equal opportunities between men and women, the observations and proposals being communicated to the National Agency for Equal Opportunities between Men and Women, as initiating institution;

8. active participation at international events, among these a special attention is placed on the international conference “Quality by diversity in the public administration” organized at Copenhagen European Public Administration Network – EUPAN and the Trade Union National and European Administration Delegation - TUNED), where the material called “Open day” was presented.

9. participating at the seminar „Equal partners. Equal competitors: on the gender and civil policies positions in Romania”, as well as at the follow-up seminar „Equal partners. Equal competitors: on the gender and civil policies positions in Romania”, organized by the Center for Curricular Development and...
In addition:

- at the recruitment contests and promotion contests to a higher professional level, organized and developed according to the law, a better promotion and implementation of the principle of equal opportunities for the manpower civil service plan; the contest and contest solving commissions the target was to enhance the promotion and applicability of the principle of equal opportunities for occupying civil service positions;

- the members of the working groups established for the processing of public policies, strategies and normative acts on the civil service and civil servants wanted that the various measures of strategic and legal planning were adopted in observance of the principle of equal opportunities between men and women.

2.1.3. Anti-corruption civil service activities

The reports on the corruption in Romania processed along the years by the World bank, Transparency International or converge in showing that good practices are not yet institutionalized at the level of daily operation of the administrative state body, at the level of the justice, police and customs. This leads to a permanent need of two simultaneous approaches, equally important, in the anti-corruption effort. The first targets the construction of normality by instituting standards and setting good practices at the level of the administration and other key sectors, such as education, sanitary system, public order bodies, justice. This approach includes the entire spectrum of corruption prevention activities, of creating a society that values integrity, and functions on the basis of recognized integrity standards. The other approach aims at repressing the deviant behaviors to these standards and norms, and includes the activities of combating the effective corruption, as well as completing the institutional framework that allows an efficient combating activity, the two are established in priority action domains within this strategy. Finally, the execution of activities from the two domains needs to consolidate the internal and international cooperation in the field of prevention and fighting corruption, which constitutes the third domain of activity.3

According to the effective legal frame, in the public service domain, no direct attributions were defined in the domain of prevention, detection or combating corruption in the civil local or

Nevertheless through the activities developed, the institution with attributions in the realization of the civil service and civil servant management plays an active role in the corruption prevention struggle. These activities refer to including provisions in the normative acts regarding the civil service and civil servants that reduces the risk of occurrence of the corruption phenomenon, at the monitoring of the implementation of the specific law and at the development of informative actions (seminars, courses, editing guides, manuals, brochures, etc.) in the specific field of activity.

According to the audience targeted, the actions developed by the National Agency for Civil Servants in the domain of preventing and combating corruption can be divided in two large categories: actions aiming at the internal personnel and action aiming at the entire body of civil servants, no differentiation being made between state, territorial or local civil servants.

» Actions targeting the personnel from the internal working body

In the domain of identification and risk management, the National Agency of Civil Servants identified three elements with a vulnerability risk for the internal personnel:
- participating in the contest commissions for occupying civil service positions;
- interaction with the public;
- control activities.

A series of measures for the representation within the contest commissions and the contest solving commissions were introduced in the institution, as well as for the public interaction. Consequently:

- a consulting inter-department commission was established that aims at appointing members in the contest commission, using as additional criteria to the ones set by law, the experience, professionalism as well as avoiding the successive appointment for the participation to the contests developed within the same institution;

- in order to limits the contact of the execution personnel with the public, a daily appointment system was introduced, by rotation to a persons within the most exposed departments, that takes over the public’s calls. At the same time, it was decided that the direct public interaction should be made exclusively by the leaders of the respective departments, based on an audience program.

Regarding the increase of the resistance to corruption of its own structure, aside from the procedures previously listed, a series of specific procedures were introduced in the departments exposed to a higher risk of vulnerability. Among the measures with a major impact, we include:

- the separation of the notification activity of civil service positions from the one of endorsing competitions for occupying civil service positions, separating the strategic planning and regulating activities from the monitoring activity of law implementation in the field of civil service and methodological coordination;

4 In this context see the provisions of the Law no. 188/1999 regarding the Status of civil servants, republished and of the Government Order no. 1000/2006 on the organization and operation of the National Agency for Public Servants.
- assigning tasks, within the departments, with the observance of the principle of rolling the personnel, respectively with the periodic change of the institution portfolio assigned to a person;

- aside from the normative act drafts and the other documents for which the publishing obligation is stipulated, in the webpage of the Agency are equally found strategic decisions, activity and control reports, and operational decision - such as list of persons assigned in the contest commissions - are brought to the knowledge of the entire personnel of the institution;

The measures mentioned were completed by informing and building awareness in personnel through information programs, such as displaying and disseminating the promotional theme materials.

➢ **Actions targeting the public administration system**

A first action that aims at the entire public administration system is the updating of the legal provisions in the civil service domain. It is deemed that the new measures are sensitive to provide the increase of the transparency and participation, promotion of the ethical behavior and professional integrity and, to reduce the risk of corruption.

Another measure which is considered to have a relevant impact is the obligatory introduction of Law no. 7/2004 regarding the Civil servants code of conduct, republished, in the bibliography for occupying vacant civil service positions, for testing the knowledge of candidates within the contest trials. Moreover, the field of ethics and professional integrity became an integrated part of the professional training themes of the civil servants.

In addition, in the development of the monitoring activity of the manner of implementation and observance of Law no. 7/2004, republished, based on the periodical reports of the public authorities and institutions in the standard format and at the recommended terms, on the webpage of the National Agency of Civil Servants are published the quarterly and half-yearly reports regarding the manner of implementation of the Behavior code, as well as the report for the development of monitoring instruments for the implementation of the provisions of Law no. 7/2004 regarding the Civil servants code of conduct, disciplinary procedures, the conflict of interests and incompatibilities. The documents mentioned in the results of the monitoring activity, by analyzing the causes for the breach of conduct, as well as through the recommendations proposed.

For identifying the European tendencies, a comparative study for the inconsistencies and of the conflict of interests in 12 EU member countries was finalized and published on the webpage of ANFP.

Moreover, within the integrity enhancement actions in the civil service position system, ANFP organized, in partnership with Sigma – OECD, in the period May 29th- 30th 2007, an international conference entitled „Integrity and anti-corruption in the civil service”. Specialists from various countries of the EU (Great Britain, Spain, Hungary, Finland, Holland, France, Latvia, Lithuania, Belgium, and Germany) participated at this event that presented the
various systems, principles and mechanisms used by their own administrations within the process of preventing and combating corruption.

By the meaning of Law no. 144/2007 regarding the establishment, organization and operation of the National Agency of Integrity, two civil servants from ANFP were assigned members of the National Council of Integrity. The National Council of Integrity has the role of supporting and providing for the start the necessary frame for the ANI operation, respectively to undertake an active role in the formulation of recommendations and fulfilling the other attributions stipulated by law. Furthermore, 3 persons within the Agency were detached to ANI for a fixed period, the nomination being made by considering the needed experience on the domains in which they would be directly involved.

Aside from the measures mentioned, in the reference period the projects contracted by ANFP as beneficiary, have a corresponding content and objectives, directly or incidentally, the field of ethics and professional integrity, and the institution assured, according to its competences, the representation within the implementation of different projects in the field of anti-corruption belonging to other contracting authorities (for example, the PHARE RO/06/IB/JH/05 projects „Continuing the Fight Against Corruption in Public Administration” and PHARE 2004 „Improving the fight against corruption – Anti-corruption campaign”), as well as within the different activities with the inter-institutional participation (for example, within the working group regarding the anti-corruption strategy project in the field of health, education and local public administration, of the working group for the elaboration of the National Reform program and for the elaboration of a new version of the Operational Program for the Development of the Administrative Capacity).

2.1.4. Civil service regulation

In the reference period, the regulatory activity in the domain subjected to analysis mainly focused on the processing and adoption of norms of implementation of Law no.188/1999 on the Statute of civil servants republished, on finalizing the law draft of the unitary wage system and other rights of civil servants, as well as on the development of the potential of undertaking the obligations undertaken by Romania as EU member state.

In addition, it was also considered the republishing of Law no.188/1999 on the Statute of civil servants, respectively publishing Law no.7/2004 on the Civil servants code of conduct.

A second reference point in determining the coordinates of the regulatory activity is the fulfillment of the duty of the endorsing institution of the national agency of civil servants. Although, theoretically speaking, all normative acts that implement civil service or civil servant measures must be endorsed by ANFP, practically this project is only partially completed. There are still institutions and public authorities that do not require a notification, according to the law, on their legal initiatives, in this sense a better monitoring from the competent institutions is necessary for notifying these aspects and taking the proper measures.

Considering the aforementioned, as well as some deficiencies noticed in the fulfillment of the harmonization obligation of special statutes (according to art. 110 of Law no. 188/1999, republished), an analysis of the normative acts that include orders of special statute applicable to civil servants, was established.
Therefore, 12 draft acts of normative acts were drafted at the beginning of 2008, 7 of them being approved and implemented, the other 5 being on the notification circuit.

The Government decision draft for the organization and operation norms of the parity commissions and closing collective agreements (which became the Government Order no. 833/2007 after the approval by the Government and publishing in the Official Gazette no. 565 of 16.08.2007)

The Government decision draft for entering in the category of high ranking servants, career management and mobility of the high ranking servants (which became the Government Decision no. 341/2007 after the Government’s approval and publishing in the Official Gazette no. 247 of 12/04/2007)

The Government decision draft for the approval of the Regulation of the organization and development of the specialized training program for occupying a civil service position afferent to the category of high ranking servants. After the Government’s approval (which became the Government Decision no. 832/2007 after the Government’s approval and publishing in the Official Gazette no. 531 of 06/08/2007)

The Government decision draft for the change and completion of the Government Decision no. 1000/2006 for the organization and operation of the National Agency of Civil Servants published in the official gazette no. 75 of 31.01.2007

The law draft for the unitary wage system and other rights of civil servants

The GEO draft for some measures for the category of high ranking servants

The Order of the President of ANFP no. 500/2007 on the delegation of the competence to organize recruitment contests for the manpower plan for management civil service positions published in the official gazette no. 500/2007

The Order of the President of ANFP no. 1900/2007 on the approval of the framework regulation for the organization of the promotion exam in the class of civil servants framed on civil service positions with a lower level of education, that graduate from a form of long and short term upper education in the specialty in which the activity is developed, published in the Official Gazette no. 152 din 02/03/2007

The Government decision draft for the approval of the management and development norms for the career of civil servants

The Government decision draft for the change and completion of the Government Decision no. 432/2004 on the file of civil servants (which became the Government Decision no. 522/2007 after the Government’s approval and publishing in the Official Gazette no. 397/13.06.2007)

The Government decision draft for the change and completion of the Government Decision no. 432/2004 on the file of civil servants (which became the Government Decision no. 522/2007 after the Government’s approval and publishing in the Official Gazette no. 397/13.06.2007)

The Government decision draft for some measures for improving the civil central administration activity (which became the Government Emergency order no. 48/2007 after the Government’s approval and publishing in the Official Gazette no. 412 of 20/06/2007)

The Government decision draft for the organization and operation norms of the discipline commissions (which became the Government Decision no. 1344/2007 after the Government’s approval and publishing in the Official Gazette no. 768 of 13.11.2007)
The Order of the President of ANFP no. 8000/2007 for extending the term of implementation of the Order of the President of the National Agency of Civil servants no. 500/2007 on the delegation of the competence to organize recruitment contests for the manpower plan for management civil service positions, published in the official gazette no. 525 of 02/08/2007

The Order of the President of ANFP no. 13012/2007 for setting the means of granting the qualification and approval of the performance criteria based on which the individual professional performances of civil servants for 2007 are evaluated, published in the official gazette no. 797 of 22/11/2007

It was also ensured the participation in the inter-institutional working groups, specially established:

- after the approval in the Romanian Government of the Memorandum with the theme “implications of detaching Romanian experts at the institutions of the European Union” that was completed with an emergency ordinance draft for the statute of national experts detached at the institutions of the European communities;

- for the processing of the normative act for the change of the GEO no.56/2004 on the creation of the special statute of the civil servant called civil manager, with further changes and completions;

- for drafting the normative framework for the organization and operation of the local police;

- for setting the need to change the Romanian normative frame after the entry into force or, as the case may be, proposal of changing community normative acts.

As for the notification activity, using the notification requests, as well as for the analysis ones and forms of observations and proposals of normative act drafts (Appendix no. 1 and Appendix no. 2) as indicator of entry in setting the number of normative acts in the field of civil function or incidental domains, for the reference period, the following general conclusion can be drawn:

**The majority of the normative act drafts targeted the organization and reorganization of the public authorities and institutions, respectively the organization and development of activities in the public administration domain, with an impact on the legal regime applicable to civil servants from the respective public authorities and institutions or, as the case may be, on the legal regime applicable to persons developing or that will develop the regulating activities.**

As for the analysis of the normative acts that include orders for special statute applicable to civil servants\(^5\), the main conclusions drawn are:

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\(^5\) Law nr. 188/1999 on the Status of civil servants, republished: „**Art. 5. - (1)** The civil servants that develop the activity in the following civil services can benefit from special status:

- **a)** specialized structures of the Romanian Parliament;
- **b)** specialized structures of the Presidential Administration;
- **c)** specialized structures of the Legal Council;
- **d)** diplomatic and consular services;
- **e)** customs authority;
- **f)** police and other structures of the Ministry of Internal Affairs and Administrative Reform;
- **g)** other civil services set by law.
Reported to the right to benefit from special status, there are statutes set in observance of the provisions of art. 5 par.1 of Law no. 188/1999, republished, as well as statutes that are not framed in the categories included in this articles and the legal frame that can set the possibility of drafting such a status is not regulated.

From the point of view of the regulating object, there are statutes that belong to the sphere of regulation set in art.5 par.(2) and (3) of Law no. 188/1999, as well as statutes that exceed it, including orders in which derogatory measures are set.

The main derogatory regulations aim at:
- The classification of functions and harmonizing with the general civil service positions;
- Occupying civil service positions;
- Evaluation of the professional, promotion, professional training activity;
- Change, suspension, termination of the working relations;

Also from the point of view of the regulation object, in the majority of the statutes it was not taken into account if the expression “other rights, duties and specific incongruities”, regulates by special statutes of rights, duties and distinctive incongruities, different from the ones stipulated in the general status. In this particular case, a series of existing orders (with further additions and changes) were taken over from the special statutes and derogatory legal frames were created from the common right in the field.

The rights considered in the majority of the special norms are the salary norms that can create discriminations between the different types of categories of civil servants as well as major difficulties in the perspective of adopting the law on the

There are certain categories of civil servants that, by the meaning of the law, may benefit from special statutes but these statutes were not set in distinctive normative acts. Equally, for certain categories of civil servants that can benefit from special statutes, but for which no such statutes were set, in the normative act of organization and operation of public institutions/authorities in which they develop their activity it was set that another special status will be applied to them (usually, of the parliament civil servant).

