

# CORRUPTION AND ANTICORRUPTION MEASURES IN ROMANIA

IULIANA PRECUPEȚU

*D*iferite studii situează România în categoria țărilor caracterizate de un nivel înalt al corupției. Articolul descrie poziția acestei țări în comparație cu alte țări din Europa în ceea ce privește diferitele tipuri de corupție, încercând, în același timp, să treacă în revistă câteva explicații ale fenomenului așa cum apar în literatură. În final, sunt menționate măsurile anticorupție, creându-se, astfel, un cadru general al fenomenului de corupție în România.

First years of transition in Romania have been characterised by an escalation of corruption which largely remained unacknowledged at social level, in a time of rapid economic and social deterioration. Only the late 90's brought the problem of corruption on public agenda, as media began to reveal some cases of grand corruption, and in relation to the process of integration in European Union. First important anticorruption efforts started in 1998 and continued as an ample process, beginning with the year 2000.

This paper is looking at the level of corruption in Romania as revealed by various surveys both national and international. Essentially, the article is a descriptive endeavour<sup>1</sup>, trying to place Romania in an international context, while briefly mentioning several accounts of the phenomenon of corruption in this country, according to the literature. The paper also lists the measures put into place lately in Romania, making up the legislative and institutional framework designed in order to fight corruption.

## LEVEL OF CORRUPTION IN A COMPARATIVE PERSPECTIVE

According to CPI 2006 ranking<sup>2</sup>, Romania is placed the 84th in the hierarchy of 163 countries, with a score of 3.1<sup>3</sup>. The CPI varies between 9.6 in Island,

---

<sup>1</sup> The paper was written as an introductory section of the research report: Iuliana Precupețu, *Perceptions towards corruption in Romania on the basis of a content analysis of documents from six target groups, Project Crime and Culture, Sixth Framework Programme of European Union*, Bucharest, 2006.

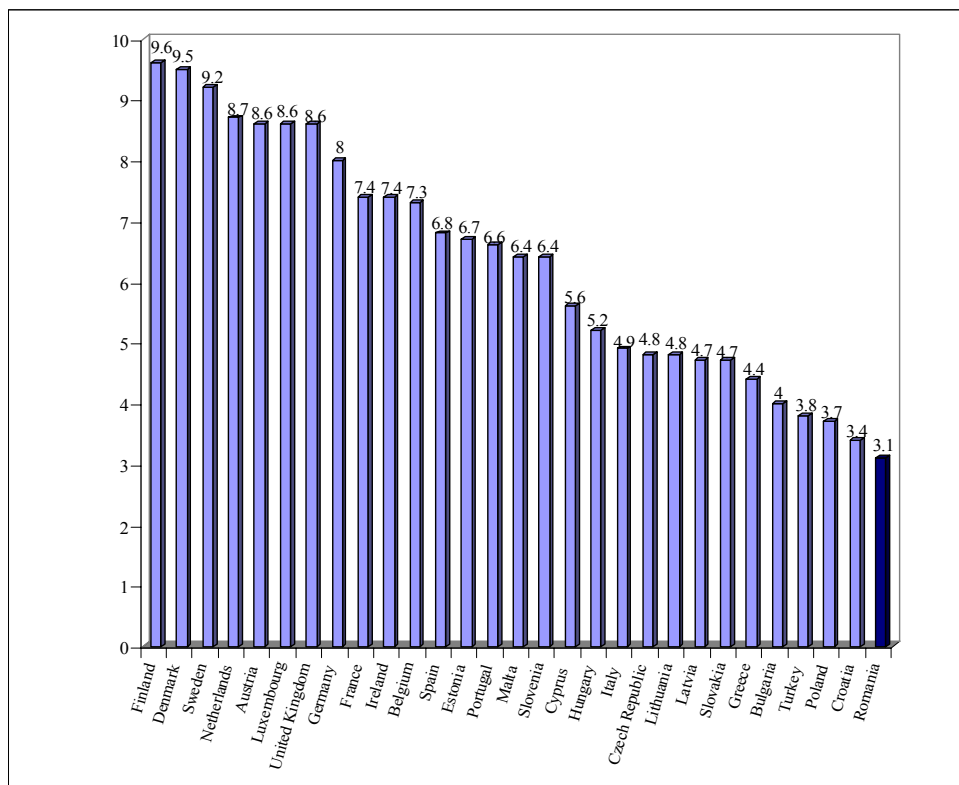
<sup>2</sup> <http://transparency.org/policy-research/surveys-indices/cpi/2006>.

<sup>3</sup> No. of surveys 8, confidence range 3.0 – 3.2.

