PHARE 2004
STANDARD PROJECT FICHE

1. Basic Information
   1.1 CRIS Number: Phare 2004/016-772.01.05
   1.2 Title: Improving the fight against corruption
   1.3 Sector: Judiciary

1 Twinning contract:
   SUBPROJECT ONE: Strategic Assessment of corruption
   SUBPROJECT TWO: Assessment of the Anticorruption Legal Framework
   SUBPROJECT THREE: Inter-Agency Co-operation
   SUBPROJECT FOUR: PNA Effectiveness (non-IT issues)
   SUBPROJECT FIVE: Public Awareness Concept

1 Technical assistance contract:
   SUPROJECT SIX: Technical specifications and start of the Public Awareness Campaign implementation

1 Supply contract:
   SUBPROJECT SEVEN: PNA Effectiveness (IT supply)

1.4 Location: Romania

1.5 Duration: 24 months

2. Objectives

2.1 Overall Objective(s):
   Strengthening the fight against corruption – both on the repressive and preventive sides

2.2 Project purposes:
   1) To obtain an accurate and objective picture of corruption in Romania, to assess the state’s anti-corruption measures, and to propose an enhanced policy response.
2) To improve the legal framework so that there is greater effectiveness in investigating, prosecuting and convicting corruption cases.

3) To improve the co-operation between all relevant law enforcement agencies and actors in the justice system with a role in the fight against corruption so that there is greater effectiveness in investigating, prosecuting and convicting corruption cases.

4) To enhance the operational effectiveness of the National Anti-corruption Prosecutor’s Office (PNA), the lead agency in the investigation of high-level corruption affecting Romania.

5) To increase the public awareness of the threat that Romanian society faces from all forms of corruption and educate them as to the negative consequences for democracy and socio-economic development while informing them of their individual legal and moral responsibility to fight against corruption as well as the practical possibilities for doing this.

2.3 Accession Partnership (AP) and NPAA priority
(and implementing measures envisaged by the Action Plan for AP priorities related to strengthening administrative and judicial capacity)

In the NPAR 2002, fight against corruption is a medium term priority, and ‘the development of an inter-institutional informative network for changing information needed to solve the corruption causes’ is one of the most efficient ways to achieve it.

The revised Accession partnership with Romania (2003) recommended the following measures in the field of justice:
“- Step up the fight against corruption by:
  - i) continued implementation of anti-corruption strategy and programme,
  - ii) strengthening the autonomy of the National Anti-corruption Prosecutor’s Office,
  - iii) introducing the notion of criminal liability of legal persons in Romanian criminal law,
  - iv) developing codes of ethics for key professions including law enforcement bodies and the judiciary, and
  - (v) ensuring effective prosecution.

The Roadmap for Romania (December 2002) emphasized the necessary steps for the implementation of the acquis and the continuation of the judicial reform:
- the effective independence of the judiciary; (point 2.2.)
- adoption of a national strategy for the functioning of the judiciary addressing the requirements of full independence, ethics, training of
magistrates, organization of courts and international cooperation on judicial matters (point 2.2)
- enforcement of property rights and number of transactions and prices of agricultural land (point 3)
- implementation of the National Anti-Corruption Strategy and strengthening the autonomy of the Prosecutor’s Office (point 4 chapter 24).

In the 2002 Regular Report, ‘The anti-corruption measures’ chapter stipulates: ‘Surveys indicate that corruption remains a (...) problem in Romania (...). Despite a legal framework that is reasonably comprehensive, and which has been expanded over the last year, law enforcement remains weak. New institutional structures have been created but are not yet fully operational’.

The 2003 Regular Report allocated an entire page to the analysis of the NAPO activity and the anti/corruption measures noting that “NAPO still remains seriously understaffed, which means that the prosecutors are responsible for an excessive number of cases (46 on average) and limits the possible for effective investigation”. Also, the report acknowledged the positive features brought by the 2003 anti-corruption amendments assumed by the Government but noticed that ”despite these developments, a number of shortcomings remain”. Moreover, the Regular report included the recommendations that further legislative steps are required to introduce the concept of criminal liability of legal persons” and “ further efforts should focus on producing a strategic assessment of the nature and scale of corruption, introducing a wide/ranging public information programme and restricting the powers of the Minister of Justice to intervene in both supervision of judges and the work of prosecutors”.

Therefore, further assistance in the field appears to be necessary.

2.4 Contribution to National Development Plan (and/or Structural Funds Development Plan/SDP)
"Not applicable".

2.5 Cross Border Impact
"Not applicable".

3. Description

3.1 Background and justification:
One of the main objectives of the National Government Program and of the strategy of adhering to the EU – the reinforcement of the institutional capacity for countering corruption – has reached a new level by the creation, through the Emergency Ordinance no. 43/2002 approved by the Law 503/2002, of the NAPO as an autonomous structure within the Romanian Public Ministry, specialized in fighting against corruption.
The fight against corruption also represents an important part of the **Strategy for the reform of the judiciary**, under Chapter V, paragraph 4 – Implementation of the anti-corruption initiatives, especially of the measures comprised by the **National Prevention Program and National Anti-corruption Action Plan**.

The **strategy** focused on the following objectives:

- “the elaboration of an improved anticorruption legislative framework according to the European standards and the application of preventive measures against corruption;
- the consolidation of the relationship with the civil society, the informing of society about the causes, the consequences and the costs of corruption, the cooperation with NGOs and media;
- the consolidation of the institutional framework of fighting against corruption and the insurance of an efficient functioning of the National Anticorruption Prosecutor’s Office;
- an intensified cooperation and participation to the common actions of fighting corruption and organized crime in the public field – the accomplishment and implementation of the communication interfaces among the state’s institutions;
- the development of international cooperation in the field of combating criminality related to corruption.”

The **Action Plan for 2004-2007** establishes among other objectives already mentioned by the Judicial System Strategy of Reform, the implementation of anticorruption initiatives giving priority to the measures in the National Prevention Program and the National Plan Against Corruption by evaluating and updating of the anticorruption sectorial plans in the justice system, by elaborating and publishing on the web-site of the Annual Progress Report regarding the implementation of the National Program of Corruption Prevention and the National Action Plan Against Corruption and by laying down the annual report regarding the activities of prevention and fight against corruption, which are carried out by the Ministry of Justice.(chapter 4.2.4).

### A. The Anti-corruption institutional framework (NAPO and other agencies):

**NAPO** is the specialized prosecution office in combating medium and high level corruption crimes. Thus, the competence of the office is to carry out criminal investigations and to prosecute crimes of corruption, crimes assimilated to corruption and directly linked to corruption, as provided by law. It is organized with a central structure in Bucharest and several territorial services allover the country.

Other state agencies are involved in the fight against corruption at various levels and with various competences, such as: the Prosecutor’s Offices (competent to investigate the offences of corruption, other than those assigned by law within the competence of the NAPO, meaning petty corruption); the National Control Authority (competent to implement the Government strategy and program in the field of state control activities and
coordinating: the National Customs Authority, the Financial Guard, the National Environment Guard, the National agency of Exports Control, Labour Inspection, State Sanitary Inspection, Romanian Office for Intellectual Rights and all the control bodies within ministries and central public authorities); the Prime Minister Department of Inspection and Investigation (contact point for the European Office for Antifraud Fight - OLAF); Ministry of Justice (general responsible for proposing the legal framework, monitoring and supervising the implementation of the policies); Ministry of Administration and the Interior (general responsibility for police activities); The National Office on the Prevention and Fight against Money Laundering; the Romanian intelligence services (obliged by the law to provide NAPO with all the information concerning corruption offences).

The creation of the NAPO was extensively supported through the activities of the Twining Covenant with Spain, concluded in the framework of the Phare RO 9910.05 Project. In the framework of the investment component of Phare RO 9910.05 Project, the anti-corruption structure of the Public Ministry that became after September 1st 2002 NAPO, benefited of investment and training of users, along with other institutions (the Ministry of Interior, the Ministry of Justice, the Ministry of Finances through the General Customs Directorate and the Prime Minister Department of Inspection and Investigation). See annex 4 a for an explanation of the investment NAPO benefited of as a result of this project.

