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## **The Romanian Public Administration facing the Challenges of Integration into the European Union**

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# "The Romanian Public Administration facing the Challenges of Integration into the European Union".

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## I. The European general context

### 1.1 Theoretical aspects of Europeanization

The problems that the public sector in generally and public administration, in particular encounter, are demography, IT or globalization and *Europeanization*. The *Europeanization* process points toward a variety of attitudes and social-economic and cultural behaviours that interpret, assimilate and use the regulations, best practices and communitarian norms in a different social and temporal context.

The spectre of significations [1] is impressive: starting with the *Europeanization* as a *trans-national process* (diffuse of Western norms, styles and behaviours inside the Western Europe), continuing with an *Europeanization* as *institutional adaptation* to the EU requirements and getting to an *Europeanization* as a *counterbalance* to globalization or even a *specific strategy for conflict solving* in the world. Amongst these, the "*Europeanization – institutional adaptation*" approach, particularly relevant in the case of public administration has created several and mostly debated meanings of the Europeanization term.

In parallel or contrastively with the *Europeanization* process, the **European integration** constitutes a political process of adoption, by the national actors, of the new mechanisms and communitarian norms.

In its extent, the *Europeanization* is about both normative and adaptation driven (contextual) actions. It is accepted as arena of the thematic debates approaching public policies, international relations, political parties. The process of *Europeanization* comprises also other fields of the social life, such as those of governance, culture, national administration or civil society.

Starting from the reality of the European Union's construction, the literature, studies and relevant specialised reports underline two complementary sides of the Europeanization:

1. *Europeanization by deepening*, present inside the European Union and equivalent with the mutual impact of the EU and Member States on the national orders.

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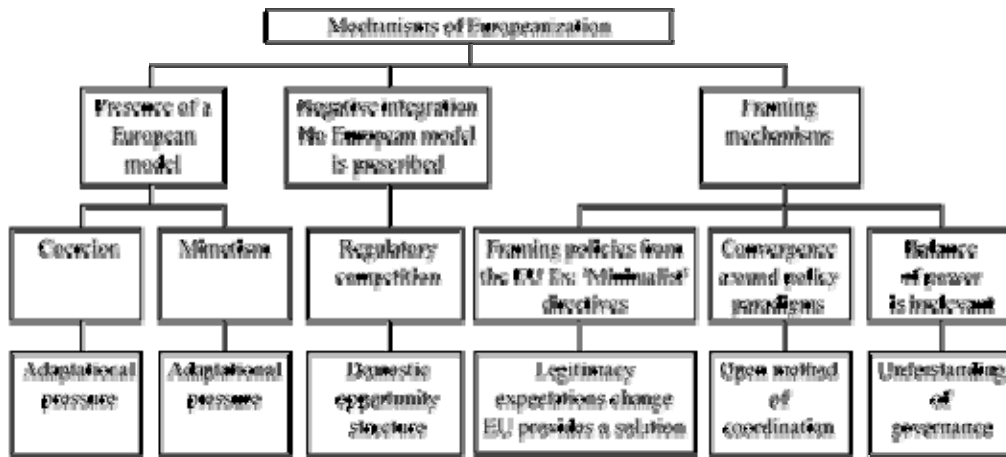


Fig. 1. Mechanisms of Europeanization [Featherstone / Radaelli (2003:41), adapted]

2. A different approach for the Europeanization is the *Europeanization by enlargement*, which, different from the deepening type, an endogenous part of the communitarian system, has an original substance derived from the need of balance in a space of diversity, such as the communitarian one. The Europeanization by enlargement [2] corresponds to the contracting of the Member States for exogenous models of institutional and/or valuable change, including their adaptation to the candidates' national orders.

In regard to the public administration, the Europeanization may be seen as a two level process: *the European level* that refers to a distinct evolution for each particular governing system, a new set of public structures and processes which interact with those already established for the *Member States* that form the *second level*.