(2) Among the special statuses stipulated in par. (2) the following can be regulated:
 a) rights, duties and specific incongruities, other than the ones stipulated by the present law;
 b) specific civil service positions.
 (3) For special statuses applicable to diplomatic and consular services, as well as policemen and other structures of the Ministry of Internal Affairs and Administrative Reform, the special orders can regulate provisions similar to the ones stipulated in par. (2), as well as regarding the career.”
2.2. Management of civil service and the body of civil servants

The duties for the management of civil service and civil servants in the implementation of Law no. 188/1999, republished, mainly aim at the legal regime applicable to general civil positions of civil servants that occupy these positions. For the civil service positions regulated by special statutes (for example, civil servants with special statute from the field of penitentiary administration, Parliament civil servants within the specialized institutions of the Romanian Parliament, the civil servants with special statute from national defense, public order and national safety public institutions, etc.), the management and recording duties do not belong to the National Agency of Civil Servants, but to the initiating authorities and institutions. As for the sources of data used, the management activities are made by reporting to the system planning activities (drafting the Manpower civil service plans), as well as the activities for the coordination of the allotment of human resources in the civil service field (at the level of ANFP they refer to the notification and monitoring activities for occupying civil service positions, respectively registering data on the evolution of the career of civil servants).

Regarding the correlation between the result of fulfilling the two types of activities – of planning and coordination – it must be mentioned that a detail presentation is found in the annual legal norms for the approval of the manpower plans, that set the differentiated responsibilities per categories of public authorities and institutions, respectively per categories of credit computers, dispose the possibility of periodical update of the manpower plan for civil service positions, etc.).

Consequently, the data and information presented in the present document correspond to the limits of competence of ANFP, are exclusively based on the information officially sent by public authorities and do not contain relevant data and information regarding the civil service positions regulated by special statutes, except for situations in which through the respective normative acts the initiator expressly stipulated the correlation of the record systems of the regulated civil servant positions made by the Agency.

We also mention that the general reference term for the situation hereinafter presented is the year 2007, respectively, regarding the data extracted from the occupation plans, they have as reference term the terms stipulated by the Order of the President of ANFP no. 7660/2006 on the approval of the Instructions for the processing of the Manpower plan for civil services.
2.2.1. Results of the civil service system planning activities

**Note:** The present section contains information on the structure of civil service positions, according to the classifications from Law no. 188/1999 on the Statute of civil servants, republished.

At the end of 2002, for the fulfillment of the task of keeping the national record of the civil service positions and civil servants, the National Agency for Civil Servants created a data base with the information regarding the structure of civil positions and of the body of civil servants in Romania. The application was successively updated, during the years 2003-2007, for ensuring the compatibility with the effective legal provisions, approximately 4500 authorities and public institutions being involved in these actions.

During 2007, ANFP established itself as an authority of implementation of the PHARE 2004/016-772.01.03.01.03 project that targeted the creation of an integrated informational system for human resources management.

The data and information presented below are based on the data sent on magnetic support by the public authorities and institutions until 31.12.2007, imported in the second version of the data base ANFP, as well as data collected by the Agency in the period 2003 – 2007, in the existing format at the reference terms. It must be mentioned that the situation presented does not contain the data and information from a series of authorities and institutions of the local public administration.

For a detailed description, see Appendix 3.

Based on the data sent by the public authorities and institutions to be registered in the Agency’s data base, the total number of civil service positions from the Romanian public administration registered at the end of the reference period is **143642**. Among these, according to the criteria of belonging to the administrative level, for the internal body of central public administration institutions and of the de-concentrated civil services, **86333** civil service positions were registered for the internal body of county councils, local councils and other local public authorities, **57309** civil service positions.

<table>
<thead>
<tr>
<th>Civil service positions</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>State civil service positions*</td>
<td>21749</td>
<td>15.14</td>
</tr>
<tr>
<td>Territory civil service positions**</td>
<td>64584</td>
<td>44.96</td>
</tr>
<tr>
<td>Local civil service positions</td>
<td>57309</td>
<td>39.90</td>
</tr>
<tr>
<td>Total</td>
<td>143642</td>
<td>100.00</td>
</tr>
</tbody>
</table>

*there are 5323 civil service positions of APIA included and 1397 civil service positions of the National Archives that at 31.12.2007 did not have de-concentrated services organized.

**including 1838 civil service positions within the Prefect's institutions.
An increase of the share of civil service positions from central administration was mainly generated by the establishment, respectively rendering operational public authorities and institutions (see, as example, the allotment of approximately 500 civil service positions for the Agency of Payments and Interventions in Agriculture) and adjusting the centralizing and data interpretation methodology (for example, starting with 2007, the civil service positions within the Prefect’s Institutions were shifted from the total calculated for the local public administration to the total calculated for the central public administration). The last aspect mentioned also had a clear impact on the share of local civil positions reported to the total number of civil service positions

<table>
<thead>
<tr>
<th>Civil service positions</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2003</td>
</tr>
<tr>
<td>Central civil administration*</td>
<td>59.31</td>
</tr>
<tr>
<td>Local civil administration</td>
<td>40.69</td>
</tr>
</tbody>
</table>

*includes the state civil service position and the territorial civil service positions
From the point of view of the criteria on the level of the attributions afferent to civil service positions, 127635 of the civil positions registered (88.85% of the total positions) are civil service positions of execution, 15817 (11.01% of the total positions) are civil service management positions and 190 (0.13% of the total positions) are civil positions from the category of high ranking servants, the results being a report of 9 out of 10 positions – execution positions.

<table>
<thead>
<tr>
<th>Civil service categories</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil services of execution</td>
<td>127635</td>
<td>88.86</td>
</tr>
<tr>
<td>Management civil services</td>
<td>15817</td>
<td>11.01</td>
</tr>
<tr>
<td>High civil servant positions</td>
<td>190</td>
<td>0.13</td>
</tr>
<tr>
<td>Total</td>
<td>143642</td>
<td>100.00</td>
</tr>
</tbody>
</table>
Besides, the comparative situation reflects the report of approximately 9 to 1 between the number of civil services of execution and management civil services, given the provisions of art. 112 of Law no. 188/1999, republished, that regulates the maximum limits of the management civil services from the total civil services, per categories of public institutions and authorities.

<table>
<thead>
<tr>
<th>Categories of civil services</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil services of execution</td>
<td>89.01</td>
<td>88.91</td>
<td>89.95</td>
<td>89.99</td>
<td>88.85</td>
</tr>
<tr>
<td>Management civil services</td>
<td>10.71</td>
<td>10.87</td>
<td>9.79</td>
<td>9.87</td>
<td>11.01</td>
</tr>
<tr>
<td>High civil servant positions</td>
<td>0.28</td>
<td>0.22</td>
<td>0.26</td>
<td>0.14</td>
<td>0.13</td>
</tr>
</tbody>
</table>
According to the classification according to the criteria of the levels of education requested for filling the positions, of the total 127635 civil service positions of execution, 66444 were registered as 1st class civil service positions (long term upper education), 4391 as 2nd class civil service positions (short term upper education), and 56800 as 3rd class civil service positions (high-school intermediate education).

<table>
<thead>
<tr>
<th>Civil services of execution</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>66444</td>
<td>52.06</td>
</tr>
<tr>
<td>Class II</td>
<td>4391</td>
<td>3.44</td>
</tr>
<tr>
<td>Class III</td>
<td>56800</td>
<td>44.50</td>
</tr>
<tr>
<td>Total</td>
<td>127635</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Structure of the civil services of execution according to the education level 2007

- Class I: 52.06%
- Class II: 3.44%
- Class III: 44.50%
One of the relevant sources of increase of the share of 3\textsuperscript{rd} class civil services of execution is the establishment of the community police within the local public authorities, the majority of the civil service positions created being 3\textsuperscript{rd} class civil service execution positions\textsuperscript{6}.

<table>
<thead>
<tr>
<th>Civil services of execution</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>50.95</td>
<td>55.06</td>
<td>52.69</td>
<td>56.55</td>
<td>52.06</td>
</tr>
<tr>
<td>Class II</td>
<td>2.82</td>
<td>3.65</td>
<td>3.20</td>
<td>3.87</td>
<td>3.44</td>
</tr>
<tr>
<td>Class III</td>
<td>46.24</td>
<td>41.29</td>
<td>44.11</td>
<td>39.58</td>
<td>44.50</td>
</tr>
</tbody>
</table>

\textbf{Evolution of the number of civil services per classes 2003-2007}

\textbf{2.2.2. Results of the coordination activities within the civil service system; correlation with the results of the planning activities}

\textbf{Note:} The present section includes the information on the civil positions according to the activity of notification of civil positions, based on the competence of ANFP set by Law no. 188/1999 on the Statute of civil servants, republished.

\textsuperscript{6} Conform Legii nr. 371/2004 privind înfiin\c{t}area, organizarea \c{s}i func\c{t}ionarea Poli\c{s}iei Comunitare, cu modific\c{t}urile \c{s}i complet\c{t}urile ulterioare, corporurile gardienilor publici existente la data intr\c{t}rii \c{s}i vigoare a actului normativ au fost preluate sau, dup\c{a} caz, reorganizate \c{u}n vederea înfiin\c{t}riii serviciului public de interes local Poli\c{s}ia comunitar\c{a}. 
The data and information presented below are based on the requests of the public institutions and authorities from the central and local public administration of setting and endorsing the civil service positions in ministries, specialized central public administration authorities, as well as within the autonomous administrative authorities, of the prefect’s institution, de-concentrated civil services of the ministries and other bodies of the central public administration from the territorial-administrative units, respectively of the internal body of the local public administration authorities and the subordinated public institutions. 

For a detailed situation, see Appendix 4.

Based on the record of civil service notification, the total number of civil positions from the Romanian public administration registered at the end of the reference period is of **168819 civil services endorsed**. Among these, according to the criteria of belonging to the administrative level, for the internal body of central public administration institutions and de-concentrated civil services 88622 endorsed civil positions were registered, and for the internal body of the county councils, local councils and other local public authorities, 81.197 endorsed civil positions.

<table>
<thead>
<tr>
<th>Total central authorities and territorial institutions</th>
<th>Total local public authorities</th>
<th>Total number of civil positions endorsed</th>
<th>Total share</th>
</tr>
</thead>
<tbody>
<tr>
<td>88.622</td>
<td>81.197</td>
<td>169.819</td>
<td>52%</td>
</tr>
</tbody>
</table>

The data presented are taken from the total number of structures of the public administration of 4619 public authorities and institutions, from which 1165 belong to the central level (civil state positions and territorial civil positions) and 3454, to the local level.
According to art. 111 of Law no. 188/1999 on the statute of civil servants, republished, the public authorities and institutions that included in the position statutes contractual jobs, that involve the implementation of civil power prerogatives, shall set civil positions.

Among the civil positions endorsed, for the public authorities and institutions in the central public administration only 32 of the positions came from the implementation of art. 111 from the Statute of civil servants, respectively the transformation of contractual positions that involved the exercise of the civil power prerogatives, while for the local administration the figure is of 2358.

At the level of shares, for the central public administration 13% of the total positions are endorsed according to art. 111 of Law no. 188/1999, republished, representing 0,39% of the total central administration positions, while for the local public administration 87% from the total positions are endorsed by the meaning of art. 111 of Law no. 188/1999, republished, representing 2,9% of the total central administration positions.
By reporting to the current data in the database of ANFP, the differences notices are registered in the capacity of planning and fulfillment of the task of sending the data in the format and at the terms preset for the local public administration.
Regarding the aforementioned, it must be mentioned that in the reference period the central public administration was reorganized (in this sense see GEO no.24/2007 on setting a measure of reorganization within the central public administration, respectively GEO no. 25/2007 on the establishment of measures for the reorganization of the Government’s working device, with further changes and completions).

For the local public administration, the differences are clearly superior mainly due to the adoption and implementation, in the reference period, of measures for increasing the degree of de-centralization at administrative, decisional and financial level (see the sub-chapter for the identification of the main sources of increase within the civil service system).

Furthermore, in the analysis of the information coming from the two sources of data the temporary differences between the measures afferent to the system planning function, activities afferent to the notification of civil service positions and, respectively, the ones corresponding to the registration in the data base of the information resulting from tracking the career of civil servants (necessary for establishing the degree of filling and the structure of the body of civil servants) will be taken into account. And from this point of view, the state of the local public administration is significantly influenced by external factors, as well as by the degree of information technology in the rural area (the data sent according to the format defined for the IT product will be imported in the data base), respectively the level of knowledge of the personnel in the IT work (in this sense, see the information regarding the structure of the body of civil servants, according to the education level).

2.2.3. Other relevant information regarding the civil service position

**Note:** The present section includes the information on the degree of filling civil positions and the evolution thereof in the last 4 years, respectively information regarding the body of civil servants.

The data and information presented below are based on the records resulting from the fulfillment of the duty of tracking the career of civil servants. Considering the ones regarding the capacity of planning and fulfillment of the duty of sending the data in the format and at preset terms, in order to provide the coherence and the validity of the conclusions, the source of data used was the data base of ANFP, the situation reflecting evolutions and tendencies reported to the 143642 civil positions announced by the public authorities and institutions\(^7\), divided in 86333 in the central administration (state civil positions and territorial civil positions) and 57309 in the local public administration

➢ **Information of the degree of filling civil positions**

\(^7\) The civil positions stipulated in the plans of filling sent by the public authorities and institutions of the Agency
From the point of view of the degree of filling the civil functions, from the 143642 civil service positions registered, 121136 (representing a share of 84.33%) are the civil positions filled, the remaining 22506 being vacant (representing 15.67%).

The level of the degree of filling, as well as the differences registered between the state of the central public administration institutions (88.57%) in relation to the one within the local public authorities (77.95%), mainly come from the potential of attracting personnel for framing in civil positions and involves taking measures to ensure an increase of the attractiveness for the work in the public sector, in general and occupying the civil positions, in particular.

<table>
<thead>
<tr>
<th>Civil service positions</th>
<th>Central administration*</th>
<th>Local administration</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Share</td>
<td>Number</td>
</tr>
<tr>
<td>Civil service filled</td>
<td>76464</td>
<td>88.57</td>
<td>44672</td>
</tr>
<tr>
<td>vacant civil services</td>
<td>9869</td>
<td>11.43</td>
<td>12637</td>
</tr>
<tr>
<td>Total</td>
<td>86333</td>
<td>100.00</td>
<td>57309</td>
</tr>
</tbody>
</table>

* includes the state civil positions and the territorial civil positions

In comparison to previous years, it can be noticed a decrease of the share of civil service positions filled for 2004, followed by a process of slight increase in the years 2005 – 2007, the tendency of returning to the level registered at the beginning of the reference period remaining constant.
---|---|---|---|---|---
Filled civil services | APC 90.16 | APL 81.65 | APC 88.32 | APL 78.17 | APC 90.02 | APL 76.97 | APC 84.26 | APL 77.93 | APC 88.57 | APL 77.95
Vacant civil services | APC 9.84 | APL 18.35 | APC 11.68 | APL 21.83 | APC 9.98 | APL 23.03 | APC 15.74 | APL 22.07 | APC 11.43 | APL 22.05

APC= central public administration ; APL= local public administration

A calculated average of the evolution of the degree of filling for the budget sector – the civil service section certified the provisions.