The links established trough Phare 9910.05 between NAPO, the Ministry of Administration and Interior and the General Customs Authority have opened the access of the NAPO prosecutors to some relevant data bases of the mentioned institution, via secured e-mail. Following to a cooperation protocol, NAPO obtained access to the data bases of the Registry of Commerce trough a special web site interface created by the RC. Discussions with the Ministry of Finance and the General Directorate of Penitentiary started in order to allow NAPO’s authorized personnel to access their data bases.

The existing IT equipments (purchased trough Phare 9910.05 and own budgetary efforts) cover half of the NAPO’s current needs and personnel. The workstations are used in day-to-day work, for conducting investigations (elaboration of all the documents linked with the investigative process), information processing (internal databases), operative activities (audio and video file processing), information retrieval (internet access, access to other institutions relevant information, legislative library) etc.

The servers owned by NAPO at this moment are used to connect via virtual private networks with the Ministry of Administration and Interior and Customs National Authority, to connect to the Internet, to interrogate the databases of the Commerce Registry, to migrate the ACCESS 2000 internal databases to the Oracle platform obtained trough the PHARE RO 9910.05 Project, to maintain user’s access, for file sharing and for securing the LAN.
Through the investment component of the PHARE RO 9910.05 Project, the IT system architecture was meant only to provide the necessary equipment for the interconnection with some of the institutions having competencies in the fight against corruption in order to facilitate the information flow between them and the NAPO. It was not meant to set up an integrated IT system supposed to offer all the necessary services for a local area network and wide area networks.

Many of the investigations carried out by NAPO have countrywide connections which entails the necessity of communication in real time between the central structure and the territorial services. Therefore the territorial structure of NAPO will be integrated in this IT system, through the Phare 2003 project, in order to be able to communicate much more quickly and easy and to have access to the information system located at central level.

A follow up twinning light project was intended to further strengthen NAPO from an institutional point of view – PHARE RO 0106.06.03 – the project provided advise to the Romanian teams, in order to ensure the compatibility of the national and the international criminal legislation, to reinforce specialized prosecutors’ offices and to create specialized courts (panels).

The Phare 2003 RO03/IB/JH/08 project was approved to continue both the institutional building and endowments procured through the Phare Project RO 9910.05. The investment component of the fiche intends to develop an IT integrated system at the central headquarters of the National Anticorruption Prosecutor’s Office and to establish a secure data communications system with the territorial services so that these structures could benefit in real-time of all the information and applications that NAPO will have. At the same time, the project will provide the necessary security software and hardware. See details of equipment to be provided by Phare 2003 program in Annex 4b

The hardware which will be procured by the Phare 2003 program will complete the current IT infrastructure at the central and territorial level by offering an internal and external e-mail system, web site hosting and network management capabilities etc.

An integrated approach towards tackling corruption further requires substantial efforts. Phare assistance, as well as other public funds, could be instrumental and support Romania on its on going efforts in order to fight against corruption.

Thus, through Phare 2004 further international support is needed in order to have a clear picture of the corruption phenomenon and to fine-tuning the legal framework though, assessment of the relevant legislation, to enhance the operational effectiveness of the National Anti-corruption Prosecutor’s Office (PNA), the lead agency in the investigation of high-level corruption affecting Romania, to provide further training for magistrates and other experts, to stimulate cooperation at the inter-institutional level and to continue the investment, to launch a public awareness campaign.
Also *Phare 2004* will support the achieving important objectives of the National Anticorruption Prosecutor’s Office: (a) adapting and implementing the CDMS – ECRIS already existing in the Romanian judicial system (courts, prosecution offices, prison service), (b) setting up a modular document management system, aiming to improve the document circuit within NAPO and to increase its efficiency, (c) endowment of an in-house forensic IT laboratory with a view of retrieving, inspecting, analyzing, investigating and storing digital evidence within corruption cases (d) improving the data and intelligence analysis process on high level corruption through procurement of an intelligence analysis software and. See attached annex 4 c explaining the rationale for the first three software applications.

The *CDMS-ECRIS* adaptation and implementation in order to respond to the NAPO’s central structure and territorial services needs to benefit of a system meant to register cases electronically, to keep evidence of the stage of a case, to communicate statistics used by the entire judicial system of Romania will contribute to create a link between NAPO, the other prosecution services, the courts, the Ministry of Justice and the prison services.

The great volume of documents NAPO has to archive and process in a complex corruption case, many of these documents containing data that could not made public during the preliminary investigations, expresses the need of an *internal document management system* that will considerably increase the investigative capability of NAPO by electronic archiving of the documents and by ensuring fast and accurate document library searching. This document management system will also include the circuit of non/investigative documents issued for the day to day administration of NAPO (economic and financial activity, human resources, electronic archive, and cooperation with other institutions), contributing to the improvement of the increasing the quality and the celerity of NAPO’s administrative activity. It will be developed by taking in consideration the integration with the present IT platform, the connectivity with the other institutions and the CDMS application (a module for exporting data into CDMS will be designed).

In order to find evidence in corruption cases, in some situations there is the need for a technical expertise of documents found on IT support, NAPO being competent according to the law to access IT systems. For that purpose NAPO should benefit of IT equipment, both hardware and software, in order to create witness copy of the system memory inspected, work copy and to allow the use of methods of the data analysis found on the memory support. There is also the need to train the NAPO’s IT specialists assigned to that mission.

Finally, the various information from international and national sources need a *high quality processing system necessary to allow strategic, tactic and operational analysis*. NAPO should acquire software licenses on specialized technologies for data and criminal intelligence analysis.

The main functions of the analytical software should be:

a. data collection and processing
b. operational - investigative crime analysis process; the gathering and analyzing of crime information and intelligence in a timely manner (within 24 – 72 hours) to be used for operational and investigative deployment strategies.

c. tactical analysis - a **continual** operational support process involving the review and analysis of current and historical crime data; done in conjunction with applicable supplementary data from multiple ancillary sources for the purpose of identifying recent, immediate and/or specific ongoing crime trends, patterns, series and hotspots; as well as locating suspicious persons, developing investigative leads, and assisting operational personnel with crime prevention, case clearance, and successful prosecutorial support.

d. strategic analysis

e. provide analytical techniques and analytical software tools

The users of all of the IT equipment required need adequate training.

**B. The anti-corruption Strategy**

In December 2002 the Government adopted an **Action Plan in order to reinforce the implementation of the National Anticorruption Program**. Based on results of several reports, recommendations and surveys, **four main domains were identified as priority areas for reform** in order to prevent the further aggravation and to reduce the levels of the corruption phenomenon: justice, public administration, business environment and transparency.

The public institutions involved in the fight against corruption should better address the relation with the civil society and mass-media in order to raise the public awareness with regard to the results of the anticorruption measures.

The main reason is based on the conclusions of various anticorruption reports on Romania showing a **very low level of confidence in public institutions** involved in the fight against corruption, while the **public perception indexes** reveals a high level of the corruption phenomenon. Collaboration and openness to civil society is fully justified by the provisions of the **Law no 161/2003, the sunshine law and the National Anticorruption Strategy** providing the obligation for the public institutions to promote transparency of their activity and to carry out programs in partnership with the civil society.

A first major step undertaken by the Ministry of Justice was the global evaluation of the judiciary using indicators within the system. Because almost all the anticorruption surveys made until now were focused on the public critical perception of the levels of corruption **within the justice system**, this evaluation will provide: a national wide **assessment of the integrity, correctness and resistance to corruption of the judiciary system**; identification of inside and external solutions, resources and concrete measures to fight and prevent corruption; an **objective, clear and complete image**, from inside on the integrity of the justice system based on day-to-day
high-level professional experience of the judiciary, prosecutors, clerks and auxiliary personnel.