For the current period of time, focused on the last decade of the 20-th century, the theoretical and empirical studies [3] stress on "the role and interaction of different actors, both European (the European Commission, the European Parliament, the European Court of Justice, the Committee of Region, the EU stakeholders) and national (governments, stakeholders, regions) in establishing the European policies. The Europeanization is an *independent variable* which impacts upon the national processes, policies and institutions".

Most of the studies are based on two main theoretical directions:

1. *the dependence on resources* - that points to the European system of governance as a system of political opportunity that change the distribution of power resources amongst the national actors, and
2. *the institutional adaptation* – in which the national actors adopt and internalize new rules and practices. This second direction uses the organization theories of the institutional change.

The modern approaches, typical for the year 2000, combine several discourses, such as:

- The rational choice and the sociological institutionalism;
- The dependency of resources and institutional adaptation.

|                          |   | <i>Rational Institutionalism (RI)</i>   | <i>Sociological Institutionalism (SI)</i>   |
|--------------------------|---|---|---|
| <b>Level of analysis</b> | <i>Macro/<br/>Institutional<br/>structure</i> | I. European institutions exert pressures on national institutions and actors                          | III. European institutions influence the construction of identities and interests of national and trans-national actors |
|                          | <i>Micro<br/>structure/<br/>Actor</i>         | II. Faced with institutional constraints or opportunities, actors react through strategic interaction | IV. Normative and cognitive adaptation of the actor in response to institutional change                                 |

Fig.2. Typology of research on the impact of European integration [Jacquot / Woll (2003)]

The *model of the institutional dependency (M.I.D.)* treats the actors from the point of view of utility – action for maximizing their preferences. Not excluding the possibility for switch of preferences, the model assumes that national actors have an essential interest in the organizational survival, autonomy and development, and that their preferences are mostly shaped by institutions. The interdisciplinary synthesis assumed by M.I.D. assures the specific difference with the institutionalism of rational choice, underlining the fact that institutions do not include only norms, but social norms as well, regulating the behaviour of actors and assuring the social adequacy of their actions. M.I.D. uses a systemic approach for several factors while acknowledging the sociological, economic, political or legal framework etc. We can conclude that choosing a strategy reform is not a problem regarding the available resources and the cost – benefit analysis of the expected utility, but also a function of preferences and the strategic options of the actors (Fig. 3.).

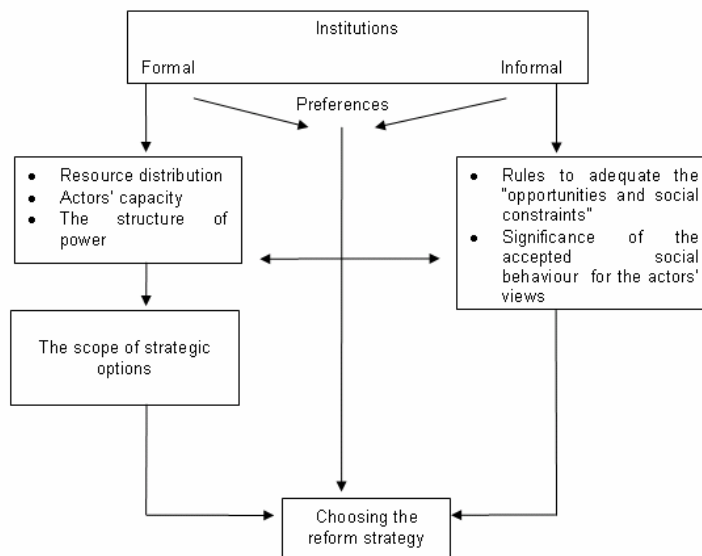


Fig. 3. The model of the institutional dependency (M.I.D.)

## 1.2 The practical aspects of Europeanization

Without further arguments in favour of the Europeanization, and by confining the analysis at the level of national public administration, we may conclude, as subsidiary domains of the Europeanization, the following issues:

- Europeanization of national administrations through implementation and practice of the European legislation;
- Europeanization of civil service by means of a *negotiation decision and implementation process* at European and national level;
- Europeanization of administration and national civil service by means of administrative cooperation;
- Europeanization of legislation regarding the civil service and the national personnel policies, by means of the European Court of Justice' jurisprudence and networking.

