

High Court of Cassation and Justice

Date	Number of positions of judge	Number of judges in office	Number of vacant positions of judge
1 January 2020	122	114	8
1 February 2021	122	106	16
	Number of positions of assistant-magistrate	Number of assistant-magistrates in office	Number of vacant positions of assistant-magistrate
1 January 2020	123	119	4
1 February 2021	143	112	31
	Number of positions of clerk	Number of clerks in office	Number of vacant positions of clerk
1 January 2020	170	168	2
1 February 2021	180	166	14

Current situation of positions of judges and clerks in courts

Category of personnel	Category of positions	Average number of positions
Judge	Positions provided	4923
	Positions occupied	4450
	Vacancies	473
Clerk	Positions provided	7428
	Positions occupied	7332
	Vacancies	96

CURRENT STATUS OF POSTS ON ALL CATEGORIES OF PERSONNEL IN THE PUBLIC MINISTRY

No.	INSTITUTION	Prosecutors			Assimilated staff			Specialized auxiliary staff			Related staff			Civil servants			Contract staff			Judicial police officers and agents / Officers and non-officers			TOTAL POSTS		
		P	O	V	P	O	V	P	O	V	P	O	V	P	O	V	P	O	V	P	O	V	P	O	V
1	P.O.A.H.C.C.J <i>(without the Military)</i>	153	99	54	10	8	2	133	110	23	24	22	2	95	86	9	48	45	3	56	31	25	519	401	118
2	Prosecutor's offices attached to the courts of appeal and subordinate units	2237	1955	282	15	13	2	1623	1547	76	314	307	7	479	403	76	232	224	8	0	0	0	4900	4449	451
3	NAD	195	136	59	1	1	0	109	109	0	44	43	1	121	102	19	57	56	1	260	246	14	787	693	94
4	DIOCT	295	255	40	2	1	1	196	181	15	52	51	1	99	80	19	6	6	0	190	41	149	840	615	225
5	TOTAL <i>(without the military prosecutor's offices)</i>	2880	2445	435	28	23	5	2061	1947	114	434	423	11	794	671	123	343	331	12	506	318	188	7046	6158	888
6	prosecutor's offices <i>(including the military)</i>	93	60	33	0	0	0	65	52	13	0	0	0	9	6	3	26	24	2	5	5	0	198	147	51
7	TOTAL Public Ministry	2973	2505	468	28	23	5	2126	1999	127	434	423	11	803	677	126	369	355	14	511	323	188	7244	6305	939

P = provided; O = occupied; V = vacant

Folosirea interpreților în cauzele aflate pe rolul instanțelor

Perioada de referință: 01.01.2020 - 31.12.2020

Gradul de jurisdicție: ÎCCJ

Număr total interpreți	Interpreți - penal		Interpreți - nonPenal
	Pentru inculpați	Pentru victime	
-	-	-	-

Gradul de jurisdicție: Curte de apel

Număr total interpreți	Interpreți - penal		Interpreți - nonPenal
	Pentru inculpați	Pentru victime	
67	53	1	13
Limba utilizată:		Număr interpreți	
Română		6	
Engleză		4	
Franceză		4	
Germană		1	
Rusă		2	
Arabă		3	
Turcă		1	
Chineză		1	
Italiană		3	
Altele		42	

Gradul de jurisdicție: Tribunal

Număr total interpreți	Interpreți - penal		Interpreți - nonPenal
	Pentru inculpați	Pentru victime	
275	106	1	168
Limba utilizată:		Număr interpreți	
Română		161	
Engleză		8	
Germană		1	
Arabă		9	
Turcă		9	
Chineză		2	
Italiană		9	
Altele		74	
Spaniolă		1	
Vietnameză		1	

Gradul de jurisdicție: Judecătoria

Număr total interpreți	Interpreți - penal		Interpreți - nonPenal
	Pentru inculpați	Pentru victime	

465	136	33	296
Limba utilizată:		Număr interpreți	
Română		259	
Engleză		7	
Franceză		4	
Rusă		2	
Arabă		48	
Turcă		6	
Italiană		5	
Altele		134	

SITUATION

on the headquarters where the prosecutor's office units within the Public Ministry operate

