

A SWOT Analysis of the Romanian Public Administration

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Before performing a thorough analysis of the today-Romanian public administration, it will be useful to assess the positive and the negative aspects of the Romanian public system. This can be done quite easily by making a SWOT analysis.

The SWOT analysis is a technique that has appeared and has been comprehensively researched in the management area, later on being used for analyzing strategic performances. A concise definition of it would be: "systematic development and evaluation of past, present and future data to identify internal strengths and weaknesses and external threats and opportunities"¹.

The SWOT analysis can be used in many ways for developing an efficient strategic analysis. The most common way is to use it as a logical framework guiding systematic discussion of an entity's situation and the basic alternatives that the entity might consider.

An analysis of the Romanian public administration would take into consideration the following parameters:

- creating a relationship between the strengths and weaknesses of it and the positive achievements;

- the strengths and weaknesses will be approached from a competitive point of view;
- the gap between where the public administration *wishes to be* and where it is *now* will be presented in a realistic manner;
- the strengths and weaknesses and the opportunities and threats will be approached also realistically.²

Through a structured approach, the external opportunities and threats are systematically compared with the strengths and weaknesses. The main objective of this approach is to find the model that results from the combination of the internal and external situations of the researched entity.³ Each of these four models is obtained by intersecting the strengths and the weaknesses with the opportunities and the threats. For this particular analysis, the most important models would be given by the intersection between the strengths and the opportunities with the weaknesses and the threats; the outcome of the analysis aims to discover the central problem and respectively, the possible solution to this.

Internal factors	External factors	
	<i>Strengths</i>	<i>Opportunities</i> <i>Possible solutions</i>
	<i>Weaknesses</i>	<i>Threats</i> <i>Central problem</i>

Figure 1. SWOT confrontation matrix

This strategy allows the organizations to obtain a feasible balance between their external environment and internal capacities. The purpose of the strategy cannot be regarded

as a passive answer to the opportunities and the threats coming from the external environment, but as a continuous and active

process of adapting the organization to answer the requirements of a changing environment⁴.

The Romanian public administration is in a crucial period, taking into account the pressures exerted by the accession process. In December 1995, the European Council in Madrid has underlined the necessity of creating adequate conditions for the gradual and smooth integration of the candidate countries, especially through the adjustments undertaken by the national public administration. Reinforcing this theme, the European Commission has underlined in the Agenda 2000 the importance of a proper assimilation of the *acquis* in the national legislation, as well as the necessity of a proper implementation of it in all the relevant fields, through appropriate administrative and judicial structures. The proper implementation of the *acquis* represents an essential condition for being considered a trustworthy future member state of the European Union.⁵

A **strength** in the context of SWOT analysis is a resource, skill, or other advantage, relative to competitors and needs of the market an entity serves or expects to serve.⁶

In the case of the Romanian public administration we can consider as strengths the following aspects:

- the desire/the determination to make the reform of the local and central public administration;
- the increased involvement of the NGOs in the decision-making process;
- the establishment of specialized institutions that aim to offer training programs for the public civil servant in order to increase the performances of the Romanian public administration and the implementation of the relevant legislation in the field.

The eagerness to reform the Romanian public administration has been particularly revealed by the necessity of adapting the national institutional frameworks to those requested by the new market-economy system towards which Romania has started moving since 1989. Since 1995, when the Association Treaty between Romania and the European Union has been signed, the main objective for

the foreign policy of Romania became the integration into the European and Atlantic structures. Nevertheless, this Euro-Atlantic integration would not have been feasible without a proper reform of the Romanian society.

Between 1990 and 2000, although the necessity to reform the local and central public administration has been several times reaffirmed, due to different internal and external factors, such as: the minimum experience in the administrative reform, the lack of adequate knowledge of politicians and of the public civil servants in matters regarding the reform of the public administration together with the lack of a clear and concrete legislative framework that could have supported the effective realization of the reform, the reform achieved the expected results only in a small extent. Therefore, for the period mentioned above, one can hardly consider that a reform of the system took place; it was more a transition period towards a capitalist society.