---|---|---|---|---|---
Filled civil service positions | 87.97 | 83.81 | 84.03 | 86.86 | 84.33
Vacant civil service positions | 12.03 | 16.19 | 15.97 | 13.14 | 15.67

Evolution of the share of filled and vacant civil service positions 2003-2007

Evolution of the number of civil positions filled in the civil administration 2003-2007
Information on the structure of the body of civil servants, according to the data sent in electronic format by the public authorities and institutions

The information, object of the present subchapter aim at framing the 121136 civil positions reported as occupied.

- The structure of the body of civil servants by reporting to the belonging to an administrative level or another, at the level of the attributions of the holders of the filled civil positions and, respectively, at the level of the educational background requested for occupying the positions.

On 31.12.2007, from the total number of civil servants 17410 occupied state civil positions (14.37%), 59057 filled territorial civil positions (48.75%) and 44672, local civil positions (36.88%).

<table>
<thead>
<tr>
<th>Civil positions filled</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>State civil positions</td>
<td>17410</td>
<td>14.37</td>
</tr>
<tr>
<td>Territorial civil positions</td>
<td>59057</td>
<td>48.75</td>
</tr>
<tr>
<td>Local civil positions</td>
<td>44669</td>
<td>36.88</td>
</tr>
<tr>
<td>Total</td>
<td>121136</td>
<td>100.00</td>
</tr>
</tbody>
</table>

From the point of view of the level of the attributions, within the public authorities and institutions were reported as framed 108360 civil execution positions (89.45%), 12614 management civil servants (10.41%) and 162 high ranking servants (0.13%).
## Categories of civil servants

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Execution civil servants</td>
<td>108360</td>
<td>89.45</td>
</tr>
<tr>
<td>Management civil servants</td>
<td>12614</td>
<td>10.41</td>
</tr>
<tr>
<td>High civil servants</td>
<td>162</td>
<td>0.13</td>
</tr>
<tr>
<td>Total</td>
<td>121136</td>
<td>100.00</td>
</tr>
</tbody>
</table>

### State of the filled civil services according to the level of the attributions

<table>
<thead>
<tr>
<th></th>
<th>Execution civil servants</th>
<th>Management civil servants</th>
<th>High civil servants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>40519</td>
<td>52546</td>
<td>117</td>
</tr>
<tr>
<td>Share</td>
<td>90.71</td>
<td>88.98</td>
<td>0.20</td>
</tr>
<tr>
<td>Number</td>
<td>4150</td>
<td>6394</td>
<td>117</td>
</tr>
<tr>
<td>Share</td>
<td>9.29</td>
<td>10.83</td>
<td>0.26</td>
</tr>
<tr>
<td>Number</td>
<td>0</td>
<td>117</td>
<td>45</td>
</tr>
<tr>
<td>Share</td>
<td>0.00</td>
<td>0.20</td>
<td>0.26</td>
</tr>
<tr>
<td>Total</td>
<td>44669</td>
<td>59057</td>
<td>17410</td>
</tr>
<tr>
<td>Share</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

### Comparative situation on the number of civil servants according to the level of competence - 2007

- **Territorial civil positions**
  - State civil positions: 89.16%
  - Management civil servants: 10.83%
  - Execution civil servants: 88.97%

- **State civil positions**
  - State civil positions: 90.72%
  - Management civil servants: 10.83%
  - Execution civil servants: 88.97%

- **High civil servants**
  - State civil positions: 90.72%
  - Management civil servants: 10.83%
  - Execution civil servants: 88.97%
From the point of view of the evolution of the share of civil servants for each category in the last 4 years, no major changes are manifested.

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Execution civil servants</td>
<td>89.01</td>
<td>88.58</td>
<td>89.13</td>
<td>90.10</td>
<td>89.45</td>
</tr>
<tr>
<td>Management civil servants</td>
<td>10.71</td>
<td>11.22</td>
<td>10.60</td>
<td>9.78</td>
<td>10.41</td>
</tr>
<tr>
<td>High civil servants</td>
<td>0.28</td>
<td>0.20</td>
<td>0.27</td>
<td>0.12</td>
<td>0.13</td>
</tr>
</tbody>
</table>

From the point of view of classifying the civil servants in debutants and permanent civil servants, at the level of the public authorities and institutions there is an extremely low share of beginning civil servants (2.05% of the total civil servants are the total civil servants debutants).

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil servants beginners</td>
<td>2483</td>
<td>2.05</td>
</tr>
<tr>
<td>Permanent civil servants</td>
<td>118653</td>
<td>97.95</td>
</tr>
<tr>
<td>Total*</td>
<td>121136</td>
<td>100.00</td>
</tr>
</tbody>
</table>

* including management civil servants and high civil servants
The variation of the share of civil servants debutants in the period 2004 – 2007 registers a slight increase (from 1,48% in 2004 at 2,05 at the end of the year 2007), maximum level registered in 2006.

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public servants beginners</td>
<td>1.48</td>
<td>2.19</td>
<td>1.78</td>
<td>2.05</td>
</tr>
<tr>
<td>Permanent public servants</td>
<td>98.52</td>
<td>97.81</td>
<td>98.22</td>
<td>97.95</td>
</tr>
</tbody>
</table>

From the point of view of the level of the studies requested for occupying the positions, from the total of 108360 civil servants of execution, 48695 civil servants have upper education (45.17% have long term upper education, placed on 1st class civil service positions, and 3.71% have short term education, placed on 2nd class civil service positions), the remaining 50935 having average high-school and post-high-school education (51.12%).

<table>
<thead>
<tr>
<th>Classes of civil positions of execution</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I (S.S.L.D.)</td>
<td>57529</td>
<td>51.13</td>
</tr>
<tr>
<td>Class II (S.S.S.D.)</td>
<td>3796</td>
<td>3.37</td>
</tr>
<tr>
<td>Class III (S.M.L.)</td>
<td>51185</td>
<td>45.49</td>
</tr>
<tr>
<td>Total</td>
<td>112510</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Structure per classes of civil servants of execution 2007

- Class I (S.S.L.D.): 51.12%
- Class II (S.S.S.D.): 3.37%
- Class III (S.M.L.): 45.17%
The division of the values registered per categories of public authorities and institutions shows a ratio of 8 to 10 for the civil servants with upper education within the internal body of central public administration institutions and 7 to 10 for the ones within the County Councils and Prefect's Institutions. The degree of professional training is lower for local councils and other local public administration authorities, where only 3 out of 10 servants have upper education. One of the causes for these significant differences is, according to the studies developed, the lack of a human force market with a high competence, closely followed by the lack of an attractive wage system for potential employees.

### Classes of civil servants

<table>
<thead>
<tr>
<th>Classes of civil servants</th>
<th>Local civil administration</th>
<th>Territorial civil administration</th>
<th>State civil administration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Share</td>
<td>Number</td>
</tr>
<tr>
<td>Class I</td>
<td>9356</td>
<td>23.09</td>
<td>35547</td>
</tr>
<tr>
<td>Class II</td>
<td>2741</td>
<td>6.76</td>
<td>882</td>
</tr>
<tr>
<td>Class III</td>
<td>28422</td>
<td>70.14</td>
<td>16117</td>
</tr>
<tr>
<td>Total</td>
<td>40519</td>
<td>100.00</td>
<td>52546</td>
</tr>
</tbody>
</table>
- **The structure of the body of civil servants from the point of view of framing according to the gender integrating approach**

As for the structure per genders of the body of civil servants at the end of the reference period 83499 of the civil servants were women (68,93% of the total civil servants), and 37637 were men (31,07%).

<table>
<thead>
<tr>
<th>Civil servants</th>
<th>Number</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>83499</td>
<td>68.93</td>
</tr>
<tr>
<td>Men</td>
<td>37637</td>
<td>31.07</td>
</tr>
<tr>
<td>Total</td>
<td>121136</td>
<td>100.00</td>
</tr>
</tbody>
</table>
By reporting to the belonging to an administrative level or another, the share of civil servants women of the local public administration (72.19%) exceeds with approximately 1/2 the one from the state public administration (55.87%).

<table>
<thead>
<tr>
<th>Civil servants</th>
<th>APS</th>
<th>APT</th>
<th>APL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Share</td>
<td>Number</td>
</tr>
<tr>
<td>Women</td>
<td>9726</td>
<td>55.86</td>
<td>40649</td>
</tr>
<tr>
<td>Men</td>
<td>7684</td>
<td>44.14</td>
<td>18408</td>
</tr>
<tr>
<td>Total</td>
<td>17410</td>
<td>100.00</td>
<td>59057</td>
</tr>
</tbody>
</table>

APS - State civil administration
APT - Territorial civil administration
APL - Local civil administration
From the point of view of the level of the attributions, for the execution civil positions is registered a report of 7 civil servants women of 10, for the management civil positions number of civil servants women being approximately equal to the one of men civil servants.

<table>
<thead>
<tr>
<th>Civil servants</th>
<th>FPC</th>
<th>FPE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Share</td>
</tr>
<tr>
<td>Women</td>
<td>6035</td>
<td>47.84</td>
</tr>
<tr>
<td>Men</td>
<td>6579</td>
<td>52.16</td>
</tr>
<tr>
<td>Total</td>
<td>12614</td>
<td>100.00</td>
</tr>
</tbody>
</table>

FPC = management civil servants; FPE = execution civil servants
2.2.4. Main sources of the civil service system evolution

With respect to the values for 2006, it is noticed a significant growth of the number of civil service positions, at the level of the central authorities and territorial institutions, as well as at the level of local authorities.

This growth is partly the result of the new obligations undertaken by Romania as member state of the European Union, and on the other hand, the various normative acts adopted in the reference period and that triggered the creation of new structures and creation of new civil service positions.

As an example, we draw you attention on a few of the relevant normative acts for the identification of the sources of growth of the civil positions, together with their consequences on the civil service system:

<table>
<thead>
<tr>
<th>PROVISIONS OF NORMATIVE ACTS ADOPTED/APPROVED IN 2007</th>
<th>CONSEQUENCES ON THE CIVIL SERVICE SYSTEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>The text extracted from: the Government Emergency Order no. 34/2006 regarding the award of public procurement contracts, public works concession contracts and service concession contracts: Art. 304¹. - (1) For awarding contracts, the contracting authority shall set an internal department specialized in the public procurement field, until January 1st, 2008. (2) For newly-established contracting authorities, the obligation stipulated in par. (1) will be fulfilled in max. 3 months from the date of establishment of the contracting authority. (3) To the extent to which the organization structure of the contracting authority does not allow the establishment of a distinctive department, the obligation stipulated in par. (1) and (2) is fulfilled as an administrative act of the leader of the contracting authority by which one or, as the case may be, several persons from the respective contracting undertake to fulfill the main attributions of the specialized internal department, according to the provisions of the public procurement law.</td>
<td>At the level of each public authority the corresponding procedures for fulfilling the obligation were fulfilled, the new structures were established, as the case may be, according to the size and needs of the authority or public institution, as a department (2-3 civil service positions), office (5 civil service positions), work (7 civil service positions) and even management (25 civil positions). In order to identify the scope of the impact on the civil service system, the data will be corroborated with the number of public authorities and institutions, the increase of the number of civil service positions being significant, with variations according to the type of structure generated.</td>
</tr>
<tr>
<td>Text extracted from: Law no. 339/2007 on the promotion of the implementation of project management at the level of the local and county administrative-territorial units. Art. 5. - (1) The local and county public</td>
<td>The normative act is in course of implementation, according to the terms set in the normative text. Currently, the structures of civil positions of the local public authorities are being modified, the notification requests being registered in the</td>
</tr>
</tbody>
</table>
administration authorities, the leaders of the institutions and services under the authority or suborder thereof, act according to the afferent legal competence for creating specialized departments and for including well-trained project management specialists in these departments.

...Art. 7. - (1) At the level of the local and county public administration authorities, as well as at the level of the public institutions and services under the authority or subordination thereof, for initiating and running international financing projects, structures will be created with project management specialists, as follows:

a) a specialized service for the international financing projects will be established at the level of each county commission;

b) a specialized office for international financing projects will be established at the level of the local councils from the municipalities, towns and districts of Bucharest.

(2) By association between the local councils of communes, a specialized office for international financing projects is established.

Art. 8. – The local public administration authorities, as well as the leaders of the institutions and services under their authority and suborder foresee in the organization structures and state of the positions, corresponding jobs for project management specialists in minimum number, stipulated in art. 7.


ART. II. …

(2) Starting with January 1st 2007, the activity of forced execution of the sums representing contravention fines applied to natural persons according to the legal provisions in force will be taken over from the Ministry of Public finances – National Fiscal Administration Agency and its subordinated units by the specialized bodies within the administrative-territorial units in the area in which the offender resides.

…

Art. III. …

National Agency of Civil Servants.

From the point of view of the effects on the civil service system, at the level of each of the 41 county councils, the General Council of Bucharest municipality and the 6 local councils of the sectors and local municipal or town councils (approximately 280) there will be created departments, offices, services or divisions (according to the volume of activity), which leads to an increase of the number of civil functions of at least 665 and not exceeding 8200, without taking into account the departments that can be created by associating 3 communes.

We should mention that a part of these county, municipal and town councils have already been created and endorsed by ANFP, including vacant civil positions, but there a difficulties in the unitary implementation of the legal provisions.

At the beginning of 2007 it was started the process of translation of the activity of execution of the sums from fines, from the general public finances divisions, through the specialized territorial structures, to the new local authority structures, within the local revenues divisions.

Therefore, the activity representing the object of the regulation lead to the creation of new departments and, implicitly, to the increase of the civil service positions, within the territorial structures of the Ministry of Public Finances – National Fiscal Administration Agency, not by downsizing civil servants.
(5) The Ministry of Public Finances – National Fiscal Administration Agency and its subordinated units are liable of the activities developed within the field of forced execution stipulated in par. (1), until the take-over of this activity by the specialized bodies from the administrative-territorial units.

Text extracted from: GEO no. 21/2007 on the approval of financial-budget measures for 2007

Art. 3. … (2) The maximum number of positions approved by the Ministry of Public Finances for 2007 is supplemented with 2,000 positions for the National Fiscal Administration Agency.

From the point of view of the effects on the civil service system, these are reflected by supplementing with 2000 positions the structure of ANAF.

Text extracted from: GEO no. 130/2006 on Social Inspection, approved with changes and completions by Law no. 211/2007

Art. 22. - (1) The social inspection will start to operate with the attributions stipulated by the present emergency ordinance at 6 months from the entry into force of the present emergency ordinance.

(2) In the term stipulated in par. (1), the social inspection takes over the competences and duties in the field of inspection held by the National Authority for the Protection of Child Rights, National Authority for People with Handicap, Ministry of Labor, Family and Equal Opportunities, as well as for its de-centralized structures, set by law.

(3) The personnel with duties and prerogatives in the field of inspection, that is currently framed in the structure of the National Authority for People with Handicap, National Authority for the Protection of Child Rights, of the Ministry of Labor, Family and Equal Opportunities and of its de-centralized structures, will be taken over by transfer at the Social inspection, in the term stipulated in par. (1).

…

Art. 25. (1) In the first year of establishment, the Social Inspection operates with a total number of 350 positions, supplementing with 300 the maximum number of positions financed from the budget of the Ministry of Labor, Social Solidarity and Family.