Finland and New Zealand, and 1.8 in Haiti, while Romania is placed together with countries like Algeria and Madagascar. The score based on perceptions of country experts and analysts indicates a very high level of corruption for this country. In comparison to EU countries and those who are expected to join EU (Bulgaria, Turkey, and Croatia, are expected to become members at a later stage), Romania ranks the last among these countries. In time, since 1997 (first year of the survey in Romania), a slow continuous deterioration was registered from 3.44 to 2.8 in 2002, and then a slow improvement to the 3.1 level of 2006.

Figure 1

CPI index 2006. Countries members of EU, candidate and expected to join at a later date



Source: Transparency International, 2006.

Freedom House also provides rating for corruption in its annual reports based on experts' opinions, according to which Romania scores 4.25, in 2006 (on a scale from 1 to 7, where one means highest level of progress and 7 the lowest level). While in 1999 the score was also 4.25, in time the situation slightly modified reaching a peak in 2002 (4.75), which meant deterioration, and then slowly improving to 2006 ([www.freedomhouse.org/nit](http://www.freedomhouse.org/nit)). In comparison to new EU

members where the rankings vary between 2 in Slovenia and 4 in Lithuania, Romania scores highest.

Other studies, using different quantitative methodologies to estimate corruption, also place Romania in the category of societies with relatively high levels of corruption. One World Bank report (2000) makes the distinction between state capture and administrative corruption. State capture essentially comprise actions of individuals, groups, or firms, both in the public and private sectors, to influence the formation of laws, regulations, decrees, and other government policies to their own advantage.

Surveying the problem of capture by firms, the EBRD-World Bank Business Environment and Enterprise Performance Survey (BEEPS) study<sup>4</sup> (1999, 2002, 2005) identified a series of forms of extracting rents from the state, like the “sale” of Parliamentary votes and presidential decrees to private interests, the sale of civil and criminal court decisions to private interests, corrupt mishandling of central bank funds and also illegal contributions by private actors to political parties. According to this study, the index of state capture (the share of firms affected by state capture) placed Romania, in 2000, higher than many transition countries in Eastern and Central Europe, like Hungary, Slovenia, Estonia, Lithuania and Czech Republic, but much lower than Croatia, Bulgaria, Latvia and Slovakia (Hellman, Jones and Kaufmann, 2000).

Whereas state capture mainly encompasses advantages of individuals or groups in the legal or regulatory framework, administrative corruption refers to the distortions made in the implementation of existing laws, rules, and regulations with the purpose of private gains for public officials, but also misdirecting public funds for their own or their family’s direct financial benefit. Various bribes paid in order to obtain licenses, to smooth customs procedures, to win public contracts, or to have priority in receiving government services constitute administrative corruption. In the BEEPS survey, firms estimated the share of their revenues that they typically pay annually in unofficial payments to public officials, in order to “get things done.” In regard to this type of corruption measured as bribes as a share of firms’ annual revenues, Romania registered, in 2000, the highest level of corruption among the transition countries in Central and Eastern Europe surveyed (Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia).

In time though, improvement was visible, as in 2005 the same survey showed a noticeable decline in all forms of bribery relating to business, while also the value of bribes as a share of annual firm’s sales decreased under the value registered by the average of European and Central Asian countries (World Bank, 2005).

Looking at people’s perceptions on corruption<sup>5</sup> as showed by various opinion polls, we discover that public perception towards corruption is in line with the

---

<sup>4</sup> This is a survey of private firms.

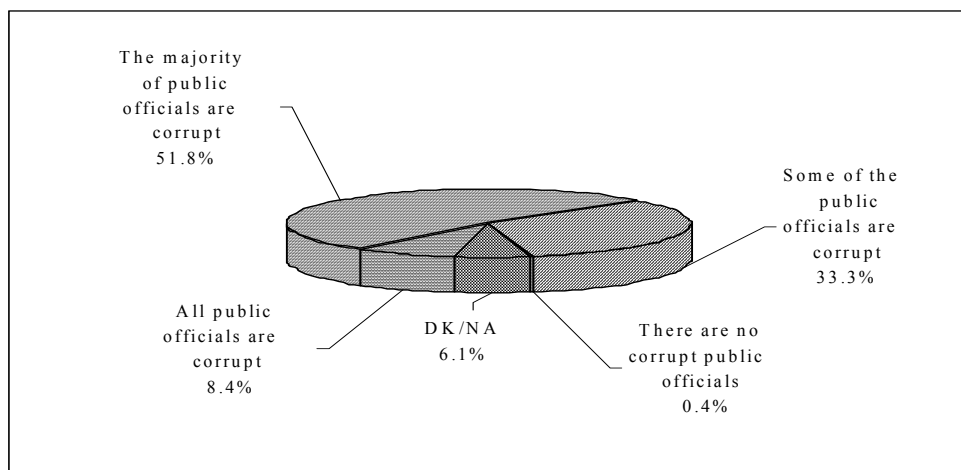
<sup>5</sup> The survey was carried out by CURS SA and the Institute of Sociology at the request of Concept Foundation, in August – September 2004. A representative sample of 1 151 people was interviewed in regard to various aspects of corruption. ICCV elaborated the research report on perceptions towards corruption.

other surveys mentioned so far: it indicates a state of generalised corruption, as a vast majority of people (60.2%) consider that all or the majority of public officials are corrupt (Figure 2). Also, most of the people (52%) define the most common form of corruption, bribe<sup>6</sup>, as a part of everyday life. Only 17% of respondents believed bribe was common but not as serious as others might think, and 16% considered it is not as necessary in order to get by, while 8% rejected it totally as being useless and possibly to be avoided.