Beginning with 1998, Romania's capacity to fulfill the status of a member state of the EU has started to be permanently analyzed and evaluated in the Annual Report of the European Commission. For the first time, the necessity of a "general and complex" reform of the Romanian public administration is officially mentioned.

The Governmental Program for 2001-2004 tackles directly the reform of the public administration, starting with the critics of the European Commission from the Annual Report for Romania in 2000. Even though there has been a wholehearted political will to reform the administration, between 2000 and 2003 the reform process has not been properly followed, therefore in the Annual Report on Romania from 2003, the European Commission underlies once again "the limited capacity of the Romanian public administration to implement and apply the new legislation". In this context, the Ministry of Public Administration has issued in 2004 the so-called "Governmental Strategy concerning the Acceleration of the Reform of the Romanian Public Administration". This strategy aims to adapt the Romanian public administration to

the European standards. Furthermore, the public administration has to be permanently characterized by "transparency, predictability, responsibility, adaptation and efficiency"⁷.

It is beyond any doubt the clear willingness to perform an ever-lasting and substantial reform of the Romanian public administration and in this view, the political willpower could be considered as a strength of the SWOT analysis.

The increased involvement of the NGOs in the decision-making process could be considered as a second strength of the SWOT analysis of the public administration in Romania. In the last three years, the NGOs sector became increasingly involved in drafting the laws aiming to increase the transparency and the democratization of the decisional process.

Several Consultation Councils in which representatives of the opposition parties, representatives of the trade unions and patronages or of different interest groups have been involved, have been created in the last years. This kind of consultations aims to increase the involvement of the civil society in the legislative process and, above all, to a better representation of people's interests.

In the Regular Report on Romania's Progress towards Accession from 2001 the European Commission mentions "the consultations with the social partners, with NGOs and with the business community concerning the drafting of legislation have been improved, but they still remain limited"⁸.

In April 2002, by a Government decision has been decided the legal obligation of the administration to consult the business environment and the NGOs in drafting the legislation that could have an impact on the business environment. Moreover, also in 2002, by using the PHARE funds, it has been attempted to support the civil society in developing partnerships between the NGOs and the local and central authorities and to create networks of information points for the citizens. At this moment, the most active NGOs are those active in preserving the environment, consumer protection, human rights and child protection and those from the economic and social environments.

An essential condition for reforming a system is the existence of the institutions that have to ensure the functionality of the system. In the case of the Romanian public administration, starting with 2000, it has been attempted to adapt the administrative system to the requests ensuing from the status of a candidate country of the European Union. Therefore, *the establishment of specialized institutes for preparing the public civil servants, in order to professionalize the Romanian public administration and the adoption of relevant legislation in the field*, could be considered another strength of the SWOT analysis.

A first stage in the legislative development in the field has been the Law no. 188/1999 with regard to the Status of the Public civil servants together with the secondary legislation. In order to complete the Law no. 188/1999, the Law no. 161/2003 regarding additional measures that aimed to ensure the transparency in exercising the public duties, the public dignities and in the business environment as well as the prevention and the sanction of the corruption has been adopted.

The Law no. 188/1999 redefines the notion of public function and public civil servant. Furthermore, the Law introduces the category of *high public civil servant*, responsible with ensuring a smooth continuation and coherence of the administrative decisions necessary for implementing the public policies. This particular Law offers stability in function for the high level public civil servant, when the government may change. The Law also comprises provisions referring to the recruitment and promotion of the public civil servant, the length of the internship, the evaluation of the individual professional performances, the professional carrier, the redistribution and mobility of the public civil servant.

Regarding the institutional framework necessary to reform the administration, two institutions responsible with the reform of the public function have been created:

- National Agency of the Civil Servants – for the management of the public function;
- National Institute of Administration – for the continuous formation of the public civil servants.

Starting in 2004, the Observatory of the Public Function will be established. This institute will comprise representatives of the civil society, of the public institutions, of the trade unions and of the political parties. The aims of it are to ensure an increased transparency of the management of the public function and the independence of the body of civil servants.

A **weakness** is a limitation or deficiency in the resources, skills, or capabilities that seriously impedes the country's effective performance⁹.