No.	Secondary authorizing officer	PUBLIC MINISTRY HEADQUARTERS *						
		Total	Own	In common with the Ministry of Justice	In common with third parties	Rented	Monthly rent amount - Euro with VAT -	Prospective solutions for 2021
1	POAHCCJ	2				2 (SIJ and Directorate of Internal Public Audit of POAHCCJ)	7.445	
2	Prosecutor's Office attached to the Alba Court of Appeal	15	12	2	1			
3	Prosecutor's Office attached to the Bacau Court of Appeal	11	10			1 (Prosecutor's Office attached to the Moinești First Instance Court)	5.801	completion of the investment work at the Prosecutor's Office attached to the Moinești First Instance Court
4	Prosecutor's Office attached to the Brasov Court of Appeal	9	8	1				
5	Prosecutor's Office attached to the Bucharest Court of Appeal	17	12	1	2	2 (Prosecutor's Office attached to the Bucharest District 4 First Instance Court) + (archive spaces for the Prosecutor's Office attached to the Bucharest Tribunal)	10.300	without a solution at present
6	Prosecutor's Office attached to the Cluj Court of Appeal	18	6	9	3			
7	Prosecutor's Office attached to the Constanta Court of Appeal	8	6	2				
8	Prosecutor's Office attached to the Craiova Court of Appeal	24	18	5		1 (archive spaces for the Prosecutor's Office attached to the Târgu Jiu First Instance Court)	370	completion of the investment at the Prosecutor's Office attached to the Tg. Jiu First Instance Court with the National Investment Company
9	Prosecutor's Office attached to the Galati Court of Appeal	14	10	2	2 (temporarily until the completion of capital repairs)			
10	Prosecutor's Office attached to the Iasi Court of Appeal	8	6	2				
11	Prosecutor's Office attached to the Oradea Court of Appeal	8	7		1			
12	Prosecutor's Office attached to the Ploiesti Court of Appeal	18	14	2	1	1 (Prosecutor's Office attached to the Dâmbovița Tribunal)	5.102	completion of the capital repair work at the Prosecutor's Office attached to the Dâmbovița Tribunal
13	Prosecutor's Office attached to the Pitesti Court of Appeal	11	11					
14	Prosecutor's Office attached to the Suceava Court of Appeal	13	12	1				
15	Prosecutor's Office attached to the Tg Mures Court of Appeal	11	6	3		1 (Prosecutor's Office attached to the Harghita Tribunal)	9.200	without a solution at present
						1 (Prosecutor's Office attached to the Reghin First Instance Court)	2.450	completion of the investment work at the Prosecutor's Office attached to the Reghin First Instance Court
16	Prosecutor's Office attached to the Timisoara Court of Appeal	17	17					
17	National Anticorruption Directorate - NAD	25	5		11	2 NAD Central Structure + 7 Territorial Services of NAD	12.515	- for the headquarters of 3 territorial NAD services, investment works are being carried out with the National Investment Company; - for 1 headquarter, it is intended for the NAD to take over the administration
18	Directorate for the Investigation of Organized Crime and Terrorism - DIOCT	42			27	1 DIOCT Central Structure + 14 Territorial Offices of DIOCT	99.400	acquisition of DIOCT Central Structure headquarter
TOTAL		271	160	30	48	33	152.583	

*** Note:**

- 1. The Public Ministry uses for its units (structures) a total number of 271 headquarters, of which:**
 - **160** units manage their own headquarters
 - **30** units operate in the Ministry of Justice headquarters where they have the quality of space users
 - **48** units operate in third party headquarters without paying rent, of which 2 units temporarily
 - **22** units operate in rented spaces and do not currently have solving solutions
 - **2** structures of the POAHCCJ (Section for the Investigation of Crimes Committed by Magistrates (SIJ) and the Directorate of Public Internal Audit (DAPI)) operate in spaces rented from the the Autonomous Administration "Administration of State Protocol Patrimony" (RAAPPS)
 - **9** units operate temporarily in rented spaces until the completion of investment works or capital repairs
- 2. The total value of office rents paid in 2020 was approx. 10% of the payments reported by the Public Ministry under the title "Goods and services".**

A. FIRST INSTANCE COURTS, PROSECUTORS OFFICES AND PLACES OF RESIDENCE

County	First instance court	Place of residence
Alba	Alba Iulia	municipiul Alba Iulia
	Câmpeni	oraşul Câmpeni
	Aiud	municipiul Aiud
	Blaj	municipiul Blaj
	Sebeş	municipiul Sebeş
Arad	Arad	municipiul Arad
	Ineu	oraşul Ineu
	Lipova	oraşul Lipova
	Gurahonţ	comuna Gurahonţ
	Chişineu-Criş	oraşul Chişineu-Criş
Argeş	Piteşti	municipiul Piteşti
	Câmpulung	municipiul Câmpulung
	Curtea de Argeş	municipiul Curtea de Argeş
	Costeşti	oraşul Costeşti
	Topoloveni	oraşul Topoloveni
Bacău	Bacău	municipiul Bacău
	Oneşti	municipiul Oneşti
	Moinesti	municipiul Moinesti
	Podu Turcului	comuna Podu Turcului
	Buhuşi	oraşul Buhuşi
Bihor	Oradea	municipiul Oradea
	Beiuş	municipiul Beiuş
	Marghita	municipiul Marghita
	Aleşd	oraşul Aleşd
	Salonta	municipiul Salonta