From the point of view of the effects on the civil service system, these are reflected by supplementing the number of positions assigned for making social Inspection operational.

The provisions of the government decision no. …

The specialized structured established for managing the structural funds (intermediate
The transformation of over 2300 contractual positions had prerogatives of public authority in civil service positions, in the implementation of the Law on the Statute of civil servants. This process lead sometimes to the increase of the number of public authorities that establish the number of civil positions, by endorsing structures such as the General Division of Social Assistance Child protection Mehedinți.

The notification and creation of civil positions within these structures started in 2006 and continued in 2007, with the increase of the activity in the field and the increase of the number of prerogatives (for example, the Community Police has taken over from the internal body of the Mayor's Office of the 2nd district the inspection activity, which lead to the transfer of the specialized structures in this body and to new recruitment programs, for improving the process of monitoring and control of the commercial bodies, management authorities, authorities of payments) from the level of central public authorities with prerogatives in attracting and paying funds, supporting beneficiaries and controlling them, lead to the creation of new structures of civil positions, within the big ministries such as: M.M.F.E.S, M.A.D.R. or M.M.D.D.

At the same time specialized structures were created at the level of local authorities that aim at attracting external funds (community funds, but not only).
states of offences and contraventions registered in their range.

With reference to the provisions of the Government Decision no. 84/2001 on the set up, organization and operation of community civil services of record of persons, modified and completed, art. 20 of Law no. 252/2007 was modified as follows:

**Art. 20 - (1)** The financing the current and capital costs of community civil services for keeping the record of persons, operating as public institutions with legal personality, is offered from the personal revenues and subsidies from local budgets.

(2) The financing of current and capital costs of community public services of keeping the record of persons, without legal personality is provided from local budgets.

<table>
<thead>
<tr>
<th>Text extracted from: GEO no. 89/2007 for the change and completion of Law no. 1/2004 on the set up, organization, and functioning of the Payment Agency and intervention for Agriculture, Food Industry and Rural Development as well as for the change of the Government Ordinance no. 48/2005 on the organization of the cow milk market,</th>
</tr>
</thead>
<tbody>
<tr>
<td>With respect to the legal provisions in force for 2006, the impact on the system of the civil position is calculated by reference to the order of supplementation with 390 positions.</td>
</tr>
</tbody>
</table>

7. At article 5, paragraph (2) it is modified and the following text is introduced "(2) The number of positions of the Agency will be of maximum 5,390 in 2007."

<table>
<thead>
<tr>
<th>The provisions of Law no. 246/2007 on the set-up, organization and functioning of the Institute of Public Law and Administrative Sciences of Romania</th>
</tr>
</thead>
<tbody>
<tr>
<td>Being a newly established institution, the impact on the civil service system, is measured by reference to the number of positions allotted (to be set by Government order).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The provisions of Law no. 144/2007 on the set-up, organization and functioning of the National Agency of Integrity, with further changes and completions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The impact on the civil service system is measures by reference to the number of positions set including civil servants and civil servants with special statute</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The provisions of the GEO no. 24/2007 on the establishment of reorganization measures within the central public administration and GEO no. 25/2007 on setting up measures for the reorganization of the Government working body</th>
</tr>
</thead>
<tbody>
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<td>By reorganizing the central public administration and the Government working body, new prerogatives appeared according to the new community and international commitments that lead to the re-distribution of personnel and the creation of new jobs.</td>
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2.2.5. Conclusions on the fulfillment of the prerogatives in the field of the planning and coordination of activities in the civil service system

After the analysis and interpretation of the data held by our institution we can draw two categories of conclusions:

- A series of conclusions regarding the ability of planning within the civil service system, correlated to the degree and means of fulfillment of the data transmission task in the format and at the preset terms;
- A series of conclusions on the situation registered at the level of the reference period, based on the use of the prerogatives of our institution, as they were defined by law from the field of national record of the civil service and civil servants, respectively in the field of setting and endorsing civil positions.

➢ General conclusions

With respect to the aforementioned, the conclusions drawn from the analysis of the activities of planning, computerized record and tracking the career of civil servants are:

The ability to planning within the civil service system, although it registers a slight improvement with respect to previous persons, it continues to be low. In this sense, because during the reference period a series of organization and reorganization measures were adopted, the biggest impact being registered at the level of administrative –territorial units, are registered significant differences between the result of the planning activities and of the implementation activities.

The transmission of the data afferent to the civil services and civil servants in the format and at the preset terms continues to be scarce, especially for the local public administration. Moreover, the impact of manifesting the action of external factors remaining significant on the record activity, as the degree of rural informatization (in the data base you can import data sent according to the defined format for the IT product), respectively the level of knowledge of the personnel in the IT activity (see, in this sense, the information regarding the structure of the body of civil servants, according to the education level). Not all the public institutions send at time and in the form required the information needed for a national record of the civil service and civil servants, the major problems appear from the reports of the local public administration., This conclusion will be interpreted by reporting to the capacity of the National Agency of Civil Servants to act for improving these deficiencies directly at the source, respectively at the level of the administrative-territorial units.

The recording activity at the level of ANFP was severely improved by introducing and using indicator control systems, estimating that, as soon as the new information system for the human resource management will be introduced, the potential of extraction and analysis of the data is more exploited
To clarify, we reiterate that the values of the civil service indicators were calculated on the basis of two distinctive sources:

- The data sent by the public authorities and institutions consequently to the activities of processing, approval and updating of the manpower plans, respectively of the activities of informing on the evolution of the career of civil servants and registered in the Agency data base;

- The requests received on the basis of the competences in the field of setting and endorsing civil positions, with the mention that the Agency rules, in the given situations, only on the legality of the measures initiated by the public authorities and institutions.

**Conclusions on the civil service system evolutions**

By reference to the figures presented, the conclusions taken after the analysis of the planning activity, computerized record and tracking of the career of civil servants are:

- **The total number of civil positions** from the Romanian public administration in 2007, registered in the Agency's data base, is of **143642**, approximately 60% of these belong to the central level (state and territorial civil service positions) and the remaining 40%, public authorities and institutions from the central public administration. Nevertheless, after the evaluation of the results of the activities of coordination in the civil service system, it was seen the major difference between planning and implementation, after the development of the endorsement activities the Agency registering different values – **169819 civil service positions**, of which 52% in central administration and 48% in the local public administration. By referring to the data in the ANFP data base, the noticeable differences are registered especially regarding the ability of planning and fulfillment of the data transmission task in the format and at the preset terms in case of the local public administration. Irrespective of the method of computing, with respect to the previous years, in the reference period, the number of civil service positions in the central public administration reached a maximum level of the values registered in the last 4 years, mainly because of the financing, respectively operation of public authorities and institutions or, as the case may be of special structures, and in subsidiary, the legal provisions for the obligation of transforming the contractual positions in civil service positions if the fulfillment of the prerogatives implies the use of prerogatives of public authority.

As a consequence of the maintaining of legal provisions regarding the establishment of maximum limits for the share of management civil service positions, from the point of view of the criterion for the level of prerogatives of civil positions, the general ration of 9 to 1 for the civil positions of execution and, respectively, of management, remains constant.
From the point of view of the **professional training level of the civil service**, although generally speaking the majority belongs to the civil positions requiring long term upper education, the situation at the level of the local public administration was severely deteriorated, the majority of civil positions are the ones for which average high-school and post-high-school education is required (by referring to the structure of the body of civil servants, approximately 75% of civil servants that occupy state civil services and territorial civil services have long term upper education, while approximately 70% of civil servants from the local public administration are graduates of intermediate education; in other words, if in the central administration 8 out of 10 have upper education, in the local administration 3 of 10 fulfill this condition).

The degree of filling the civil positions is around the value of 85%, **the negative impact on the general average coming from the level for the local public administration** (where only approx. 78% of the positions are occupied). Nevertheless, in general, for the central and local administration the tendency remains ascending compared to the previous period.

As for the **degree of renewal of the body of civil servants**, in the reference period a share of debutants civil servants of 2% was registered from the total civil servants, the tendency compared to the previous period being ascending.

Regarding the corresponding framing of the integrating type approach, the **structure per genders of the body of civil servants shows an upper level of the number of civil servants women with respect to the number of civil servants men**. Nevertheless, the differences remain significant exclusively at the level of the framing on civil positions of execution and management positions the shares being relatively equal (approximately 48% civil servants women compared to 52% civil servants men).

### 2.2.6. Activity of management of the organization of contests for occupying civil service positions

In the reference period, the activity afferent to the administrative procedures of the civil service positions and contests for occupying them, had as object:
Notification of the civil service positions set by the public authorities and institutions, by the meaning of Law no. 188/1999 on the Statute of civil servants, republished

In the period January-December 2007, 721 favorable notifications were given for setting up civil service positions, most of them (556 notifications) aiming at applying art. 107 of Law no. 188/1999, republished, at the level of the local public administration. From the point of view of the number of notification, the second place is occupied by the ones approached for de-centralized public institutions (122 notifications) and the third one, by the ones granted for the public authorities and institutions of the central public administration (43 notifications).

Endorsing the civil service position per categories of public authorities and institutions

- Endorsements for public authorities and institutions of the local public administration: 77%
- Endorsements for de-centralized public institutions: 6%
- Endorsements for public authorities and institutions of the central public administration: 17%

Notification of civil service positions (re-assignment) set by the public authorities and institutions, respectively transforming vacant civil service positions, according to the Government Decision no. 6/2007 on regulating measures of the wage rights and other rights of civil servants until the entry into force of the law on the unitary wage system and other rights of civil servants, as well as salary growths granted to civil servants in 2007.

The notification of the civil service positions (re-assignment) according to art. 47 from the Government Decision no. 6/2007 was materialized by granting 9 notifications for setting civil service positions, requested only for public authorities and institutions of the local public administration.
Notification of the temporary implementation of the management civil service positions within the public authorities and institutions (for local public administration authorities the Agency controls only the fulfillment of the legal conditions, without giving an notification).

For the temporary implementation of the vacant management civil service positions according to art. 92 par. (1) and (2) of Law no. 188/1999, republished, in 2007 830 notifications were granted, of which 288 for the public authorities and institutions of the central public administration 216 for the de-centralized public institutions and authorities, respectively 326 for public institutions of the local public administration.

Endorsement for the temporary use of the vacant management civil service positions

- 39% Endorsements for public institutions or local public administration.
- 35% Endorsements for de-centralized public authorities/institutions
- 26% Endorsements for public authorities/institutions of central public administration
The distribution of civil managers and management of the record thereof

Based on the GEO no. 56/2004 on the creation of the special statute of the civil servant called civil manager, the National Agency of Civil servants has prerogatives for the management of the record and transfer of civil managers. In this sense, in 2007, 59 civil managers were distributed, graduates of the specialized training program for young civil servants, one year, as well as ensuring the performance of 33 transfers of persons occupying these specific civil service positions.

Endorsing the contests held by the public authorities and institutions (for the local public administration authorities the Agency checks only the fulfillment of the legality conditions, without granting an notification

For 2007, the activity of organization and development of contests was performed by the meaning of art. 57-59 of Law no. 188/1999, republished and art. 7 par. (1) lett. c) of the Government Decision no. 1209/ 2003 on the organization and development of the career of civil servants.
The situation for the period January – December 2007 was analyzed on the basis of the documents for the procedure of organization and development of contests of recruitment and promotion in the civil service position issued by the National Agency for Civil Servants, particularly:

- notifications granted for the contests of recruitment and promotion;

- orders of the president of ANFP for appointing the members of the Agency within the contest commissions and contest solving commissions.

Thus, at the end of the reference period the situation was the following:

- A total number of 5,255 notifications were granted for contests of recruitment and promotion and a total number of 4,197 orders of appointing the representatives in the contests of recruitment and promotion (tacit agreement), was issued;

- The contests of recruitment and promotion of civil servants were organized for a total number of 40,946 vacant civil service positions;

- From the total vacant civil service positions for which contests were organized, 37,097 represented execution civil services, 3,828 management civil services and 21, high ranking civil servants.

![Vacant civil service positions for which contests were held in 2007](chart.png)
Contests of recruitment organized for the execution civil service positions per categories of public authorities and institutions

Endorsements for central public authorities and institutions
Endorsements for civil de-centralized authorities and institutions
Endorsements for civil local authorities and institutions

Contests of recruitment organized for the execution civil service positions per categories of public authorities and institutions

Endorsements for central public authorities and institutions
Endorsements for civil de-centralized authorities and institutions
Endorsements for civil local authorities and institutions

Endorsements: 881 | 2638 | 3971

53% | 35% | 12%

Endorsements for central public authorities and institutions
Endorsements for civil de-centralized authorities and institutions
Endorsements for civil local authorities and institutions
Contests of recruitment organized for the management civil service positions per categories of public authorities and institutions

- Endorsements for central public authorities and institutions
- Endorsements for civil de-centralized authorities and institutions
- Endorsements for civil local authorities and institutions

Contests of recruitment organized for the management civil service positions

- Endorsements for central public authorities and institutions: 397
- Endorsements for civil de-centralized authorities and institutions: 522
- Endorsements for civil local authorities and institutions: 998

- 21% Endorsements for central public authorities and institutions
- 52% Endorsements for civil de-centralized authorities and institutions
- 27% Endorsements for civil local authorities and institutions
According to art. 58 par. (2) and (3) of Law no. 188/1999, republished, the contests of recruitment for the vacant civil service positions from the public authorities and institutions of the local public administration, except for the ones stipulated by law, are organized by public authorities and institutions, subject to the fulfillment of the obligation of informing the National Agency of Civil Servants (10 days before the starting of the procedure of organization and development of the contest). If the Agency finds that the legal conditions for the organization and development of contests are not fulfilled, it orders the cancellation and suspension of the contest organization and development. If the results of the ascertainment have not aimed at orders such as the ones aforementioned and the contests were held, it was identified by using the concept of “tacit notification”. “The tacit notification” corresponds to the situation in which the law stipulates, for certain positions, the obligation of requesting an notification irrespective of the administrative level.

Furthermore, in the reference period, the provisions of the Order of the president of ANFP no. 500/2007 were correspondingly applied, for the delegation of the competence to organize contests of recruitment for occupying management civil service positions, (whose term of implementation was extended with 5 months, in August 2007 by the order of the president of ANFP no. 8000/2007), the public institutions and authorities organize contests for occupying civil service positions of chief of service and head of office, respectively of the assimilated civil service positions.

Therefore, in the reference period the de-centralization effects in the field of civil service positions, at the level of organization of civil service contests is the following:

![Effects of the de-centralization at the level of the organization of contests for management civil service positions](image-url)
Endorsements for local public authorities and institutions, execution civil service positions

- Explicit endorsement: 7%
- Tacit endorsement: 93%

Endorsements for local public authorities and institutions, management civil service positions

- Explicit endorsement: 48%
- Tacit endorsement: 52%
Contests of recruitment organized for execution civil service positions, per categories of organizers

Contests held by public authorities and institutions: 98%
Contests held by A.N.F.P.: 2%

Contests of recruitment organized for management civil service positions per categories of organizers

Contests held by public authorities and institutions: 66%
Contests held by A.N.F.P.: 34%
Contests of recruitment organized for execution civil services, per categories of ANFP representatives

- 36% Contests with the ANFP representatives.
- 22% Contests with the representatives of the prefect's institutions
- 42% Contests with the representatives of the county councils

Contests of recruitment organized for management civil services, per categories of ANFP representatives

- 34% Contests with the ANFP representatives.
- 30% Contests with the representatives of the prefect's institutions
- 36% Contests with the representatives of the county councils
As for the promotion of civil servants, this had as legal base only art. 58 of Law no. 188/1999, republished, and endorsed only the promotion in management civil service positions. For the execution civil service positions, due to the lack of methodological norms regulating the organization and development, the promotion and fast promotion contests were not held in 2007.