The enlargement depends on three factors: the internal preparation of the candidate countries and the accession negotiations. The main instrument consists in the European conditional elements imposed for accession into the EU, defined by the accession criteria.

The studies and analyses [7] of the period 1994-2004 define the managerial dimensions of EU enlargement toward Eastern Europe:

- Legislative harmonisation with the *acquis communautaire*;
- Focusing the accession negotiations on the practical aspects related to undertaking the *acquis communautaire* by the candidate state;
- The new members integrated into the EC institutional structure by a progressive adaptation commit to achieve a broader reform after enlargement;
- The problems are solved by creating new instruments that overlap with the existent ones and not by a fundamental reform that should eliminate or diminish the inconsistencies of the existing instruments.

By the Treaty establishing the European Constitution the above analysis is deepened, making the distinction between:

1. The Europeanization of the basic principles ("democracy", "citizenship", "efficiency", "efficacy", "rule of law") and the development of the general principles of the public administration ("good governance", "openness", "fight against maladministration", etc.);
2. The Europeanization of the national civil services, thanks to the strict interpretation of the freedom of workers and the restriction regarding the public function (cf. Art. 39.4 EC);
3. The Europeanization by implementation and practice of the secondary legislation (of regulations regarding the equality, cf. Art. 137 and Art. 141 EC etc.);
4. Europeanization in regard to the strict interpretation of the Article 10 EC and European Court of Justice' jurisprudence;
5. Europeanization by impact of the competition rules of Article 86 EC and privatization of the former services and public enterprises.

### *1.3. European conditionality*

More often the term of conditionality is used when we speak about integration into the EU. The European conditionality is identified with an institutional arrangement, a rule, a standard of behaviour that enables the achievement of the connections between the benefits of membership to a regional economic union, such as the EU, observing the exigencies and principles imposed by the quality of member. As shown by the studies [8], the European conditional elements induce institutional changes regarding the contents of the public policies on the Member State level whenever there are disagreements between rules, the framework for adoption and the contents of the policies at national and European level.

The observance by Romania of the conditional elements imposed through the four accession criteria from Copenhagen means:

1. the political criterion - guaranteeing the state of law;
2. the economic criterion – existence of a functional market economy that should enable the candidate state to face the competition pressures and the market forces within EU;
3. the legal criterion – acquiring the *acquis communautaire* in force at the moment of accession;
4. the administrative criterion – ensuring the stability of the institutions and the capacity to take the obligations derived from the quality of being European Union Member State.

One of the most important accession criterion is the legal one, namely to undertake the *acquis communautaire*, with direct impact as it imposes priorities, objectives, the contents and a uniform institutional framework for adopting and implementing the public policies, related to the EC model.

## **II. Aspects of the Romanian administrative system**

### *2.1 General and particular issues*

Indeed, Romania's local administration reform, as is the case in other countries in the region, must go beyond partial changes of territorial or functional attributes and limited modernisation. From the Romanian experience so far, several key critical issues to improve local governance can be identified [9]. For example:

- ✓ Administrative capacity;
- ✓ Finding the right balance for discretionary power, in such a way that the responsiveness and effectiveness, through a legitimate judgment that takes into account regional, local and individual particularities, does not turn into arbitrary judgments, structured by personal values, interests or stereotypes, leading to systematic discrimination and, finally, to a lack of effectiveness in dealing with established objectives;
- ✓ Accountability mechanisms within local government;

- ✓ Another critical issue is lack of management skills among elected officials at the local level and administrative personnel;
- ✓ Lack of communication between public institutions, both horizontally and vertically, together with the ambiguous delineation of roles within and between organizations;
- ✓ The inadequacy of structures, poor correlation between responsibilities and resources (human, financial, physical) and insufficient transparency and delegation of responsibility;
- ✓ The lack of effective decentralization of public services and the ambiguous role of the state (at all levels) in the management of public services; and
- ✓ Fiscal decentralization and financial autonomy.