The global evaluation is the first step in having an objective image of the judiciary in relation with civil society. As a result of this image, a set of corrective measures will be identified in order to address and counterbalance the negative perception. After two years, a similar global assessment will verify the impact of the corrective measures.

The results of the survey were evaluated and they have been published in early May 2004 and may be consulted in Romanian and English version on the web site of the Ministry of Justice (www.just.ro).

The study represents a first step in evaluating the judicial system. The overall assessment shall be finalized in April 2005 with further assessment of prosecutors and auxiliary staff.

All assessment of the kind is aimed at best defining an objective indicator to support the development of a public awareness campaign.

### 3.2 Results

**SUBPROJECT 1 Strategic Assessment of corruption**

**Result 1**

To obtain an accurate and objective strategic assessment of the causes, nature, scale and impact of all forms of corruption in Romania. This should include an analysis of the framework of anti-corruption legislation. In addition, the respective responsibilities of the individual Romanian state agencies in the fight against corruption should be described together with an analysis of their individual effectiveness and that of the anti-corruption network as a whole. Finally, policy proposals should be made to minimise corruption in Romania including: improvements to legislation; enhanced inter-agency co-operation; and increased public awareness.

**SUBPROJECT 2: Assessment of the Anticorruption Legal Framework**

**Result 2**

Produce a series of proposals for improvement of the Romanian legal framework aimed at achieving greater effectiveness in investigating, prosecuting and convicting corruption cases and present them to the Government.

**SUBPROJECT 3 Inter-Agency Co-operation:**
Result 3

Produce a series of proposals for changes to the competencies of the agencies in the fight against corruption as well as improving the inter-agency co-operation to achieve greater effectiveness in investigating, prosecuting and convicting corruption cases of this anti-corruption network as a whole. The proposals should be presented to the government.

SUBPROJECT 4 PNA Effectiveness (non-IT issues):

Result 4

To enhance the operational effectiveness of the National Anti-corruption Prosecutor's Office (PNA), the lead agency in the investigation of high-level corruption affecting Romania.

SUBPROJECT 5: Public Awareness Concept

Result 5:

To increase the public awareness of the threat that Romanian society faces from all forms of corruption and educate them as to the negative consequences for democracy and socio-economic development while informing them of their individual legal and moral responsibility to fight against corruption as well as the practical possibilities for doing this.

SUPROJECT 6: Technical specifications and start of the Public Awareness Campaign implementation

Result 6:

A Steering Group on Public Awareness of Anti-Corruption agrees on the most effective means of communicating the main messages to be contained in the public awareness campaign on anti-corruption as agreed by the steering committee and based on the consultation of all relevant stakeholders. It should also offer assistance for the first phase of the public awareness campaign implementation.

SUBPROJECT 7 : PNA Effectiveness (IT issues)

Result 7

To establish a system in the PNA for the collection, storage, retrieval, analysis and dissemination of data and intelligence with regard to the investigation and prosecution of corruption offences as well as with regard to mutual assistance in cases of corruption.
3.3. Activities

Result 1

*Activity 1-* Produce a detailed assessment on the nature and scale of petty corruption and high-level corruption in Romania in a report for public dissemination. This should cover all areas of Romania society at both national and local levels and should include (but not be limited to): politics; business; banking and finance; law enforcement; and public services such as health and education. Information should be collected from all relevant Romanian agencies as well as any other appropriate sources including civil society. It should also deal with the issue that the very state institutions that will be called on to fight corruption also suffer themselves from corruption. Qualitative data should be collected and, if appropriate, methodologies for obtaining more accurate or meaningful statistics on corruption should be proposed.

*Means:* PAA

Result 2

*Activity 2-*

Create a Working Group on Enhanced Anti-Corruption Legislation chaired by the Pre-Accession Advisor involving legal experts and anti-corruption practitioners from all of the relevant Government agencies. Using the strategic assessment produced under Subproject One as a starting point, the Working Group should assess the Romanian legislative framework, including the recent changes in criminal legislation and produce a series of proposals for improvement of the Romanian legal framework aimed at achieving greater effectiveness in investigating, prosecuting and convicting corruption cases and present them to the government.

The value of non-legislative measures such as codes of conduct or ethical codes for all public officials will be also considered. Management strategies should be developed that simultaneously address 1) administrative issues (recruitment, transfers, discipline); 2) ethics (professional ethics in initial and continuous training and irreproachable ethical behaviour on the part of hierarchical superiors); and 3) financial (level of staff remuneration).

*Means:* PAA

Result 3

*Activity 3* – Create a Working Group on Enhanced Effectiveness of Anti-Corruption Structures chaired by the Pre-Accession Advisor involving anti-corruption practitioners and legal experts from all of
the relevant Government agencies. Using the strategic assessment produced under Subproject One as a starting point, the Working Group should produce a series of proposals for changes to organisational structure of the network of agencies involved in the fight against corruption. The objective in all cases is to develop proposals that will achieve greater effectiveness in investigating, prosecuting and convicting corruption cases of this anti-corruption network as a whole. The proposals should be presented to the government. Furthermore, the Working Group shall design an independent monitoring programme to assess the progress being made in the fight against corruption by all the agencies with competencies in that field.

This could include (but is not limited to): improvements to inter-agency co-operation by creating trusted channels of communication and identifying bottlenecks; the status and competencies of certain agencies involved in fighting corruption in order to address the current high degree of fragmentation of responsibility for investigations into alleged corruption and to simplify the organisational landscape and procedures; the role of all security and intelligence agencies in the fight against corruption (the control and authority they operate under when involved in fighting corruption; the rules that apply to the information they collect; the manner by which their processed intelligence may be presented in a court as evidence); the administrative and practical independence of all governmental actors involved in the fight against corruption; means of increasing the availability of actionable intelligence on acts of corruption from alternative sources such as economic operators, banking and financial institutions; journalists, non-governmental organisations, foreign investors in Romania, international organisations and foreign governments and the public. Part of this review should also address the issue of how anonymous sources of information may be used in criminal investigations.

At least, the following organisations should be represented in the Working Group: NAPO, the National Control Authority, The Ministry of Administration and Interior, the Financial Guard, the National Office for Preventing and Combating Money-Laundering, the Prime Minister Department of Inspection and Investigation, the Competition Council and the Competition Office etc.

Means: PAA

Result 4

Activity 4 – Using the strategic assessment produced under Subproject One as a starting point, and taking due attention of the results obtained under Priorities Two and Three, propose a training
programme to meet the needs of all PNA’s investigative staff so that their capacity to fulfil their responsibilities for the investigation of high-level corruption is enhanced.

*Activity 5* – Making proposals in order to improve the NAPO’s working practices so that the effectiveness in successfully investigating the most serious cases of high-level corruption is improved.

*Activity 6* – Creating a NAPO working methodology, which will lead to identifying and carrying out of the investigations with priority in the high level corruption cases.

*Activity 7* - Special training course dealing with the issues of investigation and prosecution of corruption and, in particular, with the issues of definition of corruption offences, methods of their detection and models of their counteraction.

Means: PAA

**Result 5:**

*Activity 8* - Using the strategic assessment produced under Subproject One as a starting point, conduct a consultation of all the relevant stakeholders in the fight against corruption (including at least relevant representatives of the government, law enforcement agencies, the justice system, private sector, foreign investors [including international financial institutions], academia, journalists, non-governmental organisations and civil society) and on the basis of this input form a Steering Group on Public Awareness of Corruption to agree on the main messages to be contained in the public awareness campaign on anti-corruption.

This could include (but is not limited to): presenting an accurate and objective picture of all forms of corruption in Romania based on the strategic assessment produced under Subproject One; informing them of the negative consequences for democracy and socio-economic development; of their individual legal and moral responsibility to fight against corruption (including by addressing the culture of offering bribes); and of the means in which they can contact the authorities if they have information regarding acts of corruption.