The Romanian public administration can be characterized by the following weaknesses:

- a low trust of the population regarding the local and central administrative structures;
- the lack of an experienced body of the public civil servant;
- low transparency in the decision-making process and high bureaucracy;
- corruption and political affiliation;
- reduced capacity in applying the public policies, including those referring to the administration of the structural funds.

For having a public administration that serves the citizen, a strong and confident image is needed. Nevertheless, in Romania, one of the weakest aspects of the local and central administrative system is represented by the *low trust of the population regarding the administrative structures*.

According to a survey conducted by the IMAS Institute in August 2003, the confidence of the population in the state's institutions is the following¹⁰: the government (31.4%) and the Parliament (25.2%) have the lowest percentage in population's confidence, while the church (91.9%), the army (76%) and the presidential institution (46.6%) are on the first three places in population's confidence. In other words, the public administration's institutions responsible with the drafting and the implementation of policies, in the case of the Government, with the national legislation, in the case of the Parliament, have the lowest percentage of confidence. The credibility of the public administration's institutions is essential in creating an efficient administrative environment that can satisfy the needs of the citizens.

Another weakness of the Romanian public administration is portrayed by *the lack of a body of experienced public civil servant*. In Romania, the total number of public functions in the local and central public administration is 110,426 from which 65,497, representing 59.3%, are in the central public administration, and 44,929, representing 40.7% are in the local public administration¹¹.

With regard to the degree of occupation of the public functions, from the total of 110,426 positions, 97,142 positions, representing 87.97%, are occupied, the rest of 13,824 positions, representing 12.03%, being vacant¹².

With regard to the type of studies, the number of public civil servant having a university degree is 54% while the number of those with medium studies is 46%¹³.

The personnel from the Romanian public administration has, generally speaking, graduated a university, while the structure of specialization of the public civil servants reveals a quite extensive number of economists (17,537) and engineers (18,816), despite the reduced number of public civil servant with a degree in public administration (407), juridical sciences (4,268) or sociology and psychology (223)¹⁴.

Analyzing the information portrayed above, one would reach the conclusion that in the Romanian public administration the number of personnel with specialized studies is quite low. Targeting candidates with specialized studies in the public administration would increase the professionalism of the body of public civil servant. Furthermore, by employing personnel with specialized studies, the confidence of the population in the national public administration will be also increased.

An additional weakness of the Romanian public administration is depicted by the *reduced degree of transparency in the decision-making process* and by the *extremely bureaucratic administrative procedures*. In the Regular Report on Romania's Progress towards Accession from 1998, the European Commission had notified the Romanian government about the necessity of decentralizing and increasing transparency of the decision-making process from the public

administration. The same advices have been mentioned in the 1999 Report, where it is specifically mentioned: "the present provisions referring to the public civil servants raise some questions with regard to the legality, transparency and professional independence"¹⁵. In 2000, the European Commission has reached the following conclusion: "particular attention has to be devoted to the decentralization process and it has to be ensured that the decentralized responsibilities are sustained by sufficient human and financial resources at the local level"¹⁶. The problem of decentralization and the lack of transparency have been underlined again in the 2003 Report where it is mentioned, "the Romanian administrative system continues to be characterized by lengthy procedures, by a limited transparency and by political restraints over its capacity"¹⁷.

The decentralization process and the administrative procedures have been negative characteristics for the Romanian public administration from the beginning of the monitoring process. During the past seven years, several attempts have been made to tackle these thorny issues, however the results have not come out yet.

The decentralization of the decision-making process refers to an increased involvement of the local administrations in the decision-making process, aiming at implementing the principle of subsidiarity and particularly at taking the most appropriate decisions at the corresponding levels. Following the integration in the European Union, the local public authorities will have a particular role in the decision-making process, due to the fact that the integration will take place firstly at the local level. The process of integration requests an active role of the regions in developing and implementing the European legislation. By actively taking part at the decisional process, the local public administration will gradually become more professional in performing its duties.

Regarding the bureaucratic administrative procedures, one could observe that this characteristic is present in almost any other European public administration. Romania's public administration is characterized by:

- lengthy intra and inter-institutional processes;
- the lack of an efficient formal and informal institutional communicational system;
- the lack of an appropriate data base that should comprise all the information the citizens need on a daily basis;
- the lack of an efficient communication strategy at the governmental level.