## *2.2 Change and reform*

### **A. At central public administration level**

#### *A.1 On legislative level*

For example some of the most important pieces of legislation related to local governance after 1994 were:

- Law No.189/1998 on local public finances, which provided a new framework for local finance mechanism and to enhance local financial autonomy;
- Law No.27/1994 on local taxes and charges, which specified the conditions for local governments to establish, collect and administer certain taxes and fees;
- Law No.213/1998 on public domain and its legal regime, which addressed the issue of asset allocation between central and local levels and the distinction between public property and private domains;
- Law No.219/1998 on concessions, which established the general framework for concessions at the local government level; and
- Law No.103/1998 on autonomous regies reorganization and Law No.44/1998 on commercial companies' privatization, which transformed autonomous enterprises into commercial companies, transferred shares of local utilities to local government units and set up rules for their privatization.

The year 1998 marked a turning point for local governance and public administration in Romania, particularly to begin to address financial and economic issues. The EU integration process had a trigger effect for the whole public administration reform strategy and actions. As a result, Law No. 69/1991 was replaced by Law No. 215/2001 and, as already mentioned, the 1991 Constitution was reformed in 2003. The new Constitution of 2003 enumerated guiding principles for local governance, which were "decentralization, local autonomy and devolution of public services" (Article 120.1). On the legislative side, from 2001 to 2003, a series of legislative modifications and the enactment of new laws created a more "friendly" and enabling environment for local governance and public administration, with a strong emphasis on financial decentralization and improvement of public administration.

The changes in the new Constitution regulate a series of aspects concerning public administration:

- ✓ Public administration from the administrative-territorial units is based on the principles of decentralisation, local autonomy and devolution of the public services;
- ✓ The County Council represents the authority of the public administration for the coordination of the activity of commune and town councils aimed to achieve the public services of county interest.
- ✓ The Government appoints a prefect in each county and in Bucharest Municipality.
- ✓ The prefect is the Government's representative on local level and he leads the devolved public services of the ministries and other bodies of central public administration from the administrative-territorial units.

The prefect's assignments are established through organic law. There are no subordination relations between prefects, on one hand, local councils and mayors, county councils and their presidents, on the other hand.

Some of the most important laws during this period are as follows:

- Law on the Statute of the Civil Servants no. 188/1999;
- Law concerning the ministerial accountability no. 115/1999;
- Law no.326/2001, regarding community public services;
- Government Ordinance no. 86/2001 regarding services related to local transportation of passengers;
- Government Ordinance no. 84/2001 regarding community public services for population record;
- Government Ordinance no.87/2001 regarding local sanitation;
- Government Ordinance no. 88/2001 regarding community public services for emergency situations;
- Emergency Ordinance no. 202/2002 regarding cross-cutting management of coastal zones;
- Government Ordinance no 21/2002 regarding sanitation management of rural and urban areas;
- Government Ordinance no. 32/2002 regarding local water distribution and sewerage system;
- Government Ordinance no 71/2002 regarding organization and functioning of public services for management of public and private domains of local interest;
- Law on public finances no. 500/2002;
- Emergency Ordinance no.45/2003 regarding local public finances;
- Law no. 161/2003 concerning some measures to ensure transparency in exercising the public dignities, the civil services and in the business environment, preventing and sanctioning corruption.
- Law no. 315/2004 regarding regional development in Romania (replacing the Law no.151/1998)
- Law no.339/2004 regarding decentralization;
- Law no.340/2004 regarding the Statute of the Prefect.