Means: PAA

**Result 6:**
Activity 9 - Elaboration of the technical specifications of the public awareness campaign and an Action Plan for the public awareness campaign.

Activity 10 – On the basis of consultancy services offered by advertising and PR experts, implementing the first phase of the public awareness campaign, foreseen by the Action Plan (visual identity messages, informative materials, advertising materials, local meetings with citizens and NGO-s, seminars, informative reunions, questionnaires, etc), campaign which will continue in the following years.

Means: PAA

Result 7:

Activity 11- Improving and implementing existing CDMS application and auxiliary software licenses to NAPO headquarters and its territorial services

Activity 12 Training sessions for 100 final users and 4 IT administrators of CDMS

Activity 13 Designing and implementing internal document management system and auxiliary software licenses

Activity 14 Training sessions for 100 final users and 4 IT administrators of the internal document management system

Activity 15 Procuring hardware and auxiliary software for both software systems

Activity 16 - Procuring licenses for software applications designed for intelligence analysis on high level corruption to NAPO - 20 licenses

Activity 17 - Training sessions for 50 persons on using the intelligence analysis software

Activity 18 - Procuring equipment and tools for the forensic laboratory

Activity 19- Training sessions for 3 specialists using the laboratory

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The activities 18 and 19 are under the specific conditionality of the results of the needs analysis, technical specifications and costs analysis made under the twinning approved in the 2003 Phare project
Means: Supply contract

Means

Subprojects 1-5

Twinning contract

Medium/short term expertise will be required for:

- Assessment of the causes, nature, scale and costs/impact of corruption
- Assessment of the legal framework for further alignment to EU legislation and for achieving greater effectiveness in investigating, prosecuting and convicting corruption
- Assessment of the organizational structure of the network of agencies involved in the fight against corruption and of their competencies
- Assistance for improving the effectiveness of law enforcement capacity
- Assistance in the implementation of the training program for NAPO personnel
- Assistance in training magistrates and police officers involved in anti-corruption cases
- Assistance in assessing the working practice of NAPO
- Assistance in designing an independent monitoring programme to assess the progress in the fight against corruption
- Assistance in the implementation of the findings of the Working Group on Enhanced Effectiveness of Anti-Corruption Structures, set up as under the result 3
- Assistance in further implementing the operational strategy for the IT network of NAPO
- Assistance in defining the main messages of a public awareness campaign

Tasks of the PAA

- Assist in assessing the causes, nature, scale and costs/impact of corruption
- Assist in assessing and improving the legal framework for further alignment to EU legislation
- Assist in assessing and improving the institutional framework
- Assist in improving the effectiveness of law enforcement capacity
- Assist in the implementation of the training program for NAPO personnel and other magistrates involved in corruption cases
- Assist in assessing the working practices of NAPO
- Assistance in designing of an independent monitoring programme to assess the progress in the fight against corruption
- Assistance in the implementation of the findings of the Working Group on Enhanced Effectiveness of Anti-Corruption Structures set up as under the result 3
- Assist in the implementation of the strategy for the IT network of NAPO and defining the technical specifications of the supply contract for NAPO
- Assistance in defining the main messages of a public awareness campaign
- Provide daily advisory services to the NAPO staff
- Co-ordinate the activities of the other short-term experts assigned to the project

**Profile of the PAA**
- Having at least 10 years experience within an anti-corruption agency
- Having in-depth knowledge of practical experience with management of an anti-corruption agency
- Capable of assessing training needs for NAPO personnel and for personnel in other Romanian institutions involved in fighting against corruption
- Able to quickly adapt to the local environment and understand the constraints and opportunities of it
- Having adequate computer skills
- Fluency in English and/or French would be an advantage

**Duration of the assignment for the PAA**
The PAA is supposed to be seconded to NAPO for a period of 24 man/month

**Subproject 6**
**Technical assistance**

**Medium/short term expertise will be required for:**
- Assisting the Steering Group on Public Awareness of Anti-Corruption in designing the strategy for a public awareness campaign, by identifying the main messages, target, activities, channels of information within an Action Plan
- Proposing the format of the advertising materials (brochures, billboards, video/audio spots etc)
- Assistance in identifying the most appropriate PR strategy (local meetings with citizens and NGO-s, seminars, informative reunions, questionnaires, etc)
- Assistance in implementing the first phase of the Action Plan for a public awareness campaign

**Profile of the medium term expert**
- Having at least 10 years experience within advertising campaign
- Experience with governmental projects
- Extensive experience in PR
- Able to quickly adapt to the local environment and understand the constraints and opportunities of it
- Having adequate computer skills
- Fluency in English and/or French would be an advantage

**Subproject 7:**
**IT supply contract**
3.4 Linked Activities:

1. Through Phare Project 9910.05, the central structure of NAPO, together with the other beneficiaries of the project (Ministry of Justice, Ministry of Interior, Custom Administration and Prime minister’s Control Body) were provided with IT equipment (hardware communication, LAN cabling system) and a software application for primary pursuit of NAPO’s cases and databases interrogation. Also, through the Twinning Covenant with Spain, the legislative and institutional framework in the field has been evaluated by EU specialists, who also offered assistance in amending the incident national legislation. The Twinning Covenant constituted the basis for organization of training seminars and conferences for the personnel of the institutions involved in the fight against corruption and organized crime (NAPO, MI, CGD, judges). The EU IT specialists have recommended in many reports the need for the continuity of EU assistance with the purpose of completing the IT infrastructure of NAPO. The IT specialists of the Spanish twinning partner have supported the investment contract of Phare 2003 project considering the necessity of having a secure communication system between the central structure and the territorial services.

2. Project No. RO – 0106-06.03 Twinning light code: RO01/IB/JH 04 TL aiming to strengthen the capacity of the National Anti-corruption Prosecutor’s Office (NAPO) and creating the basis for further improvement of the courts system in Romania. The IT Spanish experts and the NAPO IT specialists have worked together under this project at the technical specifications for the IT investment for the Phare 2003 project.

3. Phare Project 2003/005.551.041, has a twinning component and an investment one. The project will provide a developed IT infrastructure integrating both the central structure of the National Anticorruption Prosecutor’s Office and the territorial services. The modification of the Standard Fiche for the Phare 2003 project will be asked with the purpose that NAPO can beneficiate for further assistance from the EU IT experts, in the 2003 twinning Covenant, in defining technical specifications for the investment component under the 2004 project.

See also an annex of existing equipments and that to be purchased under the 2003 investment project (see annex 4)

Phare Project 9910.05 twinning component included several seminars and conferences about the role of mass media, the role of Public prosecutor etc

4. The year 2003 established the starting of the Anticorruption Initiative Programme of the Stability Pact administrated by ABA CEELI regarding the strengthening of the judicial system institutional capacity for fighting against corruption. The Programme has as objective professional training for magistrates, with two components: professional deontology and anticorruption. Until now seminars have been organized within the jurisdiction of three Courts of Appeal:

- On **October 23, 2003**, at the Court of Appeal in Oradea, two seminars were held, attended by 79 judges;
- On **November 28, 2003**, one seminar took place at the Court of Appeal in Pitesti, attended by 25 judges;

- On **January 28 – 30, 2004**, at the Court of Appeal in Cluj, 3 seminars were held attended by 50 judges

The topics addressed concerned the following:
- Implementing the magistrate’s deontological code: theoretical and practical aspects;
- Fighting corruption – priority of the reform programme.

The result achieved was the elaboration of the Trainer’s Manual – Ethical and Professional Deontology Aspects.

