

The conclusions and recommendations of the two reports produce by the API experts.

CONCLUSIONS:

- The process of NIA institutionalization was cumbersome, being initially delayed by the late setting up of the IC and then also by its unpredictable operation. The slow filling in of the NIA is determined by the high requirements of the integrity inspector selection as well as by the lack of celerity in checking the candidates for this office by the authorized bodies. The recent reduction of wages for the integrity inspectors may pose an additional problem to attracting qualified persons to fill in the vacancies.
- Overall, the outcomes of NIA and IC work between 2017 and 2019 have highlighted some positive trends as well as problems, some of which were flagged in the previous monitoring report. Regarding NIA's and CI's work, the following, among others, were assessed:
 - Launching of the inspection process by NIA and the positive trends of the outcome indicators, related to this activity;
 - Effective unfolding of the collection and storage of asset and interest declarations electronically filed by the subjects of declarations;
 - The inspections started and completed as well as the acts finding irregularities concerned a number of categories of public agents, with the managers of public organizations and public office holders accounting for the biggest share;
 - The appearance of the final finding acts that identified irregularities in regard to 76 subjects of declaration, to be sanctioned by termination of their mandates and work agreements and to be included in the State Register of persons forbidden to hold a public office or a publicly appointed office;
 - An increase in the number of minutes finding offences prepared, especially those concerning infringements of the rules for declaring one's assets and personal interests;
 - Registration of first final cases in 2019 that ruled in favor of NIA.

Nonetheless, a number of gaps and problems have been found, such as:

- Little predictable and inefficient work of the Integrity Council;
- Low turnover in the verification (inspection) of the declarations filed;
- Lack of final cases with criminal charges;
- Low number of inspections started and of administrative cases started against the categories of persons concerned in multiple media investigative reports;
- Total small amount of administrative fines imposed;
- Inadequate operation of the Automatized Information System "e-Integrity";
- Deficient ensurance of decision-making transparency by NIA;
- Use of confusing and untimely interpretation in ensuring access to information.

RECOMMENDATIONS:

Government and Parliament

- Revise the legal framework on the appointment/revocation of the Integrity Council's work, including in regard to setting up a permanent CI Secretariat.
- Clearly regulate the duties of NIA's deputy president by law to avoid that eventual abuses or interpretations destabilize the internal environment within the institution.

- Find a solution for increasing/supplementing the salaries of the integrity inspectors and supplement, as needed, the resources for the repair/arrangement of NIA's new premises.

NIA and the Integrity Council

- Revise the regulation on the competition for filling in the position of integrity inspector for clarifying the issues related to the weight of the polygraph test results in the final evaluation of the candidates and for establishing the rotation of the members of the commission for the selection of integrity inspectors.
- Approve a standardized set of institutional performance indicators and a common format for internal reporting. Those indicators may be taken over from NIA's 2019 Action Plan;
- Introduce innovative methods for viewing the information on NIA's inspection work;
- Remove the flaws from the Automatized Information System "e-Integrity" that impede the full operation of the automatized manner of verification of assets and personal interest declarations;
- Approve a calendar for the systematic information of the public about the inspection work of the Integrity Inspectorate;
- Speed up the revision of the legislation regulating integrity in the public sector in order to remove the gaps and ambiguous provisions;
- NIA must place for public consultations the document with proposals for amending and completing the legislative framework on the declaration and inspection of assets and personal interests;
- NIA must enforce, fully and adequately, the regulations designed to ensure transparency in decision-making;
- Resume the competitions for employing integrity inspectors, organize a training program in the area of declaration of assets and personal interests and of the verification procedures used by the integrity inspectors, with the joint participation of judges and NIA officers;
- Clarify IC's status by making the due completions to the Law 132/2016 and assign it to NIA's management. Enhance the efficiency of the work for regulating IC.