One of the weakest aspects that characterize the Romanian public administration is represented by the *corruption and by the political constraints*.

In Romania the phenomenon of corruption is deeply rooted at all societal levels and represents the highest risk that could hamper Romania's accession in the EU: "few progress has been achieved in reducing the corruption; a better coordination among different initiatives for combating corruption is extremely needed"¹⁸. In 2001, the problem of corruption has been once again underlined in the Regular Report released by the European Commission: "corruption is still a major problem and almost nothing has been done to remove it"¹⁹. The 2002 Report mentions that "new institutional frameworks have been created to combat the phenomenon of corruption, but their effectiveness could have hardly been assessed"²⁰. The Regular Reports continued to monitor very strictly this phenomenon, therefore the 2003 Report mentions: "corruption continues to be widely spread and its effects could be observed everywhere in the society. In the monitoring period several measures aiming to reduce it have been introduced, however, the implementation of the legislation has been reduced. It is of a primordial importance to achieve the desired goals and to increase the efforts aiming to remove the corruption from society"²¹. Taking into consideration various studies and evaluations performed by national and international organizations, the European Commission concluded in the 2004 Regular Report that "corruption remains a major problem for Romania being widely spread at all levels"²².

Corruption in Romania is considered a "state problem". It is considered that corruption takes place at the political and juridical level. In 2001, the Public Opinion Barometer revealed that 94% of the population considers that the level of corruption has increased after 2000. In 2004, the Gfk (Growth for Knowledge), in the working document "The climate of corruption in Romania" depicted the following data: 66% of the Romanians consider that they are living in an increased corrupt environment²³. Comparing the results with those of 2001, the percentage of Romanians considering that the bribe has become a normal component of life has increased from 24% to 33%. In 2001, 39% of the Romanians were considering that the actions aiming to remove corruption were useless due to the ever-lasting existence of it. The percentages of 2004 reveal a worrying increase to 54%²⁴.

In Transparency International Corruption Perception Index from 2003, Romania was ranked on the 85th position out of the 133 existent positions, having an index of 2.8 (on a scale of zero to ten, ten being the less corrupt)²⁵. In the same index Bulgaria has been ranked on the 55th position with an index on 3.9, Poland on the 65th position with an index of 3.6 and Russia on 87th position with an index of 2.7.

The General Barometer of Corruption, another indicator of Transparency International, provides information with regard to the public perception on corruption. In the case of Romania, the population is expecting an increase of the level of corruption (27.2%), while the sectors of private life and family, business environment and political life are severely affected by corruption: 39.5% for the private life and family, 67.2% for the business environment and 71.9% for the political life (deemed to be mentioned is that the for each category the possible answers were: insignificant, quite significant and very significant).

Among the surveyed sectors that had been considered corrupted, one could distinguish the public health sector with 35%, justice with 25%, police with 15% and public adminis-

tration with 12%²⁶. The most striking aspect is that the most tolerant persons are those with an average age between fifty-five and sixty-four (40%) while almost a third of the young people with an average age between fifteen and twenty-four considers bribe as a normal phenomenon.

With regard to the moral and psychological reasons that determine people to accept taking the bribe, no thorough relevant researches have been undertaken. The University professor Florin Tudose considers corruption as something very deeply rooted in the Romanian society, being caused by the dominance of the Ottoman Empire throughout the centuries. Corruption had become a major issue in the pre and interwar periods. Nowadays, it seems that the phenomenon of corruption could be tackled through a substantial increase in the welfare of those categories that are to corruption sensitive.

From an attitudinal point of view, the psychologists consider that "the solution for removing corruption from society would be a cease in transmitting wrong mentalities by trying to make the young categories more aware about this process. The citizens should better know what their rights in society are and their confidence in laws has to be increased"²⁷.

The last relevant weakness of the Romanian public administration is the *limited capacity of implementing the public policies, including those referring to a proper allocation of the structural funds*.