5. Project developed in partnership Ministry of Justice-LADO : Objective “Strengthening the anti-corruption partnership with the civil society, in close co-operation with NGOs”

6. – MoJ ongoing Project on associating media, as well as the non-governmental organisations at a co-ordinated campaign of sensitizing;

**The partnership with the business environment**

On 21 April 2004, it took place the first meeting NAPO (National Anti-Corruption Prosecutor Office) – MoJ (Ministry of Justice) – OECD – Business Community (represented by the Association for Economic Development of Romania, the Strategic Alliance of the businessmen, the Pilot Centre of Transparency ANEIR, the Association of the Romanian Businessmen, International Centre of Entrepreneurial Studies, Advocacy Academy, the Commerce and Industry Chamber, the Foreign Investors Counsel, the Association of the Romanian stakeholders, SME National Council, General Union of the Romanian Entrepreneurs and the National Union of the Romanian Employers Union) for the identification of the role and private sector contribution in preventing and countering corruption, also the interaction between public and private sector.

**The International Anticorruption Donors Conference**

Some concrete results of the NC CP (National Committee for Crime Prevention) activity, following the International Conference of Donors Anticorruption concerned:

- Reconsidering the role of the NC CP to consolidate this structure’s ability to effectively monitor and coordinate the national and sector strategies for corruption prevention. In this sense, it was drafted prepared a normative act promoted by the Ministry of Justice which aims to reform the institution; this is currently submitted to the Government for approval.

- The collaboration between Romania and OECD in the field of countering corruption began with the signing of the Memorandum of Understanding concerning the pilot project to fight corruption and setting up, in Bucharest, of an OECD Information and Documentation Centre, continued by the participation of the programme coordinator in the works of the Conference.
7. **Assessment of the judicial system’s integrity and resistance to corruption**

In order to achieve the objectives included within the National Anticorruption Strategy, the MoJ, upon observations and proposals of the appeal courts, the SCM, of the NIC and of the NGOs finalised during October 2003 the assessment methodology regarding the questionnaires on judicial system’s integrity and resistance to corruption.

The questionnaires were filled in by 3403 judges. The results of the survey were evaluated (see Annex X.17) and they have been published in early May 2004 and can be consulted in English version too on MoJ WEB site www.just.ro. Results were evaluated together by the Ministry of Justice, the National Institute of Criminology and the Pro-Democratia Association.

The questionnaires interpretation assessed integrity, correctness and resistance to corruption of the judicial system, identified solutions, resources and concrete measures to prevent corruption, as well as shaped an inside objective image, build on the daily professional experience of the magistracy and the auxiliary personnel on the integrity of the justice system.

A similar survey was applied also to public prosecutors which is currently on going. They will be extended to courts and prosecutors’ offices clerks, public notaries, lawyers, MoJ staff, and bailiffs.

3.5 Lessons learned:

Based on previous experience from Phare 1999 ACOS, the IT investment should be approached globally, in line with the new legislative and institutional changes for NAPO. Also, a specialized expertise could complement the limited IT human resources and could better identify the IT needs and design technical specifications.

Until the beginning of the project, NAPO will accumulate enough foreign expertise through previous twinning projects and experience in investigating complex corruption cases. Specialized investment in IT would come at the moment when previous investigative experience revealed specific needs of technology.

Also NAPO has set up an IT Department, leaded by an IT specialist, able to administer and maintain the new system.

In analyzing the questionnaires of integrity, the Ministry of Justice had a very strong collaboration with civil society. Volunteers from NGO-s participated to the processing and centralization of all questionnaires.

Also, the MoJ had developed projects in partnership with some Romanian NGO-s having already a partnership with several NGO/s. Such partnership need to continue on a regular basis in order to achieve the successful implementation of the project.
4. Institutional Framework

Direct beneficiaries: MoJ, judicial system, NAPO, civil society.
A steering committee will be composed of representatives from all institutions involved in the project.

SPO.
Mrs. Simona Maya TEODOROIU, secretary of state
Tel: + 40 21 3100720
Fax: + 40 21 3103078
E-mail steodor@just.ro

NAPO will designate the Romanian Project leader and will sign the twinning covenant and the supply contract no

5. Detailed Budget

Strictly follow the following format.

<table>
<thead>
<tr>
<th>Year 1/Phase 1</th>
<th>EU Support</th>
<th>Total EU (=I+IB)</th>
<th>National Co-financing*</th>
<th>IFI*</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment</td>
<td>Building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract 1</td>
<td>1,6</td>
<td>1,6</td>
<td>0,1**</td>
<td></td>
<td>1,7</td>
</tr>
<tr>
<td>Twinning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract 2</td>
<td>1,3</td>
<td>1,3</td>
<td>0,4</td>
<td></td>
<td>1,7</td>
</tr>
<tr>
<td>Supply for NAPO</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>split as follows:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot 1 CDMS</td>
<td>0,2</td>
<td>0,2</td>
<td>0,05</td>
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</tr>
<tr>
<td>Lot 2</td>
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<td>0,4</td>
<td>0,1</td>
<td></td>
<td>0,5</td>
</tr>
<tr>
<td>Non-investigative</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>document managemen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>t system</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot 3</td>
<td>0,5</td>
<td>0,5</td>
<td>0,2</td>
<td></td>
<td>0,7</td>
</tr>
<tr>
<td>Hardware</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot 4</td>
<td>0,1</td>
<td>0,1</td>
<td>0,05</td>
<td></td>
<td>0,15</td>
</tr>
<tr>
<td>supply of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>software for processing data and intelligence analysis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Lot 5 Laboratory</td>
<td>0,1</td>
<td>0,1</td>
<td>0,05</td>
<td>0,15</td>
<td></td>
</tr>
<tr>
<td>Contract 3 TA public awareness campaign</td>
<td>1,6</td>
<td>1,6</td>
<td>0,2**</td>
<td>1,8</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,3</td>
<td>3,2</td>
<td>4,5</td>
<td>0,7</td>
<td></td>
</tr>
</tbody>
</table>

*In cases of co-financing only*

Note: expenditure on equipment should be put under Investment

6. Implementation Arrangements

6.1 Implementing Agency

- For the whole project the Implementing Agency will be Central Finance and Contracts Unit (CFCU) which will be responsible for tendering, contracting, administration, accounting, payments and financial reporting.
- Contact detail: PAO- Mrs. Jeana Buzduga, director, CFCU,
- The Implementing Authority (IA) is defined as follows:

The **Implementing Authority (IA) is MoJ**

The beneficiaries directly involved in the project will be the NAPO and its territorial structures, MoJ and courts, as well as civil society

The PIU from the MoJ and the assigned representatives of the NAPO will be responsible for overall procedural and administrative management of the project. Responsible persons for each component will be appointed from the institutions directly involved in the respective components

6.2 Twinning

**Twinning**

Romanian project leader NAPO.

Contact person: **Anca Jurma – Chef of the International Cooperation Department, NAPO**

Stirbei Voda Street no. 79-81, Bucharest, Romania
Phone: 0040213125104
E-mail ajurma @pna.ro

6.3 Non-standard aspects

**The amounts represent parallel cofinancing.**
PRAG will be strictly followed. A twinning arrangement is expected for 1,6 MEURO for 24 months.

6.4 Contracts

1 twinning 1,6 MEURO
1 TA contract 1,6 MEURO
1 Supply contract 1,3 MEURO

7. Implementation Schedule

7.1 Start of tendering/call for proposals

Twinning
    a. Start of tendering/call for proposals
       1.10.2004
    b. Start of project activity
       1.06.2005
    c. Project completion
       30.09.2006

Supply contract 2
TOR will be refined by twinning 2003

<table>
<thead>
<tr>
<th>ToR ready</th>
<th>November 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tender</td>
<td>January 2006</td>
</tr>
<tr>
<td>Contract signature</td>
<td>February 2006</td>
</tr>
<tr>
<td>Contract completion</td>
<td>30 October 2006</td>
</tr>
</tbody>
</table>

Technical assistance CONTRACT 3

<table>
<thead>
<tr>
<th>Recommendation under the twinning for the main messages of the public awareness campaign ready will serve for designing the technical specifications for TA contract</th>
<th>December 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tender of TA contract</td>
<td>April 2006</td>
</tr>
</tbody>
</table>
### 7.2 Start of project activity

Expected date of commencement of first contract

### 7.3 Project completion

Expected date of last payment under last contract: 30 November 2007

### 8. Equal Opportunity

NA

### 9. Environment

NA

### 10. Rates of return

NA

### 11. Investment criteria (applicable to all investments)

11.1 Catalytic effect

EU support must catalyse a priority accession-driven action which would otherwise not have taken place or which would have taken place at a later date. Please demonstrate that this is the case for your project.