Bistrița-Năsăud	Bistrița	municipiul Bistrița
	Năsăud	orașul Năsăud
	Beclean	orașul Beclean
Botoșani	Botoșani	municipiul Botoșani
	Dorohoi	municipiul Dorohoi
	Săveni	orașul Săveni
	Darabani	orașul Darabani
Brașov	Brașov	municipiul Brașov
	Făgăraș	municipiul Făgăraș
	Rupea	orașul Rupea
	Zărnești	orașul Zărnești
Brăila	Brăila	municipiul Brăila
	Făurei	orașul Făurei
	Însurăței	orașul Însurăței
Buzău	Buzău	municipiul Buzău
	Râmnicu Sărat	municipiul Râmnicu Sărat
	Pătârlagele	orașul Pătârlagele
	Pogoanele	orașul Pogoanele
Caraș-Severin	Reșița	municipiul Reșița
	Caransebeș	municipiul Caransebeș
	Oravița	orașul Oravița
	Moldova Nouă	orașul Moldova Nouă
Călărași	Călărași	municipiul Călărași
	Oltenița	municipiul Oltenița
	Lehliu-Gară	orașul Lehliu-Gară
Cluj	Cluj-Napoca	municipiul Cluj-Napoca
	Turda	municipiul Turda
	Dej	municipiul Dej
	Huedin	orașul Huedin

	Gherla	municipiul Gherla
Constanța	Constanța	municipiul Constanța
	Medgidia	municipiul Medgidia
	Hârșova	orașul Hârșova
	Mangalia	municipiul Mangalia
Covasna	Sfântu Gheorghe	municipiul Sfântu Gheorghe
	Târgu Secuiesc	municipiul Târgu Secuiesc
	Întorsura Buzăului	orașul Întorsura Buzăului
Dâmbovița	Târgoviște	municipiul Târgoviște
	Găești	orașul Găești
	Pucioasa	orașul Pucioasa
	Răcari	orașul Răcari
Dolj	Moreni	municipiul Moreni
	Craiova	municipiul Craiova
	Băilești	municipiul Băilești
	Filiași	orașul Filiași
	Șegarcea	orașul Șegarcea
Galați	Calafat	municipiul Calafat
	Galați	municipiul Galați
	Tecuci	municipiul Tecuci
	Târgu Bujor	orașul Târgu Bujor
Giurgiu	Liești	comuna Liești
	Giurgiu	municipiul Giurgiu
	Bolintin-Vale	orașul Bolintin-Vale
Gorj	Târgu Jiu	municipiul Târgu Jiu
	Târgu Cărbunești	orașul Târgu Cărbunești
	Novaci	orașul Novaci
	Motru	municipiul Motru
Harghita	Miercurea-Ciuc	municipiul Miercurea-Ciuc

	Odorheiu Secuiesc	municipiul Odorheiu Secuiesc
	Toplița	municipiul Toplița
	Gheorgheni	municipiul Gheorgheni
Hunedoara	Deva	municipiul Deva
	Hunedoara	municipiul Hunedoara
	Petroșani	municipiul Petroșani
	Orăștie	municipiul Orăștie
	Brad	municipiul Brad
	Hațeg	orașul Hațeg
Ialomița	Slobozia	municipiul Slobozia
	Urziceni	municipiul Urziceni
	Fetești	municipiul Fetești
Iași	Iași	municipiul Iași
	Pașcani	municipiul Pașcani
	Hârlău	orașul Hârlău
	Răducăneni	comuna Răducăneni
Ilfov	Bufta	orașul Bufta
	Cornetu	comuna Cornetu
Maramureș	Baia Mare	municipiul Baia Mare
	Sighetu Marmăției	municipiul Sighetu Marmăției
	Vișeu de Sus	orașul Vișeu de Sus
	Târgu Lăpuș	orașul Târgu Lăpuș
	Dragomirești	comuna Dragomirești
Mehedinți	Drobeta-Turnu Severin	municipiul Drobeta-Turnu Severin
	Strehaia	orașul Strehaia
	Orșova	municipiul Orșova
	Vânju Mare	orașul Vânju Mare
	Baia de Aramă	orașul Baia de Aramă
Mureș	Târgu Mureș	municipiul Târgu Mureș