In regard to the incidence of this form of corruption in society by taking into consideration the acquaintance with people who have been in the situation of paying bribe, 80% of the subjects of the survey declared they know someone who paid bribe either in the family or in their social circles, in order to solve their problems. However, when asked if they have been offered themselves bribe, respondents declared in proportion of 6% they have been in such situation (Mărginean, (ed.), 2004).

Figure 2

**Perceptions on how spread corruption is among the public officials**



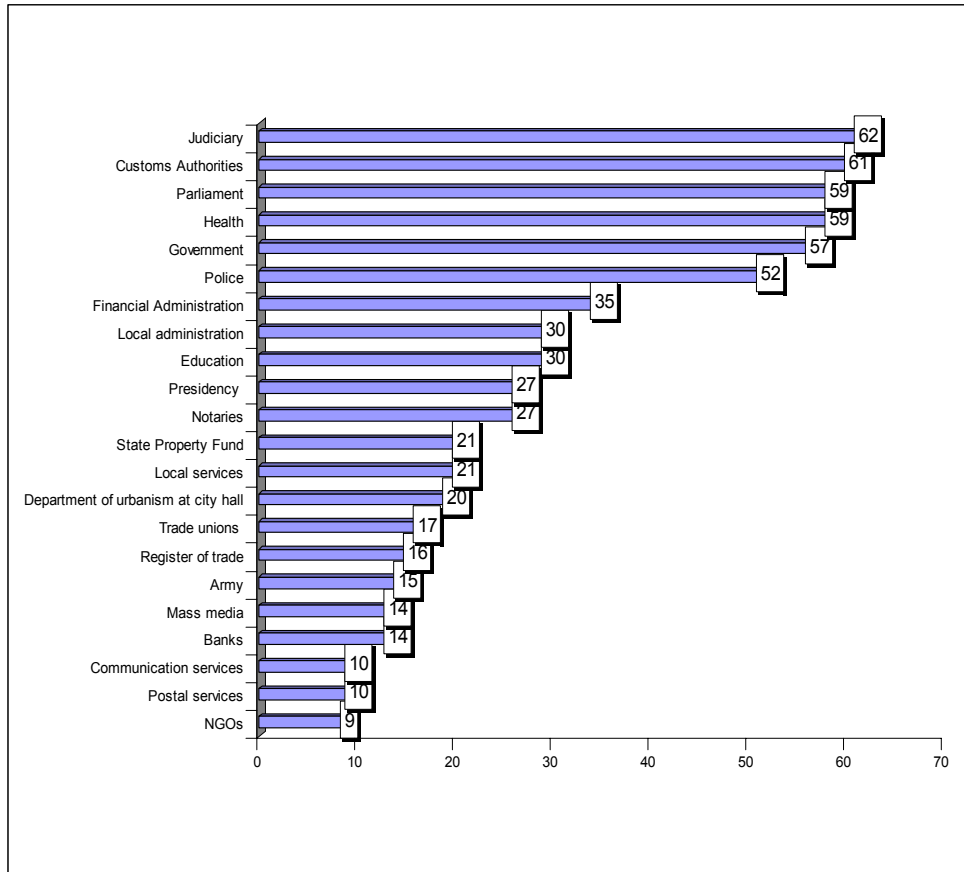
Source: Institute of Sociology, CURS SA, ICCV, database "Romania 2004: people's representations towards corruption".

Looking at the hierarchy of institutions according to the perceived level of corruption, a paradox is revealed, in the sense that those institutions with responsibilities in curbing corruption are also perceived as corrupt by the majority of people: justice system, parliament, government and police (Figure 3).

<sup>6</sup> Bribe was considered any „atentie” in the form of money, gifts, services given to a person, in order to get things done.

Figure 3

**Perceived level of corruption in various state institutions**  
 (Percentage of people who believe that all or majority of officials in the respective institutions are corrupt)



*Source:* Institute of Sociology, CURS SA, ICCV, database *Romania 2004: people's representations towards corruption*.

Measuring corruption is a very difficult task, as the phenomenon “occurs behind closed doors” (University of Konstanz, 2005). All the measures mentioned which are used in order to quantify corruption have strengths and weaknesses. Each highlights particular aspects of a very complex phenomenon, without being able to measure objectively corruption in itself. In a comparative perspective, they can capture some differences and similarities among countries, while establishing hierarchies which are not beyond doubt. In case of Romania, several measures point to high level of corruption but the forms of phenomenon differentiate it from other countries, this largely remaining unexplained by the quantitative indices.