From 2001 onwards, the European Commission has started notifying the Romanian authorities about the incapacity to use efficiently the structural funds allocated for Romania; therefore, in the 2001, 2002 and 2003 Regular Reports the notes referring to this problem are always the same: "while some sectors of the administration are characterized by an efficient allocation of resources, there are still sectors that are lagging behind in terms of efficiency. The poor performances in these sectors are of a particular concern for the European Union. Moreover, these concerns are stretching far beyond the adoption of the *acquis* and

interfere with the management of the financial assistance of the European Commission"²⁸. In the 2004 Regular Report the European Commission mentions that "Romania has started tackling the problem of the public administration by implementing feasible reforms. The concerns of the European Commission are stretching beyond the implementation of the *acquis* and apply to the management of the financial assistance of the European Commission"²⁹.

For improving the capacity of managing the community funds, in 2002 the "Strategic Plan for enhancing the administrative and management systems of implementing the programs financed by the European Union" has been launched. The monitoring and reporting process is conducted by the National Coordinator of Assistance who is in charge to submit a detailed report to the European Commission on a yearly basis. Taking into account the conclusion of the 2004 Regular Report of the European Commission, it can be observed that 2003 cannot be considered a further step in enhancing the management of the community funds.

The next stage in the management of the community funds is represented by the implementation of the Extended Decentralized Implementation System (EDIS). There are four phases that have to undertake before implementing the EDIS:

- identifying the disparities;
- removing the disparities;
- evaluating the conformity of the results;
- assessing the conformity of the results with the European Commission.

In the particular case of Romania, the first two stages have been already fulfilled, what still has to be done is to apply the third and the fourth stages. To be fully prepared to apply these stages, Romania will get technical assistance from the European Commission. The degree of seriousness and efficiency in fulfilling the last stages will determine the degree of capacity ensured by Romania in an efficient management of the community funds.

An **opportunity** is a major favourable situation in the environment³⁰, which will facilitate the path of implementing the strategy envisioned. The opportunities existing in the Romanian public administration are:

- the political willingness of the European Union to support Romanian membership to the Union;
- the flow of pre-accession, and following the accession, of structural and cohesion funds;
- the support of the European expertise in reforming the public administration.

One of the major opportunities for Romania is represented by *the strong political commitments and willingness showed by the European Union* in supporting the membership of Romania to the European Union. At each European Council, Romania has received positive evaluations regarding the closing dates of the negotiations, of signing the Accession Treaty and of the official membership. Going back to 2000, when the accession negotiations had started, Romania has followed a road-map aiming to close the negotiations at the end of 2004, to conclude the Accession Treaty in 2005 and to become an official member state of the European Union in 2007.

Significant efforts have been performed both by Romania and the European Union in making these dates feasible. Through the Regular Reports issued every year by the European Commission, the negative aspects and the progress achieved by Romania have been thoroughly analyzed. The positive aspects of the 2004 Report which granted the status of a functioning market-economy for Romania represent a further step in accomplishing the settled membership calendar. It is beyond any doubt that the negotiations will be concluded only if the Romanian government fulfills all the requested criteria for the membership in the EU and ensures a proper implementation of the *acquis communautaire*.

The European Union has proved several times its willingness to integrate Romania in the Union, alongside the other countries that joined the Union this year. In the Accession Treaties of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, signed in June 2003 in Athens, it is explicitly mentioned: "the member states of the Union express their full support towards the irreversibility of the enlargement process... the main objective is to

welcome Bulgaria and Romania as full members of the Union in 2007".

Another major opportunity for Romania is portrayed by *the flow of pre-accession and following the accession, of the structural and cohesion funds*.

For the National PHARE Program 2001, 241.35 millions euro have been contracted, representing 96.97%. In addition, in the same year, the funds allocated for trans-frontier cooperation represented 95.7% (12.44 millions euro from the 13 millions which were allocated). For 2003, 276.5 millions euro have been allocated for Romania, from which 265.5 millions for the National PHARE Program and 11 millions for the two trans-frontier cooperation programs with Bulgaria and Hungary. Through the National PHARE Program, several other sub-programs and projects, such as the sub-programs "Political criteria" (34.9 millions euro), "Economic criteria" (11.4 millions euro), "Strengthening the administrative capacities" (27.395 millions euro) and "Economic and social cohesion" (112.005 millions euro) are being financed. For the period 2004-2006, a Planning document has been issued, establishing a global allocation for the National Program to 356.9 millions euro for 2004, 396.9 millions euro for 2005 and 438.5 millions euro for 2006.