	Sighișoara	municipiul Sighișoara
	Reghin	municipiul Reghin
	Târnăveni	municipiul Târnăveni
	Luduș	orașul Luduș
Neamț	Piatra-Neamț	municipiul Piatra-Neamț
	Roman	municipiul Roman
	Târgu-Neamț	orașul Târgu-Neamț
	Bicaz	orașul Bicaz
Olt	Slatina	municipiul Slatina
	Caracal	municipiul Caracal
	Corabia	orașul Corabia
	Balș	orașul Balș
Prahova	Ploiești	municipiul Ploiești
	Câmpina	municipiul Câmpina
	Vălenii de Munte	orașul Vălenii de Munte
	Mizil	orașul Mizil
	Sinaia	orașul Sinaia
Satu Mare	Satu Mare	municipiul Satu Mare
	Carei	municipiul Carei
	Negrești-Oaș	orașul Negrești-Oaș
Sălaj	Zalău	municipiul Zalău
	Șimleu Silvaniei	orașul Șimleu Silvaniei
	Jibou	orașul Jibou
Sibiu	Sibiu	municipiul Sibiu
	Mediaș	municipiul Mediaș
	Agnita	orașul Agnita
	Avrig	orașul Avrig
	Săliște	orașul Săliște
Suceava	Suceava	municipiul Suceava

	Câmpulung Moldovenesc	municipiul Câmpulung Moldovenesc
	Rădăuți	municipiul Rădăuți
	Fălticeni	municipiul Fălticeni
	Vatra Dornei	municipiul Vatra Dornei
	Gura Humorului	orașul Gura Humorului
Teleorman	Alexandria	municipiul Alexandria
	Roșiori de Vede	municipiul Roșiori de Vede
	Turnu Măgurele	municipiul Turnu Măgurele
	Videle	orașul Videle
	Zimnicea	orașul Zimnicea
Timiș	Timișoara	municipiul Timișoara
	Lugoj	municipiul Lugoj
	Deta	orașul Deta
	Sânnicolau Mare	orașul Sânnicolau Mare
	Făget	orașul Făget
Tulcea	Tulcea	municipiul Tulcea
	Babadag	orașul Babadag
	Măcin	orașul Măcin
Vaslui	Vaslui	municipiul Vaslui
	Bârlad	municipiul Bârlad
	Huși	municipiul Huși
Vâlcea	Râmnicu Vâlcea	municipiul Râmnicu Vâlcea
	Drăgășani	municipiul Drăgășani
	Horezu	orașul Horezu
	Brezoi	orașul Brezoi
	Bălcești	orașul Bălcești
Vrancea	Focșani	municipiul Focșani
	Panciu	orașul Panciu
	Adjud	municipiul Adjud

București	Judecătoria sectorului 1	municipiul București
	Judecătoria sectorului 2	municipiul București
	Judecătoria sectorului 3	municipiul București
	Judecătoria sectorului 4	municipiul București
	Judecătoria sectorului 5	municipiul București
	Judecătoria sectorului 6	municipiul București

B. COURTS, SPECIALISED COURTS, PROSECUTORS OFFICES, PLACES OF RESIDENCE

County	Courts and Specialised Courts	Place of residence
Alba	Alba Iulia	municipiul Alba Iulia
Arad	Arad	municipiul Arad
Argeș	Argeș	municipiul Pitești
Bacău	Bacău	municipiul Bacău
Bihor	Bihor	municipiul Oradea
Bistrița-Năsăud	Bistrița-Năsăud	municipiul Bistrița
Botoșani	Botoșani	municipiul Botoșani
Brașov	Brașov	municipiul Brașov
Brăila	Brăila	municipiul Brăila
Buzău	Buzău	municipiul Buzău
Caraș-Severin	Caraș-Severin	municipiul Reșița
Călărași	Călărași	municipiul Călărași
Cluj	Cluj	municipiul Cluj-Napoca
Constanța	Constanța	municipiul Constanța
Covasna	Covasna	municipiul Sfântu Gheorghe
Dâmbovița	Dâmbovița	municipiul Târgoviște
Dolj	Dolj	municipiul Craiova
Galați	Galați	municipiul Galați
Giurgiu	Giurgiu	municipiul Giurgiu