*The Government adopted at the same time a series of normative deeds, namely Government Decisions or Emergency Ordinances that have ensured the implementation of the measures provided in the legislation on public administration:*



- **Government Decision no. 1006/2001** to approve the **Government Strategy for speeding up the reform in public administration**
- **Government Decision no. 1007/2001** to approve the **Government Strategy concerning the introduction of IT in public administration.**
- **Government Decision no. 1209/2003** concerning the organisation and development of the civil servants' career;

*In the area of public administration, the Ministry of Administration and Interior monitors the application of the provisions comprised in the reform and restructuring strategies and programmes of the central and local public administration, elaborated on the basis of the Programme of Governance, according to the European Union standards and internal legislation and ensures the achievement of the strategies and programmes in its field of activity.*

Government Decision no. 856/2003 concerning the establishment of the Project Management Unit for the Public Administration Reform, provides the creation of a structure at governmental level ensuring the World Bank project management for the future loan of programming adjustment (PAL), aiming public administration reform.

#### *A.2 On institutional level*

**In June 2003** a new **reorganisation of the public administration authorities** took place. Taking into account the practice of European countries with modern administration, on the basis of the experience accumulated on political and governmental level, it has been decided the **significant reduction of the number of ministries** – even under the European average. Thus, the **structure of the Government comprises 15 ministries, eight** that maintain their previous statute: The General Secretariat of the Government, is not a ministry, it functions as a structure within the working apparatus of the Prime Minister, according to the Government Decision no. 747/2003, Ministry of Foreign Affairs, Ministry of European Integration, Ministry of Public Finances, Ministry of Justice, Ministry of National Defence, Ministry of Culture and Religious Affairs, Ministry of Communication and Information Technology and **seven new ministries**, set up through merging or other forms of reorganisation: Ministry of Administration and Interior – merging the Ministry of Public Administration with the Ministry of Interior; Ministry of Labor, Social Solidarity and Family – which undertakes from the former Ministry of Health and family the structures concerning family protection and handicapped persons; Ministry of Economy and Commerce – by merging the Ministry of Industry and Resources with the Department for Foreign Trade under the subordination of the Prime Minister; Ministry of Agriculture, Forests, Waters and Environment – by merging the Ministry of Agriculture, Food and Forests with the Ministry of Waters and Environment Protection; Ministry of Transport, Constructions and Tourism – by merging the Ministry of Public Works, Transport and Houses with the Ministry of Tourism; the Ministry of Education, Research and Youth – by merging the Ministry of Education and Research with the Ministry of Tourism and Sport; Ministry of Health – with a limited activity area related to the former Ministry of Health and Family.

## **B. At local public administration level**

### **B.1 On legislative level**

- ✓ **Law of local public administration no. 215/2001**, with the future changes that regulate the general regime of local autonomy, defines the assignments and competences of local authorities and strengthens the responsibility of the elected officials toward the citizen;
- ✓ **Law on community public services no. 326/2001**, with the further changes that establishes the unitary legal framework concerning the establishment, organisation, monitoring and control of the community public services in counties, towns and communes;
- ✓ **Law on territory endowment and urbanism no. 350/2001** that defines territory endowment as a global, functional, prospective and democratic activity;
- ✓ **Law no. 1/2000 for reconstituting the property right on agricultural, forestry lands required according to the provisions of the Law on land fund no. 18/1991 and Law no. 169/1997;**
- ✓ **Law on land fund no. 18/1991, with further changes and supplementations**
- ✓ **Law no. 544/2001 concerning the free access to public interest information**, regulates one of the fundamental principles of the relations between persons and public authorities;

At the same time, a series of normative deeds were adopted in order to complete the **secondary legislation:**

- ✓ **Government Decision no. 1206/2001** concerning the rules that apply the provisions of the right of the citizens belonging to national minority to use mother tongue in local public administration;

### **Other normative deeds in the area of local public administration:**

- ✓ **Government Ordinance no. 35/2002** in order to approve the Framework Regulation for organisation and functioning of the local councils, approved by Law no. 673/2002;
- ✓ **Government Ordinance no. 53/2002** concerning the framework Statute of the administrative- territorial unit, approved with modifications by Law no. 96/2003;
- ✓ **Government Decision no. 1019/2003** concerning the organisation and functioning of the prefectures; the institution of the prefect will be regulated by organic law, according to the new constitution;
- ✓ **Government Emergency Ordinance no. 45/2003** concerning the local public finances establishes the principles, the general framework and procedures concerning the creation, administration and use of local public funds as well as the responsibilities of the local public administration authorities and public institutions involved in the area of local public finance.