Regarding the state of the contests of promotion organized for management civil service positions, these were made for 27 positions, the majority of them for chief of service and head of office, the distribution per administrative level being:

![Contests of promotion organized for management civil service positions](image)

Regarding the evolutions registered in the reference period at the intermediate terms, the situation registered from one month to another of the number of vacant civil service positions for which contests of recruitment and promotion were organized shows that the maximum value was reached in October, the minimum one being registered in January.
As for the evolution of the situation of granting notifications for recruitment and promotion contests in 2006, for execution civil service positions and, respectively, for management civil service positions, the maximum values were also reached in October, while the minimum ones were registered in January in the first case and February in the second case.
By reference to the situation above, the approach of the so-called “tacit notifications” was made close to 100% for the local public administration – contests of recruitment organized for execution civil service positions. For the recruitment contests organized for execution civil service positions, the share of the tacit notification reached maximum values in September, the minimum value threshold being reached in January.
As for the competence in the organization of contests, this belongs according to the law to the National Agency of Civil Servants, or to the public authorities and institutions, as the case may be.
Category of high-ranking civil servants

In 2007, 18 contests for occupying civil service positions in the category of high-ranked civil servants, were organized and developed, as follows:
- 2 contests in January
- 4 contests in March
- 4 contests in July
- 2 contests in August
- 3 contests in September
- 1 contest in November
- 2 contests in December

Also during the reference period the Commission of control of high-ranked civil servants gathered in 41 meetings, in which 118 persons were assessed occupying civil service positions of prefects and sub-prefects and 31 persons occupying civil service positions of general secretaries and deputy general secretaries.

2.3. Monitoring and controlling the effects of the implementation of the civil service law

The activities of monitoring and control of the implementation of the civil service and civil servant law is very important for the National Agency of Civil Servants because they lie at the basis of the decision-making process, influencing the change in the field of civil services.

The monitoring and control is in the administrative practice, complex processes by which:
- The degree of conformity with the legal provisions and administrative procedures is monitored and controlled;
- The method of implementation of the civil service and civil servant law is controlled from a quality and quantity perspective;
- The deficiencies and legal gaps are identified and regulatory, remedying and improvement measures are proposed for the implementation process;
- Assistance and methodological support is granted for the afferent implementation of the legal provisions in the field;
- The results used in the process of grounding and making a decision regarding the management of the civil service positions and civil servants.

The general monitoring and control mechanism
The monitoring and control process developed at the level of the National Agency of Civil servants ensures the unitary implementation of the law and the constant improvement of the civil service and civil servant legal and institutional frame.

At the level of the internal structures, this activity is supported by the Monitoring, Evaluation, Implementation Service, Inspection and Control Service and Disputed Claims Office.

The problems of implementation and understanding of legal texts are identified at SMEI and the proposals for the control actions are formulated when the breach of law it ascertained and when an additional control of the documents is needed.

The specialized administrative control exercised by ANFP through the Inspection and Control Service is one of legality of the administrative documents from the civil service field, not being focused on subordination relations. Recommendations for correcting the situations ascertained after performing the control procedures are formulated and the observance thereof is subsequently monitored.

Through the Disputed Claims Office, after the notification of SMEI or based on the ascertained made in the control procedures, will bring the action before the administrative court by which the administrative documents of public authorities and institutions issued in breach of the civil service and civil servant law, are attacked.

The Division for Administering Administrative Procedures and the Communication and Public Relation Department are also involved in the monitoring activity. DGPA oversees the observance of the main administrative procedures in the field of civil service and civil servants. CCRP makes the image analysis of the institutions in which relevant information is included on reflecting the civil service in general at the level of the wide audience and mass-media.

The conclusions of the processes above-mentioned are analyzed within the Agency and proposals are formulated for the change of the legal norms and other necessary actions.

- Methods of monitoring
Monitoring is an activity by which data on the effects of the implementation of the civil service and civil servant law are collected. The monitoring activity offers a set or primary data that are assessed by ANFP; conclusions are extracted on the positive and negative aspects of the implementation of the civil service and civil servant law. At the level of ANFP, the monitoring activity is made on the basis of petitions and notifications, of quarterly reports sent to public institutions and authorities; the results of the control actions are summarized together with the decision of the courts of law and the questionnaires of civil servants are applied.

Through the petitions addressed to the Agency, the legal aspects that were frequently misunderstood or with the text falsely interpreted are identified. The solving thereof implies the exact understanding of the problems targeted by ANFP and granting specialized support or methodological coordination for the human resource departments.

A second method of monitoring is the quarterly reporting based on models. These are completed by the human resource departments of the public authorities and institutions, are sent to ANFP and supply data regarding:

- the manner of implementation of Law no. 7/2004 republished, on the Civil Servants’ Code of Conduct;
- the observance of the regime of incongruities and conflict of interests stipulated by Law no. 161/2003 or other regulations.

The information offered by the reporting models has a higher degree of complexity and relevance with respect to the ones incurred from the petition statistics.

The third method of monitoring consists of synthesizing the results of the control actions and the decisions of the courts of law. This method offers data on the manner of implementation of the law within the public institutions and authorities as well as on the manner of interpretation of the legal norms by the justice.

The fourth method of monitoring consists in the implementation of questionnaires to civil servants of services involved in the ANFP monitoring as well as to public authorities and institutions. Therefore synthetic information is obtained on the implementation of the civil service and civil servant norms. The results obtained from this method are susceptible to have a high degree of subjectivity, reasons for which these are correlated with the ones collected using other forms of monitoring.

- **Assessment**

The assessment is a complex process, by which the data collected in the stage of monitoring are studied in the Agency and conclusions are drawn regarding the aspects of interest at the moment of performing the analysis. The information obtained through the four methods of monitoring are analyzed on the basis of predefined criteria according to the relevance and weighted according to the objectivity. The evaluation is materialized in evaluation reports, synthesis, the studies and conclusions are materialized in proposals of changing the legal frame and the practices at administrative level.

- **Objectives for 2007**

At the beginning of 2007, the most frequently encountered unclear aspects targeted: the reorganizations of public institutions and authorities, the termination of the working relations
by retirements, the evaluation of the individual professional performances, the organization and
devlopment wage system

In 2007 the monitoring

✓ The

- The
civil

✓ The

organization and development of civil service contests;

✓ The observance of the civil servants’ conduct code

Aside from these general objectives, the monitoring and evaluation considered the legal
changes likely to have effects in 2007.

- **Indicators measured in 2007**

The National Agency of Civil Servants targeted the evolution of indicators such as:

- The priority areas of interest of civil servants, public institutions and authorities;

- The interest manifested by the public (natural persons, organizations, citizens) towards
  the civil service;

- The degree of acceptance of the points of view of the agency by the public authorities
  and institutions and by the courts of law;

- The degree of conformity of civil servants to the regime of incongruities;

- The degree of acceptance of the provisions of the civil servants’ code of conduct.

The indicators are measured from internal, external or mixed sources.

### 2.3.1. Activity of monitoring and assessment of the law implementation effects

In 2007 2159 petitions addressed to the Agency were monitored. Most of the times, these were
focused on the conditions of occupying the civil service positions, the conditions of promotion
in the civil service, the rights of civil servants; in the image below you have a graphical
representation of the fields of interest of natural or legal persons which addressed ANFP in
2007; the classification of the requests according to the object, regarding the distribution per
counties and the one regarding the categories of persons that notified ANFP as follows:
Domeniile de interes ce reies din petițiile adresate ANFP

- Cariera funcționarilor publici: 50%
- Drepturi și obligațiile funcționarilor publici: 28%
- Calitatea de funcționar public: 8%
- Altele: 14%
Diagram of the petitions received by ANFP in 2007 per fields of interest

- Promotion
- Requests of information of public interest
- Code of conduct
- Parity commissions
- Rights of civil servants
- Incongruities
- Termination of working relations
- Rights of public managers

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<tr>
<th>Status of civil servant</th>
<th>Promotion</th>
<th>Requests of information of public interest</th>
<th>Code of conduct</th>
<th>Parity commissions</th>
<th>Rights of civil servants</th>
<th>Incongruities</th>
<th>Termination of working relations</th>
<th>Rights of public managers</th>
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Legend:
- Promotion
- Requests of information of public interest
- Code of conduct
- Parity commissions
- Rights of civil servants
- Incongruities
- Termination of working relations
- Rights of public managers
Diagram - distribution of the petitions received by ANFP per counties - 2007
Diagram – categories of persons who notified ANFP in 2007

- Civil servants: 657
- Public institutions or authorities: 489
- Natural and legal persons: 23%
- 30%
The number of trials in which the Agency was involved in 2007 is of 102, figure representing 75% of the volume of processes of the previous year. In the majority of cases, the trials targeted civil servants, the annulment of administrative acts and contests for occupying civil services; the trials in which ANFP participated in 2007 are presented in the figure below per object.

The activity of control was materialized by initiating and, as the case may be, by the effective realization of 53 central and local actions. The unforeseen controls were made due to claims and notifications sent by legal or natural persons after news presented by mass-media, or from the initiative of the management of ANFP.

2.3.2 Conclusions of the monitoring, evaluation and control of the effects of the legal implementation

The main conclusions of the monitoring, evaluation and control of the implementation of the civil service and civil servants law developed in 2007 are the following:

- From a quantity point of view:
  - The interest towards the interpretation of the legal norms reported to the total number of petitions is maintained, especially with respect to the new normative acts, but there are also doubts found in the previous years if they still persist;
  - With respect to the previous year, the request of the public institutions and authorities regarding the methodological assistance and coordination registered an ascending trend, therefore causing the increase of the volume of the Agency’s activity in the monitoring field;
By comparatively analyzing the number of requests addressed to the Agency regarding the granting of support and methodological coordination in the law implementation it can be concluded that the public institutions and authorities for the local public administration need more support in the activity of implementation of the law, in the personnel administration activity in general, as well as of the civil service position and civil servants in particular;

Numerically speaking, the object of the petitions per fields of interest, as they are artistically reflected, is maintained relatively constant, with a distribution comparable to previous years;

Progresses are found in the wage system for civil servants – the frequency with which the Agency is notified on this theme dropping with 30% with respect to the previous year. This is mainly explained by saying that the wage law had a similar regulation in the two years. Although by the meaning of the Government Ordinance no. 6/2007 regarding regulatory measures of the wage rights and other rights of civil servants until the entry into force of the law on the unitary wage system and other rights of civil servants, as well as growth of salaries granted to civil servants in 2007, the payment of the bonus of leave was not suspended, the union organizations or the civil servants obtaining in court the obligation of public authorities and institution to pay the sums for the previous years.

A significant growth of the degree of understanding was registered in the field of evaluation of the individual performances of civil servants (the doubts dropped with 55% with respect to the previous year); this is mainly caused by the correct methodological coordination made by ANFP;

The biggest growth of the number of notices addressed to the Agency was registered for the reorganization of the public institutions and authorities – normal process considering the reorganization of ministries that followed the government reshuffling. The agency’s perspectives were shared by the courts of law;

A high frequency between the notices addressed to ANFP are registered by petitions regarding the organization and development of contests, the majority of cases are the ones in which contests are organized by public authorities and institutions other than the National Agency of Civil Servants;

➢ From a quality point of view:

It is ascertained the maintaining of a positive image of the national agency of civil servants and the credibility of this institutions because:

✓ On one hand there are various requests/petitions addressed to the Agency although this institution has no specialized competence, which confirms the citizens’ and other petitioners' confidence in the methods of institutional action of this institution; in these cases the Agency shall urge the legal institutions to solve the various requests and the Agency’s measures to the public institutions from the central and local administration have a positive impact most of the times, followed by means of effectively solving the problems;

✓ The results of the monitoring and evaluation activities of the implementation of the civil service and civil servant law are included in the quarterly reports that are published on the
portal of the institution; the data and statistic situations presented in the reports constituted the documentation and analysis source for various evaluations and analysis on the civil service and civil servant system processed by various organizations (e.g. „Statute of the civil servant for a good governing” – preliminary report of legal evaluation – edited by the Soros Foundation Romania, etc.)

- In 2006, the insufficient knowledge of the provisions of the Code of conduct of civil servants was identified as the main cause that favored the breach of the normative act. The comparative analysis of the data received from the public institutions and authorities from the local and central administration regarding the breach of the provisions of the code allow the observation of a decrease in the number of cases in which civil servants do not observe the legal norm. The evolution is expected at the level of the ANFP structures, being the consequence of the actions of public discussion, information and acknowledgement regarding the normative act. Another indicator that is corroborated to the idea of increasing the degree of knowledge of the norm is the presence of this regulation in the bibliography of the contest for occupying the civil service positions. ANFP will continue to monitor the effects of code implementation in 2008 as well, developing the current data collection system in the sense of obtaining additional information regarding the means of preventing the breach of the norms of conduct.

- It must be noticed that the degree of consistency and receptivity of public institutions from the central and local public administration is maintained at low level regarding the internal monitoring of the observance of the norms of conduct by the civil servants and the periodical transmission of the reports to the National Agency of Civil Servants, this is noticed by the Agency from the perspective of the number of reports on the implementation of the civil servants’ code of conduct within public institutions – the number of report is in permanent decrease – which does not necessarily reflect the conclusion that the observance of the code of conduct is a generally solved problem but indicated a deficient inter-institutional communication and an insufficient development at the level of public authorities and institutions of an institutional and management cultures oriented towards the monitoring and evaluation of the procedures and reporting results; such a practice may negatively influence the clarity of the data, the quality of the Agency’s reports and the overall objectivity of the analyses of the civil service system.

- The legal regime of the conflict of interests and incongruities is not understood at the level of all the civil servants, the conflicts of interests not being always identified in practice due to the difficulties of approval of the cause-effect relation demanded by the legal norm. Nevertheless, the problems noticed shall not lead to the conclusion that the legal provisions in the field are mainly breached by the civil servants. Our opinion is that as for the sphere of civil integrity, it is necessary to increase the degree of awareness regarding the need of observing the conflicts of interests and the incongruities – as a possible method of combating corruption, as well as regarding the need to observe the norms of conduct of civil servants – as a possible means of preventing the manifestations likely to favor acts of corruption.

- The disciplinary procedure norms stipulated by the Government Order no. 1.210/2003 continued to have problems of implementation, so that the manner in which the provisions of the new normative act, the Government Decision no. 1344/2007, were assimilated, be monitored in 2008.
The conclusions of the monitoring and assessment shows that the legal changes lead to clear rules in domains considered to be sensitive to interpretation, affecting only the areas connected to the organization and development of contests, development of the career of civil servants and the wage system.