Gorj	Gorj	municipiul Târgu Jiu
Harghita	Harghita	municipiul Miercurea-Ciuc
Hunedoara	Hunedoara	municipiul Deva
Ialomița	Ialomița	municipiul Slobozia
Iași	Iași	municipiul Iași
Ilfov	Ilfov	orașul Buftea
Maramureș	Maramureș	municipiul Baia Mare
Mehedinți	Mehedinți	municipiul Drobeta-Turnu Severin
Mureș	Mureș	municipiul Târgu Mureș
Neamț	Neamț	municipiul Piatra-Neamț
Olt	Olt	municipiul Slatina
Prahova	Prahova	municipiul Ploiești
Satu Mare	Satu Mare	municipiul Satu Mare
Sălaj	Sălaj	municipiul Zalău
Sibiu	Sibiu	municipiul Sibiu
Suceava	Suceava	municipiul Suceava
Teleorman	Teleorman	municipiul Alexandria
Timiș	Timiș	municipiul Timișoara
Tulcea	Tulcea	municipiul Tulcea
Vaslui	Vaslui	municipiul Vaslui
Vâlcea	Vâlcea	municipiul Râmnicu Vâlcea
Vrancea	Vrancea	municipiul Focșani
București	București	municipiul București

COURTS OF APPEAL, PROSECUTORS OFFICES, CONSTITUENCIES AND PLACES OF RESIDENCE

Court of Appeal	Courts and Specialised courts	Place of residence
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1.	Curtea de Apel Alba Iulia	Alba Sibiu Hunedoara	municipiul Alba Iulia
2.	Curtea de Apel Pitești	Argeș Vâlcea	municipiul Pitești
3.	Curtea de Apel Bacău	Bacău Neamț	municipiul Bacău
4.	Curtea de Apel Oradea	Bihor Satu Mare	municipiul Oradea
5.	Curtea de Apel Suceava	Suceava Botoșani	municipiul Suceava
6.	Curtea de Apel Brașov	Brașov Covasna	municipiul Brașov
7.	Curtea de Apel București	București Călărași Giurgiu Ialomița Ilfov Teleorman	municipiul București
8.	Curtea de Apel Cluj	Cluj Bistrița-Năsăud Maramureș Sălaj	municipiul Cluj-Napoca
9.	Curtea de Apel Constanța	Constanța Tulcea	municipiul Constanța
10.	Curtea de Apel Craiova	Dolj Gorj Mehedinți Olt	municipiul Craiova
11.	Curtea de Apel Galați	Galați Brăila Vrancea	municipiul Galați
12.	Curtea de Apel Iași	Iași Vaslui	municipiul Iași
13.	Curtea de Apel Târgu Mureș	Mureș Harghita	municipiul Târgu Mureș
14.	Curtea de Apel Ploiești	Prahova Buzău Dâmbovița	municipiul Ploiești
15.	Curtea de Apel Timișoara	Timiș Arad Caraș-Severin	municipiul Timișoara

CONSTITUENCIES OF MILITARY COURTS, PROSECUTORS OFFICES AND PLACES OF RESIDENCE

Nr. crt.	Instanța militară și localitatea de reședință	Parchetul militar și localitatea de reședință	Circumscripția teritorială
I.1.			Argeș

	Tribunalul Militar București Sediul: Municipiul București	Parchetul de pe lângă Tribunalul Militar București Sediul: Municipiul București	Călărași Giurgiu Ialomița Ilfov Olt Teleorman Vâlcea Municipiul București Constanța Tulcea Brăila Buzău Dâmbovița Prahova
I.2.	Tribunalul Militar Cluj Sediul: Municipiul Cluj-Napoca	Parchetul de pe lângă Tribunalul Militar Cluj Sediul: Municipiul Cluj-Napoca	Brașov Covasna Sibiu Alba Bistrița-Năsăud Cluj Sălaj Harghita Mureș Bihor Maramureș Satu-Mare

I.3.	Tribunalul Militar Iași Sediul: Municipiul Iași	Parchetul de pe lângă Tribunalul Militar Iași Sediul: Municipiul Iași	Bacău Neamț Suceava Vrancea Botoșani Galați Iași Vaslui
I.4.	Tribunalul Militar Timișoara Sediul: Municipiul Timișoara	Parchetul de pe lângă Tribunalul Militar Timișoara Sediul: Municipiul Timișoara	Dolj Gorj Hunedoara Mehedinți Arad Caraș-Severin Timiș
II.	Tribunalul Militar Teritorial București Sediul: Municipiul București	Parchetul Militar de pe lângă Tribunalul Militar Teritorial București Sediul: Municipiul București	Competență teritorială generală
III.	Curtea Militară de Apel București Sediul: Municipiul București	Parchetul Militar de pe lângă Curtea Militară de Apel București Sediul: Municipiul București	Competență teritorială generală

Activities carried out by the General Secretariat of the Government (SGG) on the transparency of public decision-making and on the public access to information

1. Elaboration and implementation of the free access to information of public interest policy

1.1. Monitoring and evaluation of the application by the authorities of the legal provisions for the application of Law no. 544/2001 on free access to information of public interest:

The General Secretariat of the Government (SGG) carried out 2 rounds of half-yearly monitoring of the central and local public administration authorities on the observance of the legal standards provided by the Law no. 544/2001 and the Memorandum on increasing transparency and standardization of the display of information of public interest.