Perceptions themselves are problematic. They depend on objective situations (direct experience with corruption, the image promoted by media towards it, the anticorruption efforts and measures, etc.) but also on people's values and expectations in this field. Apart from this, the very categories whose perceptions are measured are important as their roles, positions and statuses can influence the expression of their opinions towards corruption.

The direct experience with corruption as declared by subjects is used in order to complement the perceptions people have on the level of corruption. The experience with the phenomenon in the form of bribe (Table 1) shows the medical system as being most corrupt, while customs follow it closely, with justice and police showing lower levels of involvement with bribe, as described by subjects.

Table 1

**The incidence of informal payments in various institutions**

	%			No. of cases
	Yes	No	DK	
Besides official payments, did you offer something else (money, gifts, and services), in order to solve your problems?				
Hospital/policlinics	41	53	6	697
Customs	40	50	10	96
Justice	15	79	6	129
Police	14	80	5	304
Kindergarten	10	83	7	86
School/high school	9	78	13	171
University	9	78	13	171
Local administration	7	90	3	507
Pension house	7	84	8	180
County administration	7	83	10	71
Financial administration	6	85	10	294
Notaries	4	88	8	279
Credit banks	3	86	11	203
Church	2	89	9	619

Only cases in which subjects had contact with institutions in the last two years were considered.

Source: Mărginean, (ed.), *România 2004: People's representations towards corruption*.

According to another data source, the Global Corruption barometer<sup>7</sup>, Romania is placed among the first ten countries out of 54, in regard to the direct experience with bribe: 25% of the people declared that in the past 12 months, they or persons living in their household paid a bribe in any form (Wolkers, 2005).

<sup>7</sup> *Corruption Barometer*, see [www.transparency.org/surveys/index#gcb](http://www.transparency.org/surveys/index#gcb).

## ACCOUNTS OF CORRUPTION IN ROMANIA

### Macro level

It is generally acknowledged that corruption was part of the communist system in Romania. Even though sometimes recognised by the communist regime, “the various offences that could fall under corruption concept were not defined and punished as such but rather considered ‘deviations’ of immoral individuals with an outdated mentality who did not accept to integrate into the egalitarian socialist system” (Ioan, Banciu and Rădulescu, 2005: 49).

Opinions of authors, experts, as well as public opinion converge to the idea that corruption increased and diversified during the transition process.

One main body of literature explains corruption at macro level as path dependent, placing its drivers in relation to the characteristics of post-communist transformation process in the country. Within this view towards corruption, the course taken by transition explains essentially the incidence and pattern of phenomenon in the society.

An important variable accounting for the escalation of corruption in Romania is the institutional and structural outlook of this country at the beginning of transition. Romania has had a very low starting point in 1989 as it has been through one of the strictest communist regimes in Eastern and Central Europe, while other countries in the region enjoyed more ‘opening authoritarian regimes’, with reforms starting early on.

In some countries of the region, the institutions for public administration had been developed even in communist period, the rule of law was more strongly emphasised and exposure to market oriented institutions was realised before 1989, while civil society was strong and ready to take on new roles in the new democratic regimes. As a result, these countries appeared to have started transition with an advantage (as showed by reports of Freedom House, 2006; World Bank, 2000).

The double transition to market economy and democratic political system proved to be a serious dilemma of the transformation process, being more difficult and slower in Romania, in comparison to other former communist countries, while the initial starting point shaped to a great extent the course of transformation.

The challenges needed to be tackled in the early years of transition were complex: first, the legislative vacuum by writing an important volume of laws, regulations, and policies, then transferring wealth from the state to private sector on a very large scale, while also building civil society from scratch and creating accountability mechanisms within and external to public sector, in order to check the abuse of public office (World Bank, 2000).

Transformation in Romania have been characterised by a difficult and slow process of separation of state powers, a mix of political and economic interests,

fusion of political and economic power (Mărginean, 2004), a lengthy process of privatisation with non-transparent methods. This combination of factors created high opportunities for various forms of corruption, especially for high level corruption.

Another major paradigm explaining corruption as phenomenon at macro level is delineated by the modernity perspective. Within this approach, various societies find themselves in different stages of development, a rather traditional country like Romania lagging behind modern or late modern western countries.

Western societies fully developed through processes of rationalisation and bureaucratisation, with the consequent results of depersonalising social relationships and creating norms and rules based on rationality. The solid boundaries between private and public sphere were possible due to this historical scale process.

The country under scrutiny here never reached the stage of a modern administration, characterised by an impersonal bureaucracy based on rules. Rather, mixed values and traditions shape the social organisation of institutions and the behaviour of people in society. Due to this, private and public sphere are not strictly delineated, and interests from both realms merge and conduct to corrupt behaviour.