With regard to the *ISPA Program*, Romania has concluded 40 ISPA Financing Agreements, representing approximately 2 billions euro. The total value of the contracts concluded for the environment and transport field reached in June 2004 the amount of approximately 530 millions euro, representing roughly 27% of the total value of the financing agreements. Until the end of 2004, thirteen other contracts representing 367 millions are supposed to be concluded.

For the *SAPARD Program*, in 2003, the Annual Agreement of Financing concluded between the Romanian government and the European Commission mentions the amount of 162.223.285 millions euro and establishes a deadline of availability to December 31st 2006. Following a redistribution of some of the community financial resources available for the SAPARD Program, the aimed contribution for Romania for 2003 has been supplemented

with the amount of 1.115.691 millions euro, the total value reaching the amount of 163.339.076 millions euro.

Apart from the financial aspect, another opportunity for Romania is represented by *the support of the European expertise in the reforming process of the public administration*.

The bilateral assistance aims to make possible the membership of Romania. It takes place in different sectors such as: agriculture, transport, industry, environment, finance, education, research, regional development, public administration, infrastructure, development of the civil society.

With regard to the efficiency and the development of the public administration, Romania has agreements for bilateral assistance with Germany, the Netherlands, Denmark and Greece.

Additionally, from February 2004, Romania has the support of Denmark for projects concerning the better preparation of the public civil servants. The cooperation existent between Greece and Romania has a financial assistance of 70.63 millions euro for the period 2002-2006, from which 79% from funds devoted to assisting the local and central administration. The cover area of this cooperation aims to develop administrative capacities that are in conformity with the accession preparation to the European Union.

Twinning projects represent another opportunity to gain European expertise in the domain of the public administration. During 2004, partners from the United Kingdom, Germany, France, Spain, Italy, Greece and the Netherlands will provide technical assistance in areas such as: public administration, environment, competition, border control, public finances, social environment and transports.

Taking into consideration all these opportunities of European expertise, Romania should be able to better incorporate the requests to reform the public administration and to make it more modern and efficient.

Threats are major unfavourable situations in the environment. They represent key impediments to the current and desired position. In Romania the main threats are:

- the general elections in November 2004;

- the changes within the European institutions;

The results of the elections that will take place at the end of November 2004 will have a major impact on the process of Romania's accession to the European Union. In February 2000, when Romania opened the negotiations with the European Union, the government was led by the Democratic Convention. During that year, five chapters have been provisionally closed. Most of them have been easy negotiable chapters and they did not require a fundamental change of the Romanian legislation. In December 2000, following the general elections, the government has become social-democrat and its main goal was the integration of Romania in the Euro-Atlantic structures, particularly into NATO and the EU. It is likely that the negotiations will be closed at the end of November 2004, this diplomatic success promoting the governing party as a trustworthy and reliable party that reached its goal, the integration within NATO and the EU.

In the context of a liberal-democrat government coming as the result of the elections in November 2004, the accession process could be severely hampered. Due to the strict monitoring process done by the European Commission in fulfilling all the commitments taken during accession negotiations, any delay occurring in implementing the proper legislation could jeopardize Romania's membership in the EU in 2007 and postpone it to 2008.

From this point of view, the continuity in the foreign policy of the government and the creation of a feasible framework of cooperation between the governing party and the opposition would be much more preferable. The time necessary for a new government to get used with the mechanics and the dynamics of the integration process could prove fatal for Romania's membership in the EU in 2007.

An additional threat, this time an external one, is related with *the changes within the European institutions*, especially the appointment of a new European Commission starting from November 1st, 2004.