11.2 Co-financing
All investment projects will receive co-financing from national public funds. The Commission will only finance up to 75% of eligible public expenditure.

11.3 Additionality

NA

11.4 Project readiness and size

The technical specifications will be fine tuned by twinning 2003. Lot 1- CDMS application is already available and will need to be adapted for NAPO and installed.

11.5 Sustainability

The investment will be sustainable in the long term and will enforce the efficiency of NAPO in combating corruption.

11.6 Compliance with state aids provisions

Investments will respect the state aid provisions of the your country's Europe Agreement¹. Please confirm whether or not this is the case.

12. Conditionality and sequencing

Successful implementation of Phare 2003 investment component for NAPO. Needs analyses, technical specifications and cost analysis for additional IT equipment for NAPO defined by Phare 2003.

ANNEXES TO PROJECT FICHE

1. Logframe in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule, by quarter, for full duration of project, including disbursement period (compulsory)

REMEMBER Use cumulative figures.

4. For all projects: reference list of feasibility/pre-feasibility studies, in depth ex ante evaluations or other forms of preparatory work. For all investment projects, the executive summaries of economic and financial appraisals, environmental impact assessments, etc, should be attached (compulsory)

REMEMBER What you state here should be compatible with section 11.4 above.

5. Reference list of relevant laws and regulations (compulsory)

¹ Europe Agreements can be accessed via http://europa.eu.int/comm/enlargement/pas/europe_agr.htm
REMEMBER If there is nothing relevant for your project, you must state this explicitly.

6. Reference list of relevant strategic plans and studies (may include institution sector strategies, development plans, business development plans, etc) (compulsory)

REMEMBER If there is nothing relevant for your project, you must state this explicitly
# Annex 1

## Logframe

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR Project Fiche</th>
<th>Program name and number</th>
<th>Improving the fight against corruption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting period expires</td>
<td>Disbursement period expires</td>
<td></td>
</tr>
<tr>
<td>30.10.2006</td>
<td>30.10.2007</td>
<td></td>
</tr>
<tr>
<td>Total budget: 5.2</td>
<td>Phare budget 4.5</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening the fight against corruption — both on the repressive and preventive sides</td>
<td>Statistics</td>
<td>Regular Report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>International surveys</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) To obtain an accurate and objective picture of corruption in Romania, to assess the state’s anti-corruption</td>
<td>International and national survey Statistics Regular report</td>
<td>Statistics</td>
<td>Regular Report International surveys</td>
</tr>
</tbody>
</table>
measures, and to propose an enhanced policy response.

2) To improve the legal framework so that there is greater effectiveness in investigating, prosecuting and convicting corruption cases.

3) To improve the co-operation between all relevant law enforcement agencies and actors in the justice system with a role in the fight against corruption so that there is greater effectiveness in investigating, prosecuting and convicting corruption cases.
4) To enhance the operational effectiveness of the National Anti-corruption Prosecutor’s Office (PNA), the lead agency in the investigation of high-level corruption affecting Romania.

5) To increase the public awareness of the threat that Romanian society faces from all forms of corruption and educate them as to the negative consequences for democracy and socio-economic development while informing them of their individual legal and moral responsibility to
fight against corruption as well as the practical possibilities for doing this.

<table>
<thead>
<tr>
<th>Results</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result 1 To obtain an accurate and objective strategic assessment of the causes, nature, scale and impact of all forms of corruption in Romania.</td>
<td>Study delivered</td>
<td>Project reports Evaluation reports Training results / assessments Equipment and software in place Informative materials</td>
<td>•</td>
</tr>
<tr>
<td>Result 2 Produce a series of proposals for improvement of the Romanian legal framework aimed at achieving greater effectiveness in investigating, prosecuting and convicting corruption cases and present them to the Government.</td>
<td>Legislation improved Institutions’ competences better defined</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Result 3** Produce a series of proposals for changes to the competencies of the agencies in the fight against corruption as well as improving the inter-agency cooperation to achieve greater effectiveness in investigating, prosecuting, and convicting corruption cases of this anti-corruption network as a whole. The proposals should be presented to the government.

**Result 4** To enhance the operational effectiveness of the National Anti-corruption Prosecutor’s Office (PNA), the lead agency in the investigation of high-level corruption:

- Training Program drawn up
- Prosecutors’ skills improved
- 150 persons trained
- 2 seminars for 35 persons organized
affecting Romania

**Result 5:** To increase the public awareness of the threat that Romanian society faces from all forms of corruption and educate them as to the negative consequences for democracy and socio-economic development while informing them of their individual legal and moral responsibility to fight against corruption as well as the practical possibilities for doing this.

**Result 6:** A formed Steering Group on Public Awareness of Anti-Corruption should agree on the most effective means of communicating the main messages to be contained in the public awareness campaign on anti-corruption as agreed by the steering group.

Supply Contract concluded
Software applications in place
Equipment in place

150 persons trained
committee and based on the consultation of all relevant stakeholders. It should also offer assistance for the first phase of the public awareness campaign implementation.

**Result 7** To establish a system in the PNA for the collection, storage, retrieval, analysis and dissemination of data and intelligence with regard to the investigation and prosecution of corruption offences as well as with regard to mutual assistance in cases of corruption.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity 1 - Produce a detailed assessment on Twinning covenant</td>
<td>Project reports Evaluation reports Training results / assessments</td>
<td>•</td>
</tr>
</tbody>
</table>
the nature and scale of petty corruption and high-level corruption in Romania in a report for public dissemination.

Activity 2 – Create a Working Group on Enhanced Anti-Corruption Legislation chaired by the Pre-Accession Advisor involving legal experts and anti-corruption practitioners from all of the relevant Government agencies.

Activity 3 – Create a Working Group on Enhanced Effectiveness of Anti-Corruption Structures chaired by the Pre-Accession Advisor involving anti-corruption practitioners and legal experts from all of the relevant Government agencies.

Activity 4 – Using the strategic assessment

Equipment and software in place Informative materials
produced under Subproject One as a starting point, and taking due attention of the results obtained under Priorities Two and Three, propose a training programme to meet the needs of all PNA’s investigative staff so that their capacity to fulfil their responsibilities for the investigation of high-level corruption is enhanced.

Activity 5 – Making proposals in order to improve the NAPO’s working practices so that the effectiveness in successfully investigating the most serious cases of high-level corruption is improved.

Activity 6 – Creating a NAPO working methodology, which will lead to identifying and carrying out of the
investigations with priority in the high level corruption cases

**Activity 7** - Special training course dealing with the issues of investigation and prosecution of corruption and, in particular, with the issues of definition of corruption offences, methods of their detection and models of their counteraction.

**Activity 8** - Using the strategic assessment produced under Subproject One as a starting point, conduct a consultation of all the relevant stakeholders in the fight against corruption (including at least representative of the government, law enforcement agencies, the justice system, private sector, foreign investors [including Twinning Covenant]...
international financial institutions], academia, journalists, non-governmental organisations and civil society) and on the basis of this input form a Steering Group on Public Awareness of Corruption to agree on the main messages to be contained in the public awareness campaign on anti-corruption.

*Activity 9* - Elaboration of the technical specifications of the public awareness campaign and an Action Plan for the public awareness campaign.