## **Individual level**

### **What is corruption?**

One survey<sup>8</sup> included an open question that asked people to define corruption. Almost a quarter of respondents (23%) considered corruption as an illegal activity, while another 19% regarded it as bribe. Less people (10%) mentioned that corruption was an immoral act committed by immoral people, while 4% saw it as a means of getting rich by illicit ways and a similar proportion (5%) mentioned corruption as associated with mentalities, customs and ways acquired in the communist period. Lower percentages of people (less than 3% for each definition) identify corruption with abuse of power, nepotism, conflict of interests, organised crime, and illegal acts of persons in key positions or with a threat at national security (Ioan, Banciu, Rădulescu, 2005).

Perceptions towards causes of corruption demonstrate that an important share of people place the main cause of corruption at individual level, in a personal desire for gain. The most of the causes, though, rest at structural level in factors that describe systemic conditions. This finding is in line with the motives invoked by those who declared paying bribe themselves.

---

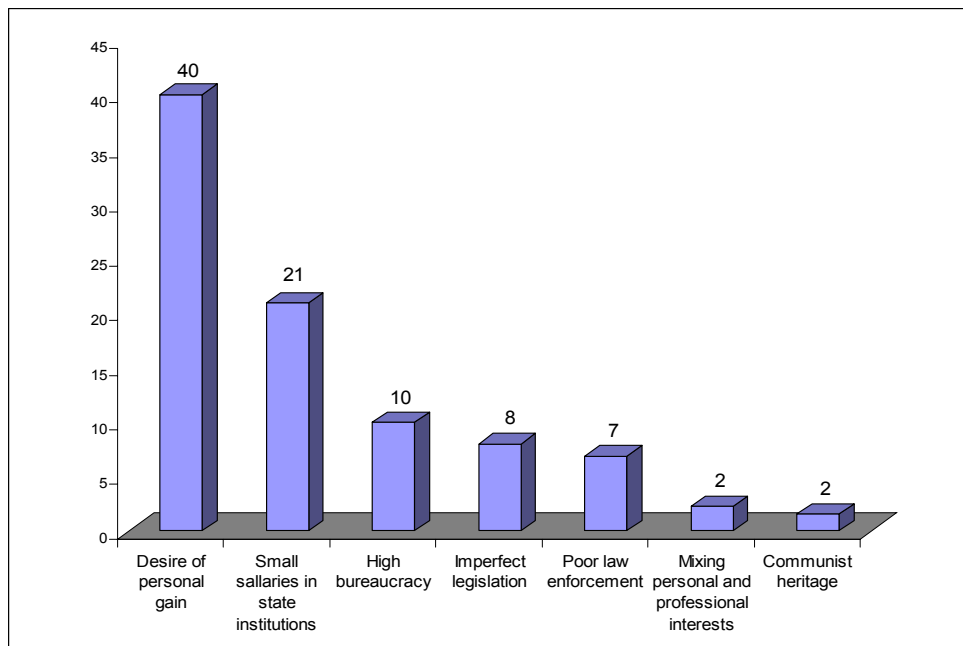
<sup>8</sup> The survey was carried out by the Institute of Criminology and the Institute of Sociology, in 2004, on a nationally representative sample.



Figure 4

**Most important causes of corruption in people's perceptions**

(Percentage of respondents who list cause as their first choice)



Source: Institute of Sociology, CURS SA, ICCV, database *Romania 2004: people's representations towards corruption*.

Most people who paid bribe invoked for their behaviour reasons like: 'it was the only way to solve my problems' (35%), 'this is the custom' (19%), 'as thanks for solving my problems' (17%). Also, mentioned by less respondents were: 'to avoid other problems' (10%), 'not to wait in line' (7%) and 'to avoid bureaucracy', (2%) while other motives were less indicated (0.8%). The data show once again that, in people's perceptions, corruption is rather placed at structural level as a means of solving problems and becoming, thus, a norm in society (also shown by Voicu, 2004). The relative important percentage of people declaring they paid bribe in order to thank for solving their problems might indicate a cultural component. Whether this form of 'atenție' is, in fact, corruption need to be further discussed, but it signifies a certain way of carrying out social exchange which is influenced by the current norms and values: people feel the need to respond to those 'helping' them in ways which are not formalised by the modern society.

In accordance with this idea comes the argument maintaining that the "institution of gift" is traditional in Romanian society, where several terms ("plocon", "peșcheș") and the means associated with them "seemed to guarantee

the balance of roles and positions: in the past, the doctor, teacher and the priest were receiving in exchange for their services to community gifts as objects from people” (Ioan, Banciu and Rădulescu, 2005: 75).