The institutions covered by the monitoring process were all ministries (including SGG), 123 authorities of the central public administration subordinated or under the coordination of ministries, 27 authorities of the autonomous central public administration, 42 institutions of the prefect, 41 county councils, 327 town halls and cities at national level (including Bucharest City Hall and the town halls of the 6 sectors).

1.2 Elaboration of syntheses and recommendations regarding the annual reports on the implementation by the public administration of Law no. 544/2001 on free access to information of public interest:

- the SGG elaborated and published “Synthesis of the annual reports regarding the implementation by the authorities of the central and local public administration of the legislation regarding the free access to information of public interest in 2019” (<https://sgg.gov.ro/new/transparency-decisional-monitoring/>).

1.3 Administration of the online platform RUTI - Single Register of Transparency of Interests (ensuring the transparency of the decision-making act by involving the whole society):

- SGG coordinated, by the Technical Secretariat of RUTI, the activity of publishing and updating the information on the portal of RUTI;

- informing in writing of all decision makers for the creation and management of their accounts;

- drafting informative materials;

- organizing online training sessions with the designated staff for the correct administration of the accounts;

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1.4 Supporting the increase of the capacity of public authorities and institutions to apply the provisions of the legislation on free access to information of public interest:

- 8 training sessions were organized at the level of the local public administration, with the persons responsible for the application of Law no. 544/2001 on free access to information of public interest;
- the dysfunctions found in the practices on the access to information of public interest were constantly communicated (in writing and orally);
- in order to improve the legal framework in the field of free ex officio access to information of public interest, the draft Government Decision for the approval of the modification and completion of the methodological norms for the application of Law no. 544/2001 was elaborated and submitted to public debate (<https://sgg.gov.ro/new/anunturi-proiecte-de-acte-normative/>);
- 7 training sessions were organized at the SGG level with the persons responsible for RUTI;
- the Information Guide on the importance of RUTI and of the principles of the Code of Conduct which targets the specialized groups was developed and published (<http://ruti.gov.ro/wp-content/uploads/2016/10/320db2e8a6feafdd4359111cdebc0472.pdf>)

All these activities were carried out according to the provisions of the Government Decision no. 137/2020 on the organization, functioning and attributions of some structures within the Government work apparatus, as well as on the basis of the National Action Plan 2018-2020 of the Partnership for Open Governance, through which the General Secretariat of the Government assumed and fulfilled Romania's commitment on "Extending the standards on access to information of public interest at the level of local public authorities" for the development and extension of the standards developed in the "Memorandum on increasing transparency and standardizing the display of information of public interest" and in the "Memorandum for Establishing the Single Transparency Register of Interests" ROUTES) "at the level of town halls of municipalities and cities (<http://ogp.gov.ro/nou/extinderea-standardelor-privind-accesul-la-informatii-de-interes-public-la-nivelul-autoritatilor-publice-locale/>).

2. Development and implementation of policy in the field of decision-making transparency

2.1 Monitoring and evaluation of the application of Law no. 52/2003 on decision-making transparency in public administration:

The General Secretariat of the Government carried out the periodic annual monitoring of the publication and the centralization of the information contained in the annual reports of application of Law no. 52/2003 of the ministries, institutions of the prefect and of the county councils. Number of government authorities/ institutions monitored: 17 ministries; 41 county councils the General Council of the Municipality of Bucharest; 41 institutions of the prefect plus of Bucharest.

2.2 Elaboration of summaries and recommendations regarding the annual reports on the implementation by the public administration of the Law no. 52/2003 on decision-making transparency in public administration:

- SGG drafted “Synthesis of annual reports on the implementation by central and local public administration authorities of the legislation on decision-making transparency 2017-2019” (currently to be published).

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- 8 training sessions were organized at the level of local public administration, with the persons responsible for the application of Law no. 52/2003 on decision-making transparency;

- during the process of monitoring/centralizing the annual reports, the dysfunctions found in practice regarding the decisional transparency were constantly communicated;

- in order to improve the legal framework in the field of decision-making transparency, the draft Government Decision for the approval of the Methodology regarding the decisional transparency in the public administration was developed and submitted to public consultation (<https://sgg.gov.ro/new/anunturi-proiecte-de-acte-normative/>).