I have also notices a high interest towards the implementation of the provisions of the Government Decision no. 341/2007 on the entry in the category of high ranked civil servants, career management and mobility of high-ranked civil servants. The impact of the implementation is difficult to achieve at the level of ANFP due to the competence and decision-making level involved in the implementation of this normative act. The agency will monitor the effects of the implementation of this normative act in 2008.

One of the problems frequently encountered by the Agency of the control actions was the deficient processing of the professional files of civil servants. Sometimes the procedures and legal terms for the evaluation of the individual professional performances were breached. Furthermore, there were ascertained cases in which salaries were deficiently granted in breach of the term stipulated in the law in force. Situation in which the statements of assets were not completed or updated according to the requirements of the normative acts were also encountered.

The agency, through the Inspection and Control Service, monitored the measures, recommendations and guidance included in the control reports, generally consisting of the observance thereof. If the public institutions and authorities have not answered in the legal term to the measures and guidance formulated by ANFP, comebacks were performed to determine the ones controlled to observe the law.

The agency observes the outlining of a legal practice (almost unanimous) that is materialized in the rejection as belated of the court actions aiming at annulling some administrative acts older than one year. This tendency reduces the period in which the control of the legality can be applied for all the administrative documents in spite of a relative benefit of stability of the legal circuit. Also as an evolution of the legal environment, it is observed an increase of the weight of processes having as object the payment of significant sums of money as moral damages; until now the Agency succeeded in avoiding the generation of damages in its patrimony.

As for the quality of the legal process and the regulations with a potential impact or direct connection with the civil service field, using as criterion of evaluation the number of questions, respectively, the number of requests including possible interpretations reported to the legal norm and interpretation of the content thereof by the meaning of the legislator’s will, it can be concluded that the legal efficiency of the quality and clarity of the norms are affected. This conclusion is formulated on the basis of the analysis of the environment outside the Agency and of the impact of the rules on the civil service and civil servant system. Most of the times, it is ascertained after the publishing in the Official Gazette, the appearance of deficient regulations that apply in the civil service and civil servant domain and that generates problems of understanding, interpretation and implementation; this is the results in the majority of cases of the circumstances in the process of endorsement, the normative act draft is not sent for analysis and endorsement to the National Agency of Civil Servants, in which deficiencies and incongruities with the civil service and civil servant law can be observed and directed before the ruling; in these circumstances, after the entry into force of the normative
act, the requests of clarification of aspects for the correct implementation thereof are addressed to the Agency charging the activity of this institution, in the context in which it did not bear the status of initiator or endorser of the normative act.

- At the same time, it is noticed a constant growth of the number of rules and special statuses, in our opinion this growth being unmotivated and in the majority of cases the term *special* being excessively used; this state of fact leads to the over-regulation in the field of civil service, to a lack of coherence in the unitary implementation of principles that lie at the basis of the civil service system and management of the career of civil servants, to difficulties and even to a lack of normative and institutional administration of the special statutes and rules.

To conclude, it can be said that the analysis performed at the level of the National Agency of Civil Servants, reflects positive evolutions of the civil service system in Romania. For 2008 we are expect the adoption of the secondary law on the organization and development of the career of civil servants and the Law on the unitary wage system for civil servants. In this sense, the agency sets as objective for 2008 to adapt the monitoring system for enhancing the institutional capacity of ANFP, improvement of the communication between the public authorities and the institutions and the direct responsibility of the reporters for the data supplied.

### 2.3.3. Aspects on the monitoring and special assessment of some priority domains- Civil servant code of conduct, respectively the regime of inconsistencies and the conflict of interests

The monitoring and assessment of the implementation of Law no.7/2004 on the civil servant code of conduct, republished was made using several sources of informational, documentation and analysis: the main source being the petitions addressed to the National Agency of Civil Servants, followed by the analysis of the data received from the public authorities and institutions from the central and local public administration regarding the breach of the provisions of the Law no. 7/2004, based on the quarterly reporting models.

From the total petitions monitored by ANFP in 2007, 68 petitions referred to the manner of implementation at the level of the public authorities and institutions of the conduct norms stipulated by Law no. 7/2004, republished.

The analytical research of the cases presented to the National Agency of Civil Servants, circumscribed in the field of the Code of conduct of the civil servants, allowed the identification of the following breaches of the norms prescribed by it, resulting from:

1. **Notifications regarding breaches of the code of conduct by management civil servants aiming at:**
   - the lack of objectivity in evaluation;
   - favoring the access to the civil service positions based on relations of kinship;
   - breach of the obligation to protect the public and private property of the state and administrative-territorial units;
   - lack of professionalism in the relation with subordinates;
- breach of the working duties.

2. notifications regarding breaches of the code of conduct by the execution civil servants:
- professional and impartial breach of the working obligations;
- unprofessional conduct in the relations with the personnel within the public authorities and institutions in which the activity is developed, as well as with natural or legal persons.

After introducing to the legal institution an ethic counselor, there were requests from the public authorities and institutions regarding its role and the effective manner of operation of this institution. It was also noticed a lack of assimilation of the changes and completions brought to the provisions of Law no. 7/2004 regarding the direct notification of the National Agency of Civil Servants regarding the breach of the provisions of the code of conduct, at the level of our institution not being registered petitions or notifications on the breach of the provisions of the code of conduct.

For 2007, after analyzing the data received from the public authorities and institutions, regarding the breach of the provisions of the Law no. 7/2004 republished and Law no. 161/2003 with further changes and completions, from the central and local administration, based on the models sent, the following information resulted:

- As a general numeric aspect, at the level of the public institutions and authorities from the central and local public administration, a total number of 378 notifications addressed to the discipline commission were registered, of which 70 against management civil servants and 308 against execution civil servants.
- Of the total number of notifications addressed to the discipline commission, in 240 of the cases disciplinary sanctions were applied, 14 sanctions being applied to management civil servants, and 226 to execution civil servants.
- From the point of view of the capacity of self-notification of public institutions and authorities regarding the cases of breach of the norms of conduct: in 163 of the cases the notifications were formulated by the leader of the institution, in 53 of the cases by the manager of the department, in 66 of the cases by another civil servant and in 96 of the cases by another person.
- From the point of view of the normative act breached, 363 of the notifications informed of the breach of the provisions of Law no. 7/2004, republished, and 15 aimed at notifications on the breach of the provisions of Law no. 161/2003, with further changes and completions – incongruities and conflict of interests.
- For the category of the management civil servants the following causes were identified: lack of professionalism in the relation with the subordinates, breach of the working obligations, lack of objectivity in the assessment, improper attitude, affecting the image of the institution, breach of the working obligations, unprofessional conduct.
- For the category of the execution civil servants, the following causes were identified: unprofessional behavior in the fulfillment of the working obligations, breach of the terms of solving the distributed works, non-observance of the normal working schedule, negligence in the execution of the works, un-motivated absences.
Statistically speaking and from the point of view of the dynamics, the indicators monitored in the four quarters of 2007, are the following:

### Stage of the notifications sent to the discipline commissions

<table>
<thead>
<tr>
<th>Stage</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applied disciplinary sanctions</td>
<td>21</td>
<td>58</td>
<td>40</td>
<td>34</td>
</tr>
<tr>
<td>Under research</td>
<td>44</td>
<td>43</td>
<td>31</td>
<td>18</td>
</tr>
<tr>
<td>Classified</td>
<td>25</td>
<td>38</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Under criminal investigation</td>
<td>2</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Total number of notifications addressed to the discipline commissions per categories of civil servants

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management civil servants</td>
<td>10</td>
<td>22</td>
<td>25</td>
<td>13</td>
</tr>
<tr>
<td>Execution civil servants</td>
<td>82</td>
<td>122</td>
<td>56</td>
<td>48</td>
</tr>
</tbody>
</table>

### Disciplinary sanctions applied per categories of civil servants

<table>
<thead>
<tr>
<th>Categories of civil servants</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management civil servants</td>
<td>1</td>
<td>3</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Execution civil servants</td>
<td>21</td>
<td>141</td>
<td>35</td>
<td>29</td>
</tr>
</tbody>
</table>

### Types of disciplinary sanctions applied by discipline commissions

<table>
<thead>
<tr>
<th>Sanctions</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written reprimand</td>
<td>9</td>
<td>28</td>
<td>19</td>
<td>17</td>
</tr>
<tr>
<td>Reducing the salary rights</td>
<td>8</td>
<td>19</td>
<td>17</td>
<td>13</td>
</tr>
<tr>
<td>Suspending the right of advance and promotion</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Demotion to a lower level or to a lower civil service position</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Discharge from a civil service position</td>
<td>1</td>
<td>6</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

### Categories of institutions that notified the commissions of discipline

<table>
<thead>
<tr>
<th>Institutions</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager of the institution</td>
<td>61</td>
<td>51</td>
<td>31</td>
<td>20</td>
</tr>
<tr>
<td>Manager of the department</td>
<td>9</td>
<td>21</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>Another civil servant</td>
<td>12</td>
<td>28</td>
<td>12</td>
<td>14</td>
</tr>
<tr>
<td>Another person</td>
<td>10</td>
<td>44</td>
<td>26</td>
<td>16</td>
</tr>
</tbody>
</table>

### Breached normative act

<table>
<thead>
<tr>
<th>Breached acts</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law no. 7/2004</td>
<td>85</td>
<td>136</td>
<td>81</td>
<td>61</td>
</tr>
<tr>
<td>Law no. 161/2003</td>
<td>7</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: T1, T2, T3, T4 are the quarters of the year 2007.
Stage of the notifications addressed to the discipline commissions in 2007

Notifications addressed to the discipline commission according to the category of the civil servants whose action is conveyed
The disciplinary sanctions applied according to the categories to which the sanctioned civil servant belongs

Types of disciplinary sanctions applied by the commissions of discipline
In order to increase the efficiency of its own activity of monitoring of the National Agency of Civil Servants it periodically assesses the development of the monitoring instruments used, for a permanent adjustment of the monitoring instruments and implementation methodologies to the Agency's needs of information.

Through the changes and completions brought to the Code of Conduct of civil servants by the Law no. 50/2007, the national agency of civil servants aimed at extending the monitoring of the manner in which these legal provisions are observed. Therefore, the Agency aims at obtaining data regarding the causes and consequences of the breach of the provisions of the code of conduct, for cases in the civil servants were required to act under the pressure of the political factor and at the measures taken in public institutions/authorities for the reduction and removal
of the cases of breach of the norms in question. With this purpose, the Agency will use in 2008 a new reporting format that allows, aside from collecting the data mentioned also the permanent evaluation of the activity of ethic counselors. The reporting activity will be regulated by a new procedure that will introduce the changes for the reporting periods – monthly to quarterly, will offer clear information on the manner of completion and transmission to the National Agency of Civil Servants and will try to remove the centralization errors.

2.4. Activity in the field of communication and collaboration with national and external partners, respectively in the field of international relations

**IMPACT**
- Added value/employee/ANFP
- High transparency in the relation with the beneficiaries
- Personalized and secured access to the informational system
- Standardizing internal administrative procedures
- Direct and fast access to the information regarding MRU in civil service
- Improving the image of ANFP in the relation with central institutions
- Development of the partnership/collaboration with OECD, SIGMA, EUPAN

**RESULTS**
- High number of mass-media features of the references to the civil services
- High number of accessing of the information posted on the internet
- High number of on-line notices
- Increase of the personnel’s abilities

**OBJECTIVES**
- Realization of the management of external support programs in the field of civil service position
- Promotion and development of inter-institutional relations at international level aiming at the civil service field
- Improving the image of the civil service system and of the body of civil servants stressing the dissemination of the specialized information to the public institutions and authorities, especially to the ones in the territory.

**OUTPUTS**
- Portal of the civil service position and integrated informational system for the operational human resource management
- Data base for the coherent and functional register of civil service and civil servants
- 300 civil servants within the public authorities and institutions specialized in the use of the integrated computerized human resource management system
- Personnel of ANFP specialized in the components of the integrated computerized system for the human resource management
- 6 events with international participation planned and organized
- Communication strategy and informational/promotion materials (brochures, guides, calendars, posters, the magazine EURO-FUNCTIONAR, etc.) made and distributed in the public administration system
In the presentation of the results and impact obtained after the development of the activities, the following were taken into account: the relevance of the projects, the efficiency and effectiveness of the afferent activities, utility of the results obtained and future sustainability thereof, after the foreseen impact.

2.4.1. Programs with external civil service support
PHARE 2004/016-772.01.02/03 „Observer of the prefect’s institution“ - the project was performed in partnership by the Association of Program Support for Sustainable Development – Agenda 21, National Agency of Civil Servants and Romanian Radio Company. The total sum afferent to the project is of 57 510 Euro, of which 4000 Euro the contribution of ANFP.

The project aimed at increasing the degree of involvement of the civil company in ensuring a good local government and was disseminated in other 10 counties of the country. With this purpose, the project proposed the implementation of monitoring mechanisms of the manner of implementation of Law no.340/2004, for removing the mixture of politics in the act of administration and of the corruption phenomena generated and maintained by this interference. The project was implemented in the counties of Arad, Constanța, Harghita, Iași and in Bucharest and will include the citizens, civil servants, representatives of Non-government organizations and mass-media (approx. 10.000 persons, direct and indirect beneficiaries).

PHARE 2004/016-772.01.03.01.02 „Implementation of the civil service reform in Romania” – technical support (Contractor: consortium made of AAM Management Information Consulting Ltd, Mercer Human Resources Ltd and Soluziona SA.)

The project started in December 2006 and developed in 12 months, the total sum allotted being of 1 803 500 Euro.

The main objectives of the program aimed at the aspects for the selection, evaluation and promotion system in the civil service, development of the institutional capacity of the National Agency of the Civil Servants, implementation of the strategy of the informational system for the human resource management in the civil service domain. The project had 4 major components, respectively:

1) review of the selection, evaluation and promotion system based on results and performance and implementation of the recommendation for the improvement thereof
2) Development of the institutional capacity of the National Agency of Civil Servants:
   • Analysis of the need of training of the ANFP personnel and organization of meetings of training afferent to the needs identified
   • Evaluation of the legal impact
   • Internal and external communication
3) Implementing the strategy of the informational system
4) Implementing a new wage system for civil servants

PHARE 2004/016-772.01.03.01.03 „Modernization of the human resource management within the civil service position in Romanian – creating the integrated informational system ” - investment (Contractor Asesoft InternaŃional SA).
The total sum allotted to this project is of 1 948 255 Euro, of which the national co-financing part being 487 063, 75 Euro, and the financing part PHARE is of 1 461 191,25 Euro.

The main objectives of the program were to create, deliver, set up and test by the contractor the Human Resource management Information System (hardware and software), managed by the National Agency of Civil servants.

- PHARE 2005/017-553-01.03.01 „ Modernization of the human resource management within the civil service position in Romanian ” according to the Reference Terms PHARE 2005

The sum allotted is of approximately 1.149.000 euro and the project started in November 30th, 2007 and will end on December 2008, the contract being signed with the consortium made of the companies ECO, EWC & Hulla Dynamics.

The project has 3 major components that aims at:

Component 1: the systems and procedures for the evaluation, monitoring and control functions set by the Law of Civil Service are developed within ANFP and implemented, by completing the gap regarding the capacity of ANFP to effectively manage its own responsibilities, reviewed, in the field of Human Resource management.