In fact, many times a cultural and historical heritage is invoked in regard to corruption in Romania: that of the Turkish. The institutions imposed by Ottomans during the time Romania has paid tribute to the Empire might have left long enduring marks on the country under scrutiny here. Language carries itself family words indicating corruption like, “bacșiș” or “peșcheș”.

Looking at “gift” from another perspective, when investigating the relationship between corruption and trust in Romania, Uslaner (2005) found that high level corruption leads to lower levels of trust among people, while low level corruption (administrative) does not influence trust in others. His conclusion was that people do not see the ‘gift’ payments in low level corruption as making people involved rich, but as a way of making a bureaucratic system more efficient. On the contrary, corruption of politicians, courts, business executives, together with the beliefs that most politicians and business people are corrupt, make people believe that the system is highly affected and, thus, influences trust in government and ordinary people.

This also highlights a cultural component, as people seem to distinguish between forms of corruption and accept and/or reject them, in accordance to their perceived effect in society.

Table 2

Tolerance towards corruption (%)

How justified is corruption in the following situations:	Never	Sometimes	Always	DK/NA
While performing your job?	81	12	1	6
In order to get benefits to which you are not entitled?	79	13	3	6
To solve a personal problem?	61	28	4	7
To avoid paying taxes?	79	12	2	8
Through using your position at work for personal benefits.	74	17	2	6
To obtain benefits to which you are legally entitled.	72	16	5	7

Source: Institute of Sociology, CURS SA, ICCV, database *Romania 2004: people's representations towards corruption*.

A very low tolerance towards corruption is evident in Romania (Table 2), as, in various possible instances, the vast majority of people rejects corruption, considering it not justified.

In a comparative perspective, taking into consideration tolerance towards corruption in other European countries (EVS data, Voicu, 2004), in Romania

people are even less tolerant with corruption (mean<sup>9</sup> of 1.5) than the average of European countries (mean of 1.8), ranking close to countries like Finland (1.4) and Austria (1.6).

The apparent paradox between perceiving corruption as a generalised phenomenon and the strong rejection of it should make a good ground for anticorruption strategies (Voicu, 2004).

### ANTICORRUPTION MEASURES

Over the past years, Romania has developed a broad legal framework and institutional structure, in order to target corruption. Efforts began with a first protocol designed to facilitate coordination, cooperation, and information exchange on anticorruption strategies, which was finalised in 1998 between the relevant ministries and executive bodies (Ministries of Justice, Interior and Finance, the Public Ministry, the Romanian Intelligence Service, and the External Intelligence Service). Other governmental bodies started to provide a watchdog function: the Peoples' Advocate (*Ombudsman*), the Court of Accounts, the Prime Minister's Control Department, and Parliamentary committees.

#### Legal framework

Romanian legislation<sup>10</sup> uses the terms *active corruption* and *passive corruption*, according to the Penal Convention regarding Corruption, of European Council (signed in Strasbourg on 27.01.1999, and ratified by Romania by Law no 27/2002).

The *Penal Code* of 1968 comprised four types of offences, without defining them as corruption<sup>11</sup>: bribe taking, bribe offering, receiving other undue advantages, and traffic in influence (art 254–257).

Law no 83/1992 on the emergency procedure of prosecuting some corruption offences introduced, for the first time, the term of corruption in relation to the offences from the Penal Code.

Law no 78/2000 on preventing, identifying and prosecuting corruption acts modified through

Law no 161/2003 on some measures for transparency in public positions and business environment, prevention and prosecuting corruption

Law no 521/2004 on modifying and completing the Law no 78/2000 established three major types of corruption:

<sup>9</sup> Scale from 1 to 10, where 1 means corruption is never justified and 10 means that is always justified.

<sup>10</sup> www.just.ro.

<sup>11</sup> A comprehensive description of legislative framework in regard to corruption is given by Ioan, Banciu, Radulescu, 2005.

1. corruption offences: bribe taking, bribe offering, receiving other undue advantages, and traffic in influence (also included in the penal code). Distinctly stated are buying influence, and active corruption towards a servant of foreign state or public international organisation.

2. offences assimilated to corruption offences (fraud in privatisation, infringement of crediting norms, using loans and subsidies to other purposes than the ones for which they have been granted, involvement in private commercial activities by those with control responsibilities, carrying out commercial activities which are incompatible with position, abuse in information which is not public, abuse in power, blackmail. To these are added three other offences: abuse in power against the public interests, abuse in power against personal interests and abuse in power through limiting certain rights in case the public servant obtained an advantage from his/her position.

3. offences directly related to corruption offences or offences assimilated with corruption offences (hiding goods obtained through committing an offence described previously, association for committing such offences, acts of false declarations and forgery; the misuse of law while on duty; money laundering offences; smuggling of goods; offences relating to tax evasion; fraudulent bankruptcy, drug trafficking, the infringement of regulation of fire weapons and munitions, and trafficking of persons for purposes of prostitution all if they are connected to corruption offences or offences assimilated to corruption offences.