All these activities were carried out according to the provisions of the Government Decision no. 137/2020 on the organization, functioning and attributions of some structures within the Government work apparatus, as well as on the basis of the National Action Plan 2018-2020 of the Open Governance Partnership, through which the Open Governance Service has assumed and fulfilled its commitment ” Standardization of practices regarding public consultation processes ”for the efficiency of the decision-making transparency mechanisms provided by law no. 52/2003 (<http://ogp.gov.ro/nou/uniformizare-practicilor-privind-procesele-de-consultare-publica/>).

2.4 Administration of the E-consultare.gov.ro platform and extension of the platform in order to consolidate the citizens' contribution to the decision-making process:

- at the level of the General Secretariat of the Government, the platform was updated weekly, by manually scanning the websites of the initiating public authorities, taking full and exclusive form of draft normative acts launched in public consultation and published on their own websites on the date of periodic update of the E-Consultation platform. As the current functionalities of the platform integrate the E-Debate facility, in situations where the initiating institution decided to organize debates during the public consultation period, together with the proposed draft normative act, the date, time, location and topic of the public debate are specified. To this end, the SGG monitors and takes over within the platform the information on the draft normative acts initiated both at the level of ministries and at the level of central authorities subordinated to the ministries and autonomous central authorities holding the right of legislative initiative;

- at the level of the General Secretariat of the Government, the drafts of normative acts launched in public consultation by the European Commission are monitored and taken over on the platform through the EU-Consultation newsletter;

- weekly, a newsletter is sent to the subscribed users, which contains the list of the most recent draft normative acts currently in public consultation.

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3. Identifying and coordinating government strategies on associative forms and increasing the capacity of civil society to contribute ideas and expertise to the public policy process

3.1 Ongoing steps to achieve and strengthen the framework for dialogue between the General Secretariat of the Government and the associative environment, including by maintaining online tools for dialogue with civil society:

- at the level of the General Secretariat of the Government is administered, updated and published permanently the Register of associations, foundations and federations from the SGG records: <https://sgg.gov.ro/new/relatia-cu-societatea-civila-2/>

3. 2 CONECT Platform administration

- SGG managed and published the information related to the CONECT platform - Catalog of non-governmental organizations (<http://conect.gov.ro/w/>) - the operationalized tool for encouraging the development of non-governmental organizations, public participation and volunteering. Weekly, the platform was updated with materials of interest to the non-governmental sector regarding non-reimbursable public funding, public consultations, etc., as well as with non-governmental organizations interested in joining CONECT. Organizations registered in the platform also receive information via the e-mail provided for the contact. Nr. registered organizations: 73.

3.3 Creation and publication of the single record of legal persons with public utility status:

- SGG carried out and published the annual update of the single record of legal entities holding the status of public utility (<https://sgg.gov.ro/new/relatia-cu-societatea-civila-2/>);

- SGG also undertook activities to monitor the activity of granting/monitoring the public utility status of all ministries initiating draft government decisions on the granting of public utility status (working meetings with ministry representatives, written information). In order to standardize the practices of the initiating authorities, SGG has taken steps to develop a minimum procedure for the analysis and evaluation of applications for public utility status.

3.4 Periodic evaluation of the situation of the structures for the relations with the civil society according to O.G. no. 26/2000 on associations and foundations:

- SGG carried out the annual update of the situation of the structures for the relations with the civil society within the ministries and activities in order to standardize practices and align them with legal standards (working meetings with ministry representatives, written information).

4. Coordinating the process of elaboration, implementation and monitoring of the commitments included in the National Action Plan (NAP) of the Open Government Partnership (OGP)

The Technical Secretariat of the Partnership for Open Government in Romania ensured the coordination of the process of elaboration, implementation, monitoring of the commitments from the National Action Plan of the Partnership for Open Government.

Thus, the SGG carried out activities to monitor the status of the commitments assumed within the National Action Plan 2018-2020; drafting, communicating and reviewing periodic reports to the Open Partnership organization; organizing the annual events within Open Gov Week (“Open State” competition).

In order to elaborate the National Action Plan 2020-2022, 15 events were organized during 2020 (working groups and consultations for the elaboration of the NAP 2020-2022, technical assistance for ministries and coordination of initiatives undertaken by the Romanian authorities, meetings between authorities and NGOs). PNA 2020-2022 was elaborated and published, and will be submitted to the Government for approval (<http://ogp.gov.ro/nou/pna-2020-2022/>).