### **C. Some practical aspects**

*Law no. 544/2001 concerning the free access to information of public interest:*  
organisation of departments of information and public relations according to the law.

*Argument:* Concerning the modality to elaborate the law and rules for application, it is a *model of public debate* of a problem with public importance.

The law and rules represent the product of the social negotiation, of a public debate attended by political persons, journalists and representatives of non-governmental organisations. NGOs showed, even at symbolic level, how useful is the involvement of the civil society in elaborating rules useful for the whole society.

#### Main data

In 2003, 662447 requests of information of public interest were addressed at national level, out of which 644679 were solved favourably (97%).

From the total of the requests, 89% were addressed at local level and 11% at central level; 80% were addressed by individual persons, and 20% by legal persons; 21% were addressed in written form, 73% verbal, and 6% in electronic format.

The requests aimed: the modality of achievement of the assignments by the public institutions – 29.5%; normative deeds, regulations – 24.5%; use of the public money – 8.8%; the application of Law no. 544 – 5.7%; activity of the public institutions leaders – 4.5%; other information specific to each public institution – 27.1%.

The administrative complaints were 713, out of which 489 were solved favourably (68.5%); 115 were rejected (16%); 109 on the roll (15.5%). The number of complaints in the instance counted 424, out of which 81 were solved favourably (19.1%); 106 were rejected (25%); 237 are on the roll (55.9%).

#### *Law no. 52/2003 on decisional transparency in public administration*

*Argument:* The Law on decisional transparency is part of a larger legislative package regarding the institutionalization of transparency in administration and fighting the corruption. It is actually placed next to other regulations such as access to information, political party financing, IT procurement, wealth statement, declaration of existing conflict of interests and incompatibilities.

There are three essential prerequisites for reforming the relation between the administration and citizen and institutionalizing the transparency:

- access to information;
- consultation;
- civic participation.

These prerequisites are met both in the norms of international organizations (European Union, Council of Europe, OSCE, OECD), and in the practice of democratic countries (especially those in North – American, Anglo – Saxon and more recently, new Baltic democracies). The law is inspired from the American Sunshine Law and the OECD regulations.

The Law addresses to all citizens and associative forms, but the main beneficiaries as seen by the legislator are the associations of business men, trade unions and non – governmental organizations. The Law applies to ministries and non – governmental agencies, autonomous public authorities, decentralized public services, mayoralities, county and local councils.

This is a fundamental change in the optics and practice of the relation between administration – as a manager of the public money and citizen – as a tax payer, from the principle of “we know to decide what’s better for you” to that of “we consult you and decide with you”. It is not about the direct democracy, but a participatory democracy where the responsibility of managing the administrative act is not replaced, but increased.

The responsibility for the content of normative deeds or the decisions taken belongs entirely to those elected and nominated to manage the public institutions.

### Main data

In 2003, at national level 47 766 normative deeds were adopted, from which 2809 using the emergency procedure (5.8%).

46 431 announcements of normative deeds drafts were published, from which 11% on the public web site of the public authorities and institutions, 77 % at the headquarters of the actors involved and 12 % via mass-media. There were also 2557 projects sent for consultation, on demand, out of which 51 % to legal persons and 49 % to associations of business men or other legally constituted associations.

3716 recommendations of civil society regarding the normative deeds were received (2 recommendations to 3 normative deeds sent for consultation), from which 2310 were included in draft laws (62.1 % of the total).

The number of the meetings organized at the demand of legally constituted associations for debating the draft normative deeds were 821.

The public meetings were 12995 in number, of which 11268 (78 %) were announced by posting at the public institutions’ headquarters, 908 (6%) by publishing on the web site, and 2260 (16%) in the press. Public debates met a participation of 130728 persons, which means an average of 10 persons per public meeting. According to the provisions of law, 177 public meetings were not opened to public.

During the public meetings, 5584 suggestions and recommendations were made, out of which 2841 (0.8%) were included in the decisions taken.