The *New Penal Code (Law no 301/2004)* further expanded the definition of corruption, by including a new offence: *unjust remuneration*, which refers to the act of the public servant who supervised a private organisation and for which also performed duties during the first three years after their professional relation ended, being remunerated.

*Law no 161/2003 on some measures for transparency in public positions and business environment, prevention and prosecuting corruption* includes regulations on:

1. transparency on debts to the public budget (Book 1, Title I);
2. transparency in administration of information and public services through electronic means (Title II);
3. prevention and combating of IT criminality (Title III);
4. conflict of interests and the regime of incompatibility in exercising public positions (Title IV);
5. groups of economic interests (Title V).

This law modifies *Law no 115/1996 on declaring and controlling the wealth of dignitaries, magistrates, public servants and persons with top positions*, *Law no 26/1990 on registry of commerce* and *Law no 188/1999 on the Status of public servants*.

This law regulates the incompatibilities for positions in legislative power, executive, local administration, public servants and magistrates. Members of the government, other public servants in positions in central administration are banned by this law to pass an administrative or juridical act, to make or participate in

making decisions that can bring him/her personal material advantages or to wife/husband or relatives of first degree.

In regard to control of wealth, the law regulates the following: publication of declaration of wealth on the Internet web site of the institution, updating the declaration annually during the mandate if new goods are acquired, conclusions by Control Commission of its investigations, publication in the Official Monitor of decision of magistrates when a fraud was proved.

*Law no 52/2003 on transparency of decisions in public administration* established rules for ensuring transparency in central and local administration, with the purpose of increasing responsibility and transparency and stimulating participation of citizens in decision making.

*Law no 7/2004 on the Code of conduct of public servants* set up the norms of conduct by public servants with the declared purpose<sup>12</sup> of increasing the quality of public services, high quality administration and eliminating bureaucracy. The Code is based on principles like: rule of law, priority of public interest, equality of treatment, professionalism, impartiality, independence, moral integrity, good faith and transparency.

*Law no 477/2004 on the Code of conduct of contractual personnel in public institutions and authorities* expands the regulations of the previous law to other categories of personnel.

*Law no 554/2004 of administrative solicitor's office* stipulates the possibility of attacking in justice the governmental ordinances which are not constitutional.

*Law no 571/2004 on protection of personnel in public authorities, institutions and other organisations who signal law breaking* sets up measures for protecting the whistle blowers.

Some projects for more legislation have been in the work recently, like the Project for modifying the Law no 161/2003 in order to regulate the conflict of interests and the Project on organising and functioning of the National Agency for Integrity. The scope of this agency would be to verify wealth disclosures of dignitaries and to check conflicts of interests and incompatibilities.

### **Legislation regarding party funding**

The first regulations for party funding in Romania were provided by *Decree no 8/1989 on registering and funding political parties and communal organisation*, *Law no 70/1991 on local elections* and *Law no 69/1992 on elections of president of Romania*.

*Law no 27/1996 on registering political parties and communal organisations* more addressed the system of funding of political parties.

In 2003, the *Law 14/2003 on political parties* annulled previous laws and only kept in the regulations regarding party funding, until the *Law no 43/2003 on*

---

<sup>12</sup> [www.just.ro](http://www.just.ro).

*funding political parties and electoral campaigns* was adopted. This law was in place for the last electoral campaign of 2004. The law was criticised by the press and civil society as it was considered that it placed a too high responsibility towards the Court of Accounts (the control authority), the sanctions were too small, and it generally lacked realism.

In July 2006 it was adopted the *Law no 334/2006 on funding political parties and electoral campaigns* which was initiated by the Ministry of Justice and was the result of cooperation between the ministry and civil society (the Institute for Public Policy and the Pro-Democracy Association). This law tried to address all problems that were obvious during past years and electoral campaigns, and answered requests from EU. Its purpose is to insure equal opportunities in electoral competition and transparency of funding. The control responsibilities were transferred to the Permanent Electoral Authority.

### **Participation in international conventions**

During the past years, Romania has focused on building international and regional cooperation, as it signed and ratified a series of international conventions.

- Council of Europe Civil Law Convention on Corruption (signed in 1999 and ratified in 2002 by Law no 147/2002).
- Council of Europe Criminal Law Convention on Corruption (signed in 1999 and ratified in 2002 by Law no 27/2002).
- The Protocol of Council of Europe Criminal Law Convention (signed in 2003 and ratified in 2004 by Law no 260/2004).
- UN Convention against Corruption (signed in 2003, ratified by Law 365/2004).
- UN Convention against Trans-national Organised Crime (ratified in December 2002).

Romania is participant in the Group of States against Corruption (GRECO), Stability Pact Anticorruption Initiative (SPAI), Programme against Corruption and Organised Crime in South and Eastern Europe (PACO), participant in programmes of European Commission, OECD, UNDP, etc.