In order to re-operationalize the National Steering Committee of PGD Romania (CNC), the necessary steps were taken for the elaboration, consultation of civil society and adoption by the Government of the Memorandum on the Constitution of CNC (adopted on July 22, 2020). The implementation of the provisions of the Memorandum and the establishment of the NCC will start in 2021, taking into account the changes and reorganization measures at the level of the central public administration.

In order to fulfill Romania's mandate as a member of the Board of Directors of the Open Partnership, the technical secretariat permanently ensured the participation in the regular meetings of this forum and of the working parties, carrying out steps for formulating and transmitting the required points of view/contributions.

Activities carried out by the General Secretariat of the Government (SGG) on the transparency of public decision-making and on the public access to information

1. Elaboration and implementation of the free access to information of public interest policy

1.1. Monitoring and evaluation of the application by the authorities of the legal provisions for the application of Law no. 544/2001 on free access to information of public interest:

The General Secretariat of the Government (SGG) carried out 2 rounds of half-yearly monitoring of the central and local public administration authorities on the observance of the legal standards provided by the Law no. 544/2001 and the Memorandum on increasing transparency and standardization of the display of information of public interest.

The institutions covered by the monitoring process were all ministries (including SGG), 123 authorities of the central public administration subordinated or under the coordination of ministries, 27 authorities of the autonomous central public administration, 42 institutions of the prefect, 41 county councils, 327 town halls and cities at national level (including Bucharest City Hall and the town halls of the 6 sectors).

1.2 Elaboration of syntheses and recommendations regarding the annual reports on the implementation by the public administration of Law no. 544/2001 on free access to information of public interest:

- the SGG elaborated and published “Synthesis of the annual reports regarding the implementation by the authorities of the central and local public administration of the legislation regarding the free access to information of public interest in 2019” (<https://sgg.gov.ro/new/transparency-decisional-monitoring/>).

1.3 Administration of the online platform RUTI - Single Register of Transparency of Interests (ensuring the transparency of the decision-making act by involving the whole society):

- SGG coordinated, by the Technical Secretariat of RUTI, the activity of publishing and updating the information on the portal of RUTI;

- informing in writing of all decision makers for the creation and management of their accounts;

- drafting informative materials;

- organizing online training sessions with the designated staff for the correct administration of the accounts;

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Additional information provided by the Romanian Constitutional Court

I. At the beginning of 2020, after the dismissal of the Government by a motion of censure, the President of Romania appointed as a candidate for the position of Prime Minister, on February 6, 2020, the same person who held the position of Prime Minister to whom Parliament had withdrawn confidence only a day before. This approach was accompanied by public statements by the President of Romania on the need for early elections and by the candidate nominated for the post of Prime Minister in the same sense (cited in the decision of the Constitutional Court). The Constitutional Court found a legal conflict of a constitutional nature between the President of Romania and the Parliament, taking into account the obligation of constitutional loyalty that must govern relations between constitutional-ranking public authorities. The Court held, on the one hand, that the will of the Parliament reflected in the decision to withdraw confidence was not respected and, on the other hand, that the meaning of the provisions of art.103 and art.110 of the Constitution was not respected, according to which the president appoints a candidate for the post of Prime Minister for the formation of a new Government to fulfill its constitutional duties and not one to trigger early elections. The Court has obliged the President of Romania to proceed with a new appointment of the candidate for Prime Minister, respecting the letter and the spirit of the constitutional provisions, that is, in essence, with the aim of forming a new government and not of dissolving Parliament.

Following this decision, even if the President of Romania nominated the same person as a candidate for the position of Prime Minister, the idea of dissolving the Parliament and the early elections was abandoned. The nominated candidate has fulfilled his constitutional obligations, the Parliament has given the confidence to the new Government and the President has appointed him on March 14, 2020. Two days after the appointment of the government, the Romanian President established the state of emergency by decree, the efforts of the authorities being oriented towards taking measures to combat the effects of the COVID-19 pandemic.

II. The Constitutional Court ruled on the complaint of the Ombudsman on the competences of the legislator and the executive with regard to declaring the state of emergency and state of alert, on the conditions for restricting certain rights and liberties, the acts through which such measures can be imposed and the competences - shared or not - of the legislator and the executive on adopting such acts and their application. Forcing the public authorities to remain within the constitutional limits of the separation and balance of power in the state, the Constitutional Court is a fundamental institution as regards protecting democracy. In Romania, the complaints of the Ombudsman and the decisions of the Constitutional Court have been bitterly critiqued by the leadership of the Government, arguing that its act and its politicization sicken the population. The critical speech culminated by the prime-minister launching the idea to abolish the Constitutional Court and the constitutional control to be taken over by the High Court of Cassation and Justice.