Component 2: The public policies for the human resource management in the Public administration in Romania are developed and implemented and coordination and monitoring system is implemented, by strengthening the mechanism of inter-institutional mechanism in the human resource management sector for ensuring an optimal transfer of local know-how.

Component 3: Mechanisms and procedure for the transparency and liability within the civil service are developed and implemented.

- PHARE 2005/017-553.01.02 „Transparency and participation in the public administration”– Strengthening the Democracy in Romania, 2nd component – Democracy, human rights, lawful state and independence of justice.

PARTNERS: ANFP and the Association of Program Support for Sustainable Development - Agenda 21

The duration of the project is of 10 months, allotted sum, approximately 56300 Euro, with a co-financing of approximately 4000 Euro from ANFP, the contract being signed in December 2007.

The purpose of the project consists in the increase of the role of the civil society in promoting the principles of good government and of participation of the citizens in the process of making local decisions. In this purpose, the project will develop on the following directions:

- Experimenting in Romania the model of the European Council of evaluation of the institutional transparency and of the level of participation at the public life (C.L.E.A.R);
- Organizing a complex of activities of information of the citizens regarding the most efficient forms of participation at the public life and promotion of the successful models in attracting citizens in the act of local government.

**ETHIC POLICIES – MECHANISMS AND INSTRUMENTS**

The project started on October 1\textsuperscript{st}, 2007 and will end on June 30\textsuperscript{th} 2008, the value of the sums allotted being of 13.190 Euro (for the first stage October-December 2007).

The purpose of the project consist in the adaptation of the European model at the standards in ethical policies at the conditions and regulations in Romania for strengthening the capacity of the public authorities and institutions of self-assessing the manner in which the principles and ethical standards are observed in the internal policies and of processing the strategies for improving the conduct and local ethical policies.

The partners for the implementation of the project are:

- The European Council, The center of Expertise for the Local Administration Reform
- National Agency of Civil Servants
- Association of Assistance and Sustainable Development Programs– Agenda 21

The objectives targeted in the project aim at:

- Processing a national standard of measuring the implementation of policies and conduct norms with which the local authorities can be compared;
- Offering support to the local public authorities/institutions in increasing its own standards to the level of the ones set by CoE;
- Offering the opportunity to local public institution/authorities of undertaking the liability of internal improvement through the active participation for the entire period of the project.

### 2.4.2. Collaboration with national and foreign partners

**April 2007:** The National Agency of Civil Servants, in collaboration with SIGMA – OECD and with the support of the consortium of the PHARE project „Implementation of the civil service reform in Romania” have organized the international conference „Wage system of the European civil service”

**May 2007:** The National Agency of Civil Servants, in collaboration with SIGMA-OECD organized the international conference “Civil service Integrity and Anti-corruption”
October 2007: The National Agency of Civil Servants and the Central Unit for the Public administration Reform, in collaboration with SIGMA – OECD, organized the international seminar „Civil Service Quality Management”

It was secured the representation in the working groups created within the European Public Administration Network (European Public Administration Network – EUPAN), in the human resource field, innovating public services and enhancing the quality of the regulations, respectively to the events held by the members of the network.

The European Group of Public Administration (Brussel), The Bertelsmann Stiftung Foundation and the University of Speyer have initiated the European Public Administration Award (European Public Administration Award- EPSA). The objective of this initiative was to motivate the European Public institutions to perform experience/well practice changes, for continuing the public administration common modernization process.

In the course of 45 days, ANFP held information/counseling sessions for public institutions interested by this European Award, and 27 institutions were interested by the sheet of registration to this initiative.

After the evaluation stage, from 332 applications in 25 member states, the jury declared as winners 6 applications from the following countries: Sweden, Belgium, Romania, Great Britain and Germany.

The main direct inter-institutional collaborations at national level, in the Romanian civil service had the following partners:

- Public authorities and institutions, respectively specialized bodies of the central public administration
- Associating representative structures of civil servants, professional associative structures and other partners within the civil society
- Subsidiary of the European Commission
- General Secretariat of the Government
- Central Unit of the Public Administration Reform
- Goethe Institute in Bucharest
- Institute for Public policies
- National Integrity Center
- Association of Program Support for Sustainable Development - Agenda 21
2.4.3. The public perception of the public service domain

- The image of the National Agency of Civil Servants issued in the written press (2007)

a) Monitored sources and the image indicator system

19 central and local newspapers were monitored, of which 17 central and 2 local, as follows: “Cotidianul”, “Adevărul”, “Evenimentul Zilei”, “Economistul”, “Informația Aradului”, “România Liberă”, “Gândul”, “Ziua”, “Economie și Administrație Locală”, “Compact”, “Atac”, “Ultima Oră”, “Monitorul Expres Brașov”, “Cronica Română”, “Currentul”, “Gardianul”, “Curierul Național”, “Jurnalul Național”, “Ziarul”. Totally, in these newspapers 41 appearances were registered, without taking into account the apparitions from the news flow of press agencies or apparitions from the country report of the European Union. The 41 apparitions can be structured as follows:

<table>
<thead>
<tr>
<th>Newspaper</th>
<th>Number of Apparitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cotidianul</td>
<td>7</td>
</tr>
<tr>
<td>Economistul</td>
<td>6</td>
</tr>
<tr>
<td>România Liberă</td>
<td>4</td>
</tr>
<tr>
<td>Evenimentul Zilei</td>
<td>2</td>
</tr>
<tr>
<td>Adevărul</td>
<td>3</td>
</tr>
<tr>
<td>Ziua</td>
<td>3</td>
</tr>
<tr>
<td>Jurnalul Național</td>
<td>2</td>
</tr>
<tr>
<td>Gândul</td>
<td>2</td>
</tr>
<tr>
<td>Cronica Română</td>
<td>1</td>
</tr>
<tr>
<td>Ultima Oră</td>
<td>1</td>
</tr>
<tr>
<td>Atac</td>
<td>1</td>
</tr>
<tr>
<td>Compact</td>
<td>1</td>
</tr>
<tr>
<td>Economie și Administrație Locală</td>
<td>1</td>
</tr>
<tr>
<td>Ziarul</td>
<td>1</td>
</tr>
<tr>
<td>Monitorul Expres Brașov</td>
<td>1</td>
</tr>
<tr>
<td>Informația Aradului</td>
<td>1</td>
</tr>
<tr>
<td>Jurnalul Național</td>
<td>1</td>
</tr>
<tr>
<td>Economistul</td>
<td>1</td>
</tr>
<tr>
<td>Cotidianul</td>
<td>1</td>
</tr>
</tbody>
</table>
As for the newspapers that positively appreciated the actions made by ANFP, based on the analysis, we can mention: “Cotidianul”, “Adevărul”, “Evenimentul Zilei”, “Economistul”, “România Liberă” and “Cronica Română”, while the newspapers “Ziua”, “Gândul”, “Gardianul” and “Jurnalul Național” described in negative terms the activity of ANFP.

The first step in the analysis of the institutional image was to establish the image indicator system. The image indicators are the structural elements of the image that define it, personalize it and equally allow its investigation. Starting from the desirable image of the institution, from what the media wants to convey, as well as from the level of competence, the following primary and secondary image indicators were set for personalizing the image of ANFP:

I. Efficiency of the Organization
   1.1. Modern organization concept
   1.2. Collaboration with the institutions involved in the public administration reform
   1.3. Relation with non-government organizations
   1.4. Management of the civil service reform
   1.5. Control activity
   1.6. Professional training of civil servants
   1.7. Event organization
   1.8. Processing normative act drafts
   1.9. Organizing contests for civil service positions

II. Management competence
   1.1. Professionalism
   1.2. Correctitude
   1.3. Morality
   1.4. Trustworthiness
   1.5. Transparency of the decisions by the meaning of the law
   1.6. Notoriety

III. Members’ ability
   a. Correctitude
   b. Experience
   c. Fulfilling the work attributions
   d. Collaboration within the Institution

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8 Bogdan Alexandru Halic, Ion Chiciudean, Analysis of the Organizations’ Image Analiza Imaginii Organizațiilor, Bucharest, 2004, comunicare.ro publishing house, p. 27
b) Interpreting the image profiles

The execution of the image profiles is an essential stage in image study. *The image profile is the graphical expression of the calculated value of image indicators and sub-indicators*.9

In the context of the changes occurred at government level, the National Agency of Civil Servant benefited from the same management, which significantly contributed to the continuing of the Agency’s activity regarding the management of civil service and civil servants. This offered the premises for developing the reforms in the Romanian public administration system, through projects started in the previous years.

Together with the Central Unit for the Public Administration Reform and National Institute of Administration, ANFP plays a significant role in the reformation of the current administrative system, by setting a new base that leads to the enhancement of the efficiency of the administrative act.

As it results from the calculation of the primary and secondary image indicators, we see that the majority of the shares were registered by the indicator *Organization efficiency* (60% - positive; 5, 71% - negative) and the afferent secondary indicators. The most exploited secondary indicators are the *processing of normative act drafts and organizing events*, both registering a high cumulative share of 11, 40%. Positive values were also registered by the *professional training of civil servants* (2,86% - positive), but also by the *management of the civil service reform* (5, 71% - positive, 2,86% - negative).

![Primary dichotomous profile](image)

The article which appeared in “Cotidianul”, on February 6th, 2007, p. 10, “Bureaucracy Reform – The computer will monitor civil servants” suggests the author's intention of associating two apparently opposite terms: bureaucracy, as an expression of the archaic method and the

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9 *Ibidem, p. 47*
computer, as an expression of modernity, instrument used for simplifying and increasing the efficiency of the civil servants' work. As a starting point, the steps that ANFP will make in the implementation of the civil service reform are presented, by **improving the secondary law in the field, by reviewing the recruitment system of civil servants and by evaluating the performances and promotion with individual results**. Personnel training programs and exchanges of experiences with European institutions will be carried out. Last but not least, an integrated informational system will be implemented that also monitors the activity of civil servants.

The monitoring and evaluation process carried out by the National Agency of Civil Servants provided the unitary application of the law and the update of the normative and institutional frame in the civil service and civil servant field. The newspaper “Cotidianul” takes over the information from the ANFP report for the last quarter of 2006, according to which the main deviations of civil servants were: use of offensive expressions, aggressive behavior or breach of the working program (Cotidianul, 6 of February 2007, p. 10).

**The debates on the Law draft regarding the wage system of civil servants** were taken over by the press, and it was highlighted the availability of ANFP to talk to unions and non-government organization on this draft, as well the divergences regarding the bonuses for the complexity of the activity, offering compensations in case of discharge from civil service, harmonization of the law regulating the wage system for civil servants with special statute with the unitary wage system law, as well as the value of the job supplement for various categories of civil service positions.

The progresses registered in the civil service reform are noticed by “Cotidianul” (15 of March 2007, p. 4), that appreciates the simplification by the Government of the employment procedures for institutions managing European funds. This article reads that the term in which public institutions must request the endorsement of the organization of the contest of recruitment from ANFP is reduced from 45 to 13 days. The term for the selection of the files was also reduced from 5 days to 24 hours. This theme is widely debated in the “Economistul” from 16 of March 2007.

The beginning of the year was marked by the launching of the project the Observer of the Prefect's Institution, held by ANFP in collaboration with the Assistance and Programming Association for Sustainable Development – Agenda 21, in which the press conference was held. A survey was carried out in the project, made in the period 4-8th of January 2007, by IRSOP that indicated the manner in which civil servants are perceived by the citizens. Unfortunately the majority of the citizens think that civil servants are guided by their own interests and are the politicians’ tools. This perception is spread also on the prefect’ position, of which 78% of the citizens think that it is still lies in the political camp.
The negative quotas for the Organization Efficiency indicator are mainly displayed by the secondary indicator organization of civil service contests (5,71% -2,86%-positive; 2,86%-negative). In the article appeared in the newspaper “Ziua” on March 19th, 2007, with the title, Ministry forgery proven in court”, is described as „manipulating a contest in 2003”, where among the members of the commission appears the name of the former general secretary of ANFP. This secondary indicator registered positive values, to a large extent due to the transparency with which the data regarding the development of the contests were conveyed, taken over by the newspaper “Compact”.

The international conference, „Wage System of the European Civil Service”, organized on April 25th 2007 by the National Agency of Civil Servants, SIGMA – OECD and the consortium from the PHARE project „Implementation of the Civil Service reform in Romania”, benefited from press visibility, the newspapers “Adevărul”, “România Liberă”, “Atac” and “Ultima Oră”, taking over the news. The majority of articles focused on the ideas sent by the ANFP president, according to which, with the adoption of the new project for the unitary wage system, civil servants will receive their salary according to the individual performances.

Although in 2007, 59 civil managers were recruited and 33 civil managers were transferred from the public authorities and institution, the press negatively reflected this subject. From “Cotidianul” we find out that „11 civil managers, heavy trained, are still unemployed and it depends on ANFP, that will present the lists with the vacant positions” (Cotidianul, 21 May 2007, p. 16).

On May 31st, 2007, the second event in importance for ANFP was held, the international conference “Public Administration Integrity and Anti-corruption”, that benefited from the expertise of several foreign lectors. The newspaper “Cronica Română” appreciates that the purpose of the event is to facilitate the exchange of information, based on the experiences of other European Union member states, in the process of promotion of the integrity of the civil service. Although it did not benefit from a wide audience, civil servants „playing truant from anti-corruption classes., (Cronica Română, may, 31st 2007, p. 4), the conference had the role of brining the European anti-corruption models closer to the current practices in the Romanian public administration.

In May 2007, we find in the press analyses regarding the Romanian public administration. For example, “Cotidianul” makes an analysis of the Romanian civil service, starting from the wage
system and then outlining the advantages and disadvantages of the civil sector compared to the private one. We can observe in this article the opinions of civil servants of ANFP talking about the Romanian public administration, as well as about the career opportunities and the wage offered for the activities developed. (Cotitianul May 21st, 2007, p. 16).

In the Country Report of the European Union from June 27th, 2007, we find references to the activity of ANFP, that „benefits from an important PHARE brotherhood project launched in December 2006, that will support the Agency in the process of redefining the human resource and internal practice policies. One of the main objectives of this project is to enhance the transparency and integrity of the civil servant’s activity in the civil sector”.

In the second PHARE RO 2004/16-772.01.03.02 project ”Implementation of the Civil Service Reform in Romania”, a survey was carried out that echoed in the press. From the results of the survey we can draw the conclusion that civil servants need to improve the professional abilities, an important aspect of 70% of the surveyed people.

The second indicator subjected to the analysis is The Management Competence, that registered a reference share of 25,71% (17, 14%-positive; 8, 57%- negative). The highest secondary indicator was the transparency of the decisions by the meaning of the law (5,71%- positive, 5,71%- negative), that is negatively assessed by the morality indicator (2,86%- negative). The negative quota can be explained by the fact that persons from the ANFP management have a political affiliation, which offers them a great notoriety (8,57%-positive), but also attacks from other persons, according to the interests.