The actions brought in face of the justice against the public authorities for not respecting the legal provisions regarding the Law 52/2003 were 40, out of which 13 were rejected, 13 favourably solved and 14 on the roll.

*Argument:* The definition of corruption is given within the framework of the Global Programme against corruption, delivered by United Nations: “the essence of the phenomenon of corruption consists in the abuse of power, achieved with the purpose to

obtain a personal profit, directly or indirectly, for himself/herself or other person, in the public or private sector”.

The independent audit of the National Anticorruption Strategy 2001 – 2004, achieved by Freedom House Washington Inc. states the following:

“During 2000-2004, Romania has created an impressive arsenal of legal instruments for transparency, accountability and anticorruption, and it seems that some of them have generated positive results”. At the same time, the following issues have been identified as main obstacles for the efficiency of the fight against corruption:

- low implementation of the legislation on anticorruption;
- limited use of the administrative instruments for the fight against corruption;
- insufficient coordination between the control structures and the bodies of criminal inquires in the area of corruption;
- lack of real autonomy of the prosecutors;
- legislative and institutional inflation in this area.

At the same time, both the Independent Audit and the last National Report on Corruption of the Romanian Association for Transparency states: there are necessary improvements in the anticorruption legislation, indicating the necessity to adopt some legislative clarifications concerning, for example, the conflict of interests, the mechanisms for checking the declarations of wealth and interests, as well as the regime of incompatibilities.

### III. Actuality and continuity

The Romanian modern judiciary system defined in the „National Anticorruption Strategy on 2005-2007” means to observe the following principles:

- 1) the principle of **the rule of law** which states the supremacy of law, all citizens are equal in front of law; it means to respect the human rights and the separation of the powers;
- 2) the principle of **good governance** means to establish clear, efficient actions based on well-established and quality objectives, to have the capacity and flexibility to respond quickly to the social requirements;
- 3) the principle of **accountability** means: the governmental accountability to formulate public policies, their implementation and evaluation;
- 4) the principle of **preventing** the achievement of the corruption acts;
- 5) the principle of **efficiency** in the fight against corruption;
- 6) the principle of **cooperation and coherence** between the actors involved in the fight against corruption;
- 7) the principle of **transparency, consultation of the civil society and social dialogue**, which means: transparency of the decision-making and consultation of the civil society;
- 8) the principle of **the public-private partnership** which promotes forms of collaboration with the civil society in concrete activities for the implementation of the measures to prevent corruption.

3.1 The application of the reform policies in the area of public administration will take into account the following conditions:

- defining inside the legislation for setting up and organisation of a public authority the principles of communication, transparency, efficiency, accountability, participation, coherence, proportionality and subsidiarity, regulation of the application mechanisms;
- splitting the responsibilities between public authorities in the area of public policies, financing and provision of public services;
- introducing a simple and clear mechanism of public policies in order to elaborate and apply programmes, projects, action plans and law drafts;
- separating the level of elaborating the public policies from the implementation level;
- establishing a number of civil servants related to the definition of a public service and an adequate quality standard for this service;
- monitoring and evaluation.

3.2 The anticorruption policies will be applied starting with the observance of the following conditions and principles:

- institutional evaluation, in order to be able to identify, define and apply fairly the measures of the fight against corruption and not only to introduce chaotically new regulations under external pressure;
- ensuring the political neutrality for the application of the anticorruption measures as well as enacting independent mechanisms for monitoring and evaluation;
- transparency of the public authorities activity in elaborating policies and their application process, including the non restrictive access to public information;
- achieving the partnership with the civil society, by elaborating the institutional mechanisms that ensure the broadest citizen participation in evaluating the dimension of corruption, influencing them directly, as well through civic organisations participation;
- integrated approach by exact definition of the sources generating corruption, as well as through the coordination of the policies and elaboration of common mechanisms to ensure the collaboration of the public authorities and clear delimitation of competences, instead of the confusion of competences, as it is for the time being and hinders the effective application of the in force laws;
- result-orientation, by introducing the monitoring and evaluation mechanisms.