After the last enlargement which took place on May 1st 2004, the decisional process

within the EU has become increasingly lengthy. Within the Council of Ministers, the number of members has been increased from fifteen to twenty-five, while the new European Commission will have twenty-five commissioners from November 1st 2004. In this respect, if the negotiations had not been closed until the new Commission starts its mandate, foreseeable delays or even stagnations could hamper the accession process of Romania and Bulgaria. If the present Commission, together with the enlargement commissioner, Mr. Günter Verheugen, has expressed its support towards Romania's membership in the EU in 2007, not the same opinion was expressed by the coming Commission.

The new European Commission will have one commissioner from each member state, following the agreements reached in the Nice Treaty. The provisions from Nice Treaty are valid until 2009, when the European Constitution, should it be approved by each member state of the Union, will come into force. Due to the internal difficulties many member states are facing after the enlargement, their willingness to move forward with the enlargement could decrease. Within the Council of Ministers, the decisions will be taken by twenty-five member states, not anymore by the former fifteen member states of the Union. The decisions have to be taken by unanimity; therefore an increased activity in proving the fulfillment of the undertaken commitments and increased positive lobby are fundamental for Romania's positive evaluation.

Another aspect would be the one referring to the problems with which the European Commission is faced and that could postpone the enlargement process until a more positive environment will be reached. Starting with the difficulties in appointing the European Commission that should answer to the requests of the hearing committees of the European Parliament and to the interests of the member states, and continuing with the huge economic problems the EU is facing in the last years, these problems could modify the priorities of the EU regarding the forthcoming enlargement. The ten new Member States have not brought additional efficiency or value

added to the EU; what they brought in the Union were their internal economic and social problems, those being added to the already existing problems of the former EU. Nevertheless, one could not disregard the advantages brought by the ten new Member State in terms of the contribution (5%) to the GDP of the Union and by opening their market to other European companies.

In these conditions, the only thing Romania can do is to hope that the new European Commission will reveal the same willingness to continue the enlargement process as the Prodi's Commission did and that the new Council of Minister will endorse in unanimity its membership to the EU in 2007.

After identifying all the major elements of the SWOT analysis, the SWOT confrontation matrix will be built. For the present analysis, of a particular importance are the fields in which the strengths are confronting the opportunities and the weaknesses are confronting the threats. These confrontations will lead towards the central problem and will ease the process of identifying the possible solutions.

The **Central Problem** outlines the major environmental threats that a country is facing from a position of relative weakness, whereas **Possible Solutions** focus on the environmental opportunities and the numerous strengths, which encourage the country to pursue those opportunities. This pattern suggests growth-oriented strategies which exploit the favourable match whereas the central problem calls for strategies that reduce or redirect involvement of resources.

In this particular case of the SWOT analysis concerning the Romanian public administration, the central problems are:

- corruption;
- decentralization and of the transparency of the decision-making process;
- the necessity to professionalize the body of the public civil servants;
- missing 2007 as the date of accession in the EU.

Taking into account all the four models that have already been portrayed, some possible solutions to sort them out could already be found. Therefore, the solutions for

each central problem depicted above will be presented in the following paragraphs.

The problem of *corruption* is of a particular concern and can represent the main reason for not joining the European Union in 2007. The first step towards solving it had been the acknowledgement of the government about its presence within the Romanian society and the attempts undertaken by the government to remove it from the system. The legislative and institutional changes from the past years demonstrate the clear trend towards a systematic settling of the mechanisms envisaged to combat corruption. Meanwhile, an increase in the number of institutional controlling, preventing, investigating and sanctioning bodies could be observed.

With regard to the *institutional changes*, it can be mentioned that in 2002 the National Prosecutor Anticorruption Office (PNA) has become operational. Romania is involved in the Initiative of the Anticorruption Stability Pact, sponsored by the OECD secretariat. Furthermore, Romania is member of the Group of State against Corruption of the Council of Europe (GRECO). The National Prosecutor Anticorruption Office has designated a prosecutor within the GRECO for the second evaluation of 2002-2005.

From the *legislative point of view*, in 2003 the following progresses have been achieved:

- April 2003 – an anticorruption legislative program has been adopted, using the mechanism of the trust vote;
- The requests concerning the personal interests of the politicians have been extended;
- The concept of “conflict of interests” has been introduced and the incompatible interests with the function of public civil servant have been considerably extended;
- The law