### **Institutional framework**

In 2001, the National Anticorruption Strategy (2001–2004) was elaborated with the subsequent Plan for the Prevention of Corruption.

In 2002, the National Anticorruption Prosecution Office (PNA) was set up having responsibilities in investigating high level corruption cases. It carried out its activity by the High Court of Cassation and Justice. In 2005 it was reorganised into National Anticorruption Directorate (DNA), in order to enhance its legal capability. Within its responsibilities are investigating corruption cases causing a fraud higher than 200 000 Euro, and offences against financial interests of EU.

In 2005, a new National Anticorruption Strategy (2005–2007)<sup>13</sup> was adopted which established as objectives in the field of combating corruption: increasing integrity and resistance to corruption of judiciary, reducing the number of institutions with responsibilities in the fight against corruption, increasing institutional capacity of PNA (currently DNA), combating corruption through administrative means. The strategy tried to answer the main problems that were identified by Freedom House in the previous national strategy: deficient implementation of anticorruption legislation, little use of administrative instruments, insufficient coordination of control structures and penal investigation structures, lack of prosecutors', and the inflation of institutions and legislation in anticorruption domain.

In 2003, the Government Control Office (CCG) was set up with the purpose to exert internal administrative control on central and local government, investigate complaints on conflict of interest legislation, coordinate anti-fraud activities and protect the financial interests of the EU in Romania.

While it is generally acknowledged that Romania made significant progress in regard to institutional and legal anti/corruption measures, corruption remains a major concern and continuous measurement seems to be necessary in order to monitor development in this area.

## BIBLIOGRAPHY

1. Cheryl, G., Joel H., Randi, R., *Anticorruption in transition – corruption in enterprise state interactions in Europe and Central Asia 1999–2002*, Washington: World Bank, 2004.
2. Freedom House, Inc., *Politicele Anticorupție ale Guvernului României, Raport de evaluare*, [http://www.uar.ro/FH%20audit%20RO%2016\\_031.pdf](http://www.uar.ro/FH%20audit%20RO%2016_031.pdf), downloaded January 2006.
3. Husted, B., *Wealth, Culture, and Corruption*, in „Journal of International Business Studies”, XXX (2): 339–60, 1999.
4. Ioan, Dorinica, Banciu, D., Rădulescu M. S., *Corupția în România. Realitate și percepție socială*, București, Editura Luminalex, 2005.
5. Joel, H., Jones G., Kaufmann D., *Seize the State, Seize the Day: An Empirical Analysis of State Capture and Corruption in Transition*, World Bank, Mimeo, Presented at the Annual Bank Conference in Development Economics, April 18–20, 2000, Washington, DC, 2000a.
6. La Palombara, J., *Structural and Institutional Aspects of Corruption*, „Social Research”, 61:325–50, 1994.
7. Lipset, S. M., G. S. Lenz, ‘Corruption, Culture, and Markets’, in *Culture Matters: How Values Shape Human Progress*, edited by L. E. Harrison and S. P. Huntington, New York, Basic Books, 2000.
8. Mărginean, Ioan (ed.), *Quality of Life in Romania*, Bucharest, Expert Publishing House, 2004.
9. Mărginean, I. (coord.), Voicu, B., Voicu, M., Băjenaru, C., Petrescu, C., *Reprezentările populației asupra corupției*, ICCV & Fundația CONCEPT, www.iccv.ro, 2004.
10. Pruna, R. Al., *Legal Anti-Corruption Measures in the Romanian Public Sector*, MSI, (draft), 2000.

<sup>13</sup> Law no 247/2005.

11. Rose-Ackerman, S., *Democracy and 'grand' corruption*, „International Social Science Journal”, 48:360–80, 1996.
12. Rose-Ackerman, S., *Corruption and Government. Causes, Consequences and Reform*, Cambridge, Cambridge University Press, 1999.
13. Wolkers, Marie, *Global Corruption Barometer 2004*, Global Corruption Report, 239–241, 2005.
14. Asociația Română pentru Transparență, *Raportul Național asupra Corupției 2005*, <http://www.transparency.org.ro/>, downloaded March 2006.
15. Transparency International, *Global Corruption Report 2005* <http://www.transparency.org/publications>, downloaded January 2006.
16. Transparency International, *Global Corruption Report 2006* <http://www.transparency.org/publications>, downloaded March 2006.
17. World Bank, *Anticorruption in Transition. A Contribution to the Policy Debate*, Washington, D.C. <http://www.worldbank.org/wbi/governance/pdf/contribution.pdf>.

*Various studies place Romania in the category of countries characterised by a high level of corruption. The article describes the position held by the country under scrutiny with regard to different types of corruption among other countries in Europe, while also trying to portray several accounts of the phenomenon. Finally, anticorruption measures are reviewed, setting, thus, a general framework of the corruption phenomenon in Romania.*