3.3 The common principles of the public administration in the European Union Member States represent the conditions for a "European Administrative Space". In order to implement the *acquis communautaire* in all fields, Romania must have a modern, efficient and effective public administration. This target can be reached only by including these principles in institutions and administrative procedures at all levels.

The most important principles that Romania, in its capacity as candidate state, must observe and include in all enactments regulating the field of public administration can be grouped on the following categories:

- **trust and predictability** - the principles included in this category are: administration by law, principle of proportionality, principle of deadlines in the decision making process;
- **openness and transparency;**
- **responsibility;**
- **efficiency and effectiveness.**

The Romanian Government's strategy for speeding up the public administration's reform is focused on three targets:

- **the reform of the civil service;**
- **the process of decentralization/ devolution;**
- **the elaboration of public policies.**

In the area of public administration the Government of Romania will apply a national strategy during 2004-2008, that will have three objectives:

- reform of basic public services and public utilities of local interest;
- consolidating the process of administrative and fiscal decentralisation;
- strengthening the institutional capacity of the structures in central and local public administration.

### ***Selected references***

- Börzel, T.A., Risse, Th., (2000), *“When Europe Hits Home: Europeanization and Domestic Change”*. ELoP, vol. 4 (2000), No. 15, p. 3.
- Börzel, T., A., Risse, Th., (2000), *Op.cit.*, pp. 15 – 19.
- Featherstone, K., (2003), *“Introduction: In the name of Europe”*, in Featherstone / Radaelli *“The Politics of Europeanization”*, London, Oxford University Press, pg. 3-26.
- Featherstone, K., Radaelli, C., M., (2003), *“The Politics of Europeanization”*, Oxford University Press, London, p. 41.
- Featherstone, K., Radaelli, C., M., (eds) (2003); *„The Politics of Europeanization”*, Oxford University Press, Bafoil, F., Hibou, B., (2003), *„Les administrations publiques et les modes de gouvernement à l’épreuve de l’européanisation. Un comparaisons Europe du Sud, Europe de l’Est”*, Les Etudes du CERI, No. 102, dec.; Salgado, S.R., Well, C., (2004), *„L’Europeanisation et les acteurs non-Etatiques”*, Radaelli, C., M., (2000), *„Whither Europeanization? Concept stretching and substantive change”*, *European Integration online Papers*, Vol 4 (2000), No. 8; Andersen, S. S., 2004, *„The Mosaic of Europeanization. An Organizational Perspective on National Re-contextualization”* ARENA Working Papers, WP04111, Oslo, Centre for European Studies.
- Hughes James, Sasse Gwendolyn, Gordon Claire, *Enlargement and European Governance The Ambivalence of Conditionality: Europeanization and Regionalization in Central and Eastern Europe*, ECPR Joint Sessions Turin, 22 – 27 March 2002 Workshop 4:

Matei Ani, , *The Systemic Acquis of Public Administration*, 2009, available at <http://ssrn.com/abstract=1503410>

Matei Lucica, Matei Ani, *Globalization and Europeanization - A Projection on a European Model of Public Administration*, *Theoretical and Applied Economics*, Vol. 4, No. 4, pp. 33-52, April 2008 , available at <http://ssrn.com/abstract=1310129>

Preston, C., *Enlargement and Integration in the European Union*, London: Routledge, 1997.

Scharpf, F., W., (1999), „*Governing in Europe: Effective and Democratic?*” Oxford University Press,

Olsen, J., P., (2002), „*The many faces of Europeanization*”, *Journal of Common Market Studies*, No. 40(5); Page, E., C., (2003), „Europeanization and the persistence of administrative systems”, in Hayward / Menon (eds), *Governing Europe*, Oxford University Press, pg. 162 – 176.

UNDP, (2005), *National Human Development Report 2003-2005 for Romania*, p.7, p.40.

*National Anticorruption Strategy, 2005 – 2007*

*Programme of Governance, 2005-2007*