*Activity 10* – On the basis of consultancy services offered by advertising and PR experts, implementing the first phase of the public awareness campaign.
campaign, foreseen by the Action Plan (visual identity messages, informative materials, advertising materials, local meetings with citizens and NGO-s, seminars, informative reunions, questionnaires, etc)

**Activity 11** - Improving and implementing existing CDMS application and auxiliary software licenses to NAPO headquarters and its territorial services

**Activity 12** - Training sessions for 100 final users and 4 IT administrators of CDMS

**Activity 13** - Designing and implementing internal document management system and auxiliary software licenses

A supply contract both for IT hardware, software, licenses and relevant training will be drawn up by the Director of the IT Directorate to be created in the PNA. The Director will have first-hand experience of IT issues and the Directorate will consist of a team of permanent, full-time, in-house IT experts.
Activity 14  Training sessions for 100 final users and 4 IT administrators of the *internal* document management system

Activity 15  Procuring hardware and auxiliary software for both software systems

Activity 16  - Procuring licenses for software applications designed for intelligence analysis on high level corruption to NAPO - 20 licenses

Activity 17  - Training sessions for 50 persons on using the intelligence analysis software

Activity 18  - Procuring equipment and tools for the forensic laboratory

Activity 19  - Training sessions for 3 specialist
<table>
<thead>
<tr>
<th>using the laboratory</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Preconditions</strong></td>
<td></td>
</tr>
<tr>
<td>Correlation with 2003 twinning</td>
<td></td>
</tr>
</tbody>
</table>
### Annex 2

**DETAILED TIME IMPLEMENTATION CHART FOR PROJECT NUMBER RO-01XX-XX**

(PROJECT TITLE)

<table>
<thead>
<tr>
<th>Activities</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract 1 TWINNING</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract 2 SUPPLY</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Contract 3 TA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D = Design  
C = Contracting  
I = Implementation

*Due to the twinning duration of 24 months, the implementation of the twinning contract will end in May 2007*
Annex 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (MEURO ......)

DATE:

<table>
<thead>
<tr>
<th></th>
<th>31/03/04</th>
<th>30/06/04</th>
<th>30/09/04</th>
<th>31/12/04</th>
<th>31/03/05</th>
<th>30/06/05</th>
<th>30/09/05</th>
<th>31/12/05</th>
<th>31/03/06</th>
<th>30/06/06</th>
<th>30/09/06</th>
<th>31/12/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTED</td>
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<td></td>
<td></td>
<td></td>
<td>1,4</td>
<td>0,6</td>
<td>0,6</td>
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<td>1,3</td>
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<tr>
<td>DISBURSEMENT</td>
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<td>0,8</td>
<td>1</td>
<td></td>
<td>0,8</td>
<td>2,5</td>
<td></td>
</tr>
</tbody>
</table>

NB: 1. All contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of the FM.

2. All disbursements **must** be completed within 36 months of signature of the FM.

3. Due to the twinning duration of 24 months, the disbursement period might be prolonged over 36 months
ANNEX 4

Reference list of feasibility/pre-feasibility studies, in depth ex ante evaluations or other forms of preparatory work

a) As a result of the Phare Project Ro 9910.05 the National Anticorruption Prosecutor’s Office is the beneficiary of an IT platform which allows both the primary pursuit of the cases NAPO is dealing with and the interrogation of the databases of some institutions involved in the fight against corruption.

HARDWARE EQUIPMENTS AND SOFTWARE PROCURED UNDER THE PHARE 1999 PROJECT

<table>
<thead>
<tr>
<th>Equipment description</th>
<th>Qty.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ansamblu Server type I (storage sol B):</strong></td>
<td></td>
</tr>
<tr>
<td>1. Compaq ML370 G2</td>
<td>2</td>
</tr>
<tr>
<td>2. MS Windows 2000 Advanced Server 10 Users (2 licences)</td>
<td>1</td>
</tr>
<tr>
<td>3. Storage Solution B: Compaq StorageWorks 4100 FC</td>
<td>1</td>
</tr>
<tr>
<td>4. UPS: Compaq UPS R3000 XR</td>
<td>1</td>
</tr>
<tr>
<td>5. Switches Type I: Cisco Catalyst Switch 2950-12 &amp; SMC Hub 3608T-EZ</td>
<td>1</td>
</tr>
<tr>
<td>6. Rack: Compaq 9142 Rack</td>
<td>1</td>
</tr>
<tr>
<td><strong>Ansamblu Server type II (without storage device)</strong></td>
<td></td>
</tr>
<tr>
<td>1. Compaq ML370 G2</td>
<td>4</td>
</tr>
<tr>
<td>2. MS WINDOWS 2000 ADVANCED SERVER 10 USERS (2 LICENCES)</td>
<td>2</td>
</tr>
<tr>
<td>3. UPS: Compaq UPS R3000 XR</td>
<td>2</td>
</tr>
<tr>
<td>4. Switches Type I: Cisco Catalyst Switch 2950-12 &amp; SMC Hub 3608T-EZ</td>
<td>2</td>
</tr>
<tr>
<td>5. Rack: Compaq 9142 Rack</td>
<td>2</td>
</tr>
<tr>
<td><strong>Workstation: Compaq EVO</strong></td>
<td>90</td>
</tr>
<tr>
<td>Compaq EVO Desktop , Win 2000, patchcord UTP</td>
<td></td>
</tr>
<tr>
<td>Star Office</td>
<td>90</td>
</tr>
<tr>
<td>UPS: APC Smart UPS 700 VA</td>
<td>90</td>
</tr>
<tr>
<td><strong>Printer Type I:</strong> Tektronix Phaser 5400N</td>
<td>1</td>
</tr>
<tr>
<td><strong>Printer Type II:</strong> Xerox DocuPrint P1210</td>
<td>15</td>
</tr>
<tr>
<td><strong>Scanner</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Portable PCs with Windows 2000 and Star Office</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Router type I:</strong> Cisco 2621</td>
<td>4</td>
</tr>
<tr>
<td><strong>Modem Type I:</strong> U.S. Robotics ISDN External Pro TA</td>
<td>8</td>
</tr>
<tr>
<td><strong>Modem Type II:</strong> HDSL Termination UNIT FOR E1</td>
<td>2</td>
</tr>
<tr>
<td><strong>Switch Type II:</strong> Cisco Catalyst Switch 2950-24 &amp; SMC Hub &amp; SMC Switch 3608T-EX</td>
<td>5</td>
</tr>
</tbody>
</table>
### Database server software:
- Oracle Database Enterprise Edition
- Packing for Oracle 9i Application server ver 1.0.2.2.2a (9 CD)
- Packing for Internet Developer Suite v1.0.2.4.1 (13 CD)
- Packing for Oracle 9i Database release 1 - 9.0.1 (21 CD)

### Application Solution: Integrated Information System

### Firewall software: VPN-1 Gateway from CheckPoint

### McAfee Total virus Defence suite-manuale, CD-uri

### Checkpoint VPN-1 module-licenta original, CD

### Authentication software: ActivCard Gold - Authentication Server
- USB reader - 100 buc
- smart card - 100 buc
- Activ Card gold CD - 1 buc
- licence agreement - 1 buc

### Certification Authority Software: Entrust Authority Security Manager
- Entrust Web connector CD +licenta original
- Entrust PKI Infrastructure-manuale, licente, CD-uri
- Netscape Directory Server manuale, CD-uri
- Internet security system (Real Secure) manuale, CD-uri, disketa

### Spare parts
- Compaq ML370 RPS EURO
- Compaq 256MB Reg 133 2x128MB ALL
- Compaq 36.4 GB Pluggable Ultra3 10K Universal - Hard Drive (1"
- Compaq Matrox G450 PCI ALL
- Compaq 72G 10K U3 UNI ALL
- Compaq ML370-G2 System Board
- Compaq Evo D300 CD-ROM 48x Carbon
- Compaq Evo D300 Diskette Drive 3.5" Carbon
- **Compaq D3D/P1.6/20j/2/128c/6 EUROA4**

1. - Compaq D3D/P1.6/20j/2/128c/6
2. - Compaq V720 17" TCO 99 Opal EURO
3. - Compaq Mouse (3 button)
- 30 GB UATA/100 IBM HDD laptop
- UPS APC Smart UPS 700VA (1 pcs.)
- Modem Type I U.S. Robotics ISDN External Pro TA
- Modem Type II RAD HDSL Termination Unit For E1

Through the same project, other institutions with competencies in the fight against corruption were provided with hardware equipment in order to support the creation of an inter-institutional network able to facilitate the circulation of the relevant data needed by NAPO’s investigations. Those institutions are: the Ministry of Interior, the Ministry of Justice, the Ministry of Finances (through the General Customs Directorate) and the Prime Minister Department of Inspection and Investigation. Along with the equipment, the
provider offered the beneficiaries training courses for end users, system administrators and trainers.