The indicator Competence of the personnel registered a cumulative primary quota of 8,57% (5,71%-positive, 2,86%- negative), that shows that civil servants from ANFP correctly fulfill their working attributions, but do not collaborate sufficiently.
The image of ANFP is mainly positive, as shown by the primary binary profile (82.86%-positive; 17.14%-negative). These shares indicate that the institution is efficient, benefits from a notorious management and a staff fulfilling its prerogatives. The institution has still a lot to learn in the field of management of the civil service reform and must collaborate better in the inside.

In order to enhance the dynamics of the institution’s image, the conclusions imposed aim at the following measures:

- Strengthening the inter-department relations, for improving the internal communication.
- Organizing a debate to which the communicators from public institutions and journalists can participate, for conveying to the press the current challenges of the public administration.

- Sending information on the activity of ANFP and periodically informing the newspapers in which the activity of ANFP was visible, including of the ones that described in negative terms the activity of ANFP: “Ziua”, “Gândul”, “Gardianul” and “Jurnalul Național”.

➢ Other communication activities

As institution responsible for ensuring the management of the civil service and the body of civil servants, the National Agency of Civil Servants developed communication activities as follows:

A. Drafting and issuing press releases

In 2007, 29 press releases were made. These reflected the evolution of the development of an unitary wage system, data on the contests for management and execution civil service positions in the state, territorial and local public administration, national and international conferences, seminars, partnerships with non-government organizations, surveys, new regulation for the civil service and civil servants, community support programs, visits of international delegates.

B. Event organization and development

In 2007 conference and round table events were organized, as follows:

- **International Conference** “Wage system for the European civil service”, held together with SIGMA – OECD and the PHARE project “Implementation of the public service in Romania”, for presenting the evolution of the wage system in the Romanian civil service. *(April 2007)*

- **International Conference** “Public Administration Integrity and Anti-corruption”, organized with SIGMA – OECD. *(May 2007)*

- **The round table** with the theme „The Prefect’s institution in Romania and Italy”, organized as part of the project „The Observer of the Prefect Institution”, held together with the Support and Program Association for Sustainable Development – Agenda 21 and Radiodifuziunea Română, for identifying good practice models in the Romanian and Italian local public administration field. *(June 2007)*

- **Round table** with the theme „Prefect’s institution – compared perspective between France and Romania”, organized together with the Support and Program Association for Sustainable Development – Agenda 21, partner in the PHARE 2004/016-772.01.02/03 project „The Observer of the Prefect Institution”, for the realization of an exchange of experiences, as well as to benefit from the cumulated experience in the operation of the prefect’s institution in France *(July 2007)*

- **The Press Conference** „The Prefect and the Prefect’s Institution between legal provisions and realities” organized with the Assistance and Program Association for Unsustainable Development – Agenda 21. This event marked the end of the project the Observer of the
Prefect Institution, project financed by the European Union, through the PHARE 2004 Project - Civil society, in partnership between ANFP and APDD – Agenda 21, in the period October 2006 – September 2007, for monitoring the implementation of the Prefect and the Prefect Institution Law. (September 2007)

- **Press Conference** on the closing of the PHARE project RO 2004/16-772.01.03.02 “Implementation of the Civil Service Reform in Romania”. The Bilingual brochure of ANFP together with the first issue of the magazine “EU-RO Civil Servant (November 2007) were launched

C. **Introducing the Right of Reply**

In 2007 a right of reply was formulated by the mass-media for clarifying some aspects connected to the activity of the Agency.

D. **The maintenance and updating of the information of the webpage of the National Agency of Civil Servants**

The webpage of ANFP is displayed in an accessible form for the target group, respectively civil servants from the authorities and institutions of the local and central public administration and its end-beneficiaries, the citizens.

The structure of the site imposes a dynamic information structuring character. The most accessed section is the one of contests for occupying the management civil service positions. These visitors can find the information regarding the date of the contests, the general and specific conditions for occupying the targeted civil service positions, as well as the contest bibliography.

The site is permanently updated with recent information on the evolution of the body of civil servants, the legal apparitions and the new proposals for the processing of normative acts with applicability in the civil service and civil servant domain. 25 accessible news were posted on the first page of the site.

Compared to January 2006 when 3,380 visitors/month were registered, their number increased in January 2007 approximately 3.7 times (12.747 visitors) and in November 2007 of approximately **5, 21 times** (17.620 visitors).

In January, the site ranked 972 in the general countdown, and in November the 1390 place.

In January, the site ranked 13 in the political countdown preserving this place until the end of 2007 (November).

The site registered a record day of accessing, **January 31st** with 1.651 visitors.
E. Summary, press monitoring and image analysis

Is a daily activity, including, per sections, all the articles regarding the civil servants and civil service positions, the public administration reform and the European integration, 22 publications being monitored.

In 2007, ANFP registered **41 appearances in the written press**.

An overview of the written press was made in ANFP and at the end of each year the press monitoring activity (the perception of the written press on the activity of ANFP is analyzed using the qualifications: neutral, positive or negative approach). This monitoring activity lies at the basis of the execution of the image analysis of the National Agency of Civil Servants.
F. Releasing the Internal Informative Journal

The Internal Informative Journal is a means of inter-department information, with a monthly issue. This includes fixed columns such as: Editorial, legal news, described cases of the current practice, monthly statistics of the ANFP site, events.

G. Providing the access to public information

In 2007, ANFP answered to **55 requests** according to Law no. 544/ 2001 on the free access to public information.

<table>
<thead>
<tr>
<th>TOTAL</th>
<th>Mass-media</th>
<th>Citizens</th>
<th>Public institutions and authorities</th>
<th>Organizations</th>
<th>Re-direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>57</td>
<td>24</td>
<td>24</td>
<td>4</td>
<td>4</td>
<td>1</td>
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Of the total 55 requests, 24 were addressed by mass-media representatives, 22 by citizens, 4 by public institutions and authorities, 4 from the representatives of various organizations and 1 re-direction according to the Government Decision no. 27/ 2002 on the regulation of the petition solving activity.

H. Processing, publishing and disseminating publications and various materials:

*Leaflets*– 4 types of explanatory color leaflets were drafted, including:

1. *Presentation of the National Agency of Civil Servants*
2. *Civil service inconsistencies*
3. *Conflict of interests*
4. *Civil Servant Code of Conduct*

These are destined for the target-group of ANFP for promoting the image and the legal provisions regarding civil service and civil servants.

*The report on the management of the civil service and civil servants for 2006*

The document was sent for printing and multiplication in **1000 copies in Romanian and 500 in English**.

The dissemination of the information was made by directly sending to the central and local public institutions and authorities, by publishing on the webpage and disseminating through the Agency personnel. Furthermore, *The report on the management of the civil service and civil*
servants for 2006 a was disseminated in press conferences, seminars, round tables, visits of delegates and external detachments.

**Posting panel**

In order to increase the visibility of the structure, the activities and the events within the National Agency of Civil Servants, a posting panel will be placed at the ANFP headquarters including updated public information, ANFP leaflets, distribution per rooms of the divisions, services, offices and departments within the Agency, specialization classes in the field of public administration (organized by non-government institutions and organizations, authorized in this sense), data on the ANFP site, various public materials.

I. **Other communication and public relations activities:**

- Maintaining and developing the mass-media relation and informing the representatives on the events organized;
- Maintaining and developing the relation with the civil society;
- Organizing information events, press conferences;
- Sending news, press releases etc. for posting them on the administration portal;
- Permanent update of the contact data bases (public authorities and institutions of the central and local public administration, representatives of the civil society and of the mass-media, etc.);
- Providing the protocol for various internal events and external/international participation;
- Dissemination of promotional materials of the Agency, of the brochure, leaflet, calendars, posters, as well as of the Magazine Eu-Ro Civil Servant.
2.5. Professional training of civil servants

In the *Report on the management of the civil service and civil servants for 2006* the following were announced as objectives and instruments in the field of professional training of civil servants:

<table>
<thead>
<tr>
<th>OBJECTIVES</th>
<th>INSTRUMENTS</th>
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<tr>
<td><strong>General objective:</strong> Creation and development of a training system for the public administration, able to provide the premises for a reform of the administration system, in general, and of the civil service position, in particular.</td>
<td><strong>1. Normative instruments:</strong></td>
</tr>
<tr>
<td>1. Defining the normative frame of public administration professional training</td>
<td>- Government Decision on the professional training of civil servants</td>
</tr>
<tr>
<td>2. Creation and development of instruments of handling the public administration professional training</td>
<td>- Other normative acts, given in the implementation of the Government decision on professional training of civil servants</td>
</tr>
<tr>
<td>3. Unifying the perception of beneficiaries on the public administration training market</td>
<td></td>
</tr>
</tbody>
</table>

By the meaning of the abovementioned, during the reference period:
- the government decision draft on the professional training of civil servants was completed and sent on the endorsement circuit;
- The evaluation of the strategy of acceleration of the public administration reform was completed and, at least in the civil service field, the conclusions were used for processing proposals on the new strategic frame;
- Measures were taken to process the professional training strategy for civil servants.\(^{10}\)

Regarding the means with which the instruments used are estimated to achieve the general or specific objectives, *the Government decision draft on the professional training of civil servants*,
stipulates that, at the level of the normative act, the general applicable rules in the professional training field of civil servants, the most important aspects aim at:

**Unitary definition of the concepts** used in the field of professional training of civil servants, and principles applicable to the professional training system of civil servants

**Defining and regulating the forms of execution of the professional training of civil servants**

**Financing the professional training programs** - from the budget of the public authorities and institutions, by the participants to various forms of execution of the professional training or mixed - according to the correlation with the beneficiaries' attributions and competence

**Establishing unitary means of analysis of the training, planning and professional training needs, as well as setting priority domains of professional training of civil servants.**

**Explicit identification of providers of professional training** for public administration, including regarding the clarification of the nature of the activities developed within the training programs by civil servants, *from the point of view of the need to ensure these minimal quality standards, as well as by reporting to the regime of incongruities and conflicts of interests and setting unitary standards in the organization of training programs, setting norms in the field of purchasing professional training services, by approaching the entire purchase cycle, from the initiation of the procedures until the ensuring of the result transparency.*

**Establishing the obligation of completing the regulation with the measures of strategic planning** afferent for establishing and drafting the strategy of professional training of civil servants as an integrated part of the national strategic framework

**Detailing and regulating the specific rights and obligations of beneficiaries and training suppliers.**
On the other hand, a corresponding de-centralizing degree of the competences and responsibilities of public authorities and institutions is targeted, for enhancing the professionalism of its main human resources, as well as a of the flexibility of the normative frame by stressing the degree of responsibilities at the level of beneficiaries.

III. The conclusions of the activity developed in 2007 and estimated evolution

By referring to the objectives set for the reference period, respectively to the real situations abovementioned and to the results obtained, the civil service and civil servant management activity can be said to have ensured:

- **The development of the civil service system, particularly:**
  - the completion of the normative frame of civil service and civil servants and establishing the strategic frame for the following periods;
  - providing the premises for the improvement of the civil service and civil servant management processes, including by strengthening the capacity of the institution responsible with this domain and strengthening the collaboration relations between the institution and the national and international partners;
  - computerizing the processes and records in the field of civil service and civil servants;
  - including in the national law community rules and principles, respectively providing the premises for achieving a minimal European standard.

- **Development of the potential to attract funds for implementing foreign funding programs,** including through projects in partnership with the civil society, especially aiming at the citizens’ process of participation at the government action and actions of improving the image of the public administration and service.

According to the project of the Strategy of civil service development, the specific objectives set for 2007-2010 and the estimated changes as a consequence of the implementation of the measures proposed are:

- **strengthening the civil service system, by:**

  1. **strengthening the administrative capacity of ANFP:** implementing the integrated human resource management system, preparing the Agency’s personnel, connection to the networks of similar EU institutions, development of the capacity of processing public policies/strategies/projects, procedure standardization;
2. **strengthening the human resource departments of the public authorities and institutions** in the context of de-centralization of the ANFP obligations: improving the training/professional formation system for civil servants, providing an improved legal stability, improved inter-institutional communication, identifying and promoting good practices;

3. **improving the image of the civil service system**: actions for promoting the public service, information campaigns, public offer of working jobs, making the civil service portal operational;

**b) modernizing the civil service**

1. **increasing the career development perspectives**: updating the recruitment, promotion and evaluation system, introducing the individual career plan and provisional management of civil service, strengthening the ability of achieving the civil service mobility;

2. **increasing the degree of preparation of civil servants**: analyzing the education needs at the level of the public administration, placing the priorities on the needed training activities for civil servants, improving the inter-institutional collaboration;

3. **motivating civil servants**: wage system, flexible hours and partial working hours;

4. **preventing and combating corruption**: updating the provisions in the field of inconsistencies and conflict of interests.

As for the period of programming 2007-2013, the European commission insisted to invest in this area of intervention similar to the accession period, so that the **strengthening of the administrative and institutional capacity** became one of the priorities of the **European Social Fund for the programming period 2007-2013**. According to this specific requirement the Operational program – Development of the Administrative Capacity was processed to essentially contribute to the realization of the thematic priority „**Building an efficient administrative capacity**” in the National Strategic Reference Frame and for monitoring the priorities from the **Strategic community cohesion directions**, in which it is imposed the development of the administrative capacity and the modernization/reform of the civil service.

The Operational program „**Development of the Administrative capacity**” (PODCA), financed from the Social European Fund, aims at developing the administrative capacity and support of the efforts of modernization of the Romanian public administration. Through the Government Order 128/2006, the Ministry of Internal Affairs and Administrative Reform was assigned as Management Authority of PODCA, program of the drafting process was run in November 2005.

The implementation of PODCA will be developed in 2007-2013, according to the provisions of the European Union Regulation, and the payments will be made until 2015. The Program Management is made by the Management Authority (Ministry of Internal Affairs and Administrative Reform).

The national Agency of Civil Servants will benefit from the funds from PODCA, according to the Priority Axis 1: “**Structural improvements and process of management of the public policy cycles**”. The target of the priority axis is to contribute to a durable improvement the capacity of
the public administration in Romania, through the realization of the structural improvements and management process of the public policy cycle.

According to the frame document of implementation of PODCA, requests of project funding will be submitted in 2008, ANFP being a potential beneficiary in the following areas of intervention/operations:

**Area of intervention 1.3 – Improvement of the organizational efficiency**

*The objective of this axis is to offer support to the improvement and organization process for increasing the efficiency at the level of organizations/institutions* Introducing reforms – quality management

- Implementing the management performance system in the human resource domain
- Training programs in the domains of: auctions, ECDL, foreign languages, project development
- Evaluation training

**Area of intervention 2.2 – Improvement of the quality and efficiency of the public service provision**

*The objective of this axis is to enhance the quality of the civil services*

- Development, testing standards on the cost and quality of the services
- Support for the use of IT mechanisms, portals and data bases
- Inserting and operating management systems, including EMAS
- Implementing service provision charts (introducing a set of general principles on the quality of services offered to citizens)

It is nevertheless estimated that the following period will be significantly influenced by the action of the environmental variables, especially the ones corresponding to the political-administrative environment (years 2008 and, respectively, 2009 being electoral years). In this context, the actions in the civil service domain will be focused on the development domain, as well as on maintaining a relatively stable environment (especially as the delimitation of the administrative domain is a set and applied rule)