See also list of HARDWARE EQUIPMENTS PROCURED BY NAPO UNTIL THE PRESENT THROUGH NATIONAL EFFORT

<table>
<thead>
<tr>
<th>Equipment description</th>
<th>Qty.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workstations</td>
<td>62</td>
</tr>
<tr>
<td>Laptops</td>
<td>9</td>
</tr>
<tr>
<td>Printers</td>
<td>87</td>
</tr>
</tbody>
</table>

b) INDICATIVE LISTING OF EXISTING NAPO’s EQUIPMENTS AND THAT TO BE PURCHASED UNDER THE 2003 INVESTMENT PROJECT -subject to redefined by Twinning

2003 project

HARDWARE EQUIPMENTS AND SOFTWARE WHICH WILL BE PROCURED UNDER THE PHARE 2003 PROJECT

<table>
<thead>
<tr>
<th>Equipment description</th>
<th>Qty.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Switches (24 10/100 ports and two fixed 10/100/1000BASE-T uplink ports)</td>
<td>15</td>
</tr>
<tr>
<td>Workstations</td>
<td>130</td>
</tr>
<tr>
<td>Laptops</td>
<td>20</td>
</tr>
<tr>
<td>Printers</td>
<td>50</td>
</tr>
<tr>
<td>Servers machine</td>
<td>7</td>
</tr>
<tr>
<td>Switches (12 ports 10/100 Mbps)</td>
<td>20</td>
</tr>
<tr>
<td>Tape streamer</td>
<td>1</td>
</tr>
<tr>
<td>CD-RW SCSI</td>
<td>1</td>
</tr>
<tr>
<td>DVD-RW</td>
<td>2</td>
</tr>
<tr>
<td>Firewall type 2 for HQ (hardware)</td>
<td>1</td>
</tr>
<tr>
<td>VPN Appliance</td>
<td>20</td>
</tr>
<tr>
<td>Appliance machine for firewall type 1</td>
<td>2</td>
</tr>
<tr>
<td>Firewall Type 1 (software - 400 users):</td>
<td>1</td>
</tr>
<tr>
<td>- acquisition of 1 Firewall type 1 for HQ</td>
<td></td>
</tr>
<tr>
<td>- upgrade for existing Firewall type 1 for HQ from 100 users to 400 users</td>
<td></td>
</tr>
<tr>
<td>- Smart Reporter, QoS, High Availability</td>
<td></td>
</tr>
<tr>
<td>Microsoft Exchange Server</td>
<td>1</td>
</tr>
<tr>
<td>Microsoft Exchange Server CALs</td>
<td>300</td>
</tr>
<tr>
<td>Windows Server CALs</td>
<td>300</td>
</tr>
<tr>
<td>IDS system – network sensor and network sensor management</td>
<td>3</td>
</tr>
<tr>
<td>Antivirus software – licenses for 300 users (Desktop protection, Internet Gateway Protection, Groupware Server Protection, File Server Protection)</td>
<td>1</td>
</tr>
<tr>
<td>UFP Server – web and e-mail filtering for 300 users</td>
<td>1</td>
</tr>
</tbody>
</table>
d) Detailed technical specifications for the forensic laboratory endowment

A. Hardware:
- 4 computers with extended configuration in order to permit the interference with different types of external memory support;
- 2 laptops with high internal memory support;
- 1 digital camera for retrieving static and dynamic images concerning unique identification of technical supports;
- high speed and capacity, external and internal hard-disks for storing logical and physical copies of digital evidences;
- mobile technical set in order to execute logical and physical copies faster;
- video projector and screen;
- 1 scanner with high resolution;
- A3 color printer;

B. Software products and tools for:
- detecting signs of intrusion;
- physical and logical copies;
- decrypting files;
- retrieving different kind of digital evidences;
- password recovery;
- disassembling tools;
- analyzing the WEB traffic for networks;
- professional boot manager;
- inspecting hard-disk’s unallocated zone;
- security audit;
- recovery of deleted files.

C) EXPLANATORY NOTE FOR THE PROPOSED DOCUMENT AMNAGEMENT SYSTEM

1. Through Phare 97 Programme a complex case and document management system (CDMS application) was created in order to register cases (judiciary’s files) electronically, to keep the evidence of the stage of a case, to communicate statistics and subpoena for all levels of courts or prosecutor’s offices. The CDMS, accomplished a precise and effective evidence of the criminal cases according to the legal provisions.

Thus, being part of the Romanian judicial system, NAPO needs to implement CDMS, and develop this application to its specific needs: adjusting of main fields, increasing the security module etc.
Implementing and improving the existing CDMS system at NAPO, according to the current needs and particularities will help improve the existing case management system, which suffers from a lack of efficient and uniformly established procedures. In the current application neither case processing nor document keeping were take into account.

Automation will improve the following operations of the existing CDMS:

- word processing for preparation of judicial opinions;
- case processing for case indexing, location of files, and preparation of forms;
- case management for maintaining the work flow through the institution, and statistical data collection and analysis;
- judicial research for collection and accessing judicial opinions and laws;

2. In order to be efficient NAPO has to equally improve the preliminary investigation phase, as well as its administrative activity by speeding the internal circuit of documents which are not related to the investigative files. Development of an internal document management system will include the following:

   a. Essential functionality for the organization, maintenance and storage of files and documents (including electronic archiving, digital signature, roles based security, document import utilities, document usage logs etc.)
   b. search & retrieval tools in order to ensure fast and accurate document library searching (including full text searching, metadata searching, search security)
   c. workflow & collaboration tools in order to co-ordinate task efforts for document creation, revision or processing (including simple document approval workflow, real-time reporting etc.)
   d. administer & support module in order to ensure easy to set-up and ongoing system maintenance and support (including fast user account creation, roles-driven user security, integrated help system, web-based training etc.).

Since the current tasks are more and more complex and they impose collaborations among different compartments, the automation of the workflow, by processing the documents through a workflow application, would contribute to accomplishing all the necessary functions to the following, the finding, distribution and storage of the documents within the institution.

This means: capturing the document on paper (by scanning) and the electronic documents, storing them in order to be find anytime, as well as the automation of the work processes by tracking the documents flow.

The application of *internal integrated document management* solves the problem of acquiring, storing, finding and automation of the documents flow by creating extremely safe archives which could be accessed from anywhere and at any time, both in a local network and through the Intranet by those who have the access right.
The prompt reaction to the different requests, a tight cooperation among all departments of the institution, the careful management of the information exchange both inside and outside of the institution, the fast and safe access to this information are some of the advantages represented by the introduction of a system regarding the management of documents.

There are some specific components the document management system should include:

- the electronic storage of documents (indexing, finding and archiving documents);
- documents libraries which would allow the conversion of the documents into structured, “intelligent” formats or into formats used for Internet publishing
- document and record management, task management and control, workflow, information retrieval, reports, security, electronic archive, digital signature, administration and maintenance for managing the users access to electronic resources.

Both systems mentioned above will require endowing NAPO with both software and hardware for CDMS and the additional document management software (e.g. licenses, modular database applications, implementing digital office technology multi-function devices with combined fax, scanning, copying and printing capabilities, conversion systems for the old documents and editing systems).

e) integrity questionnaires report available on www.just.ro
Annex 5

Reference list of relevant laws and regulations

N/A
Annex 6

Reference list of relevant strategic plans and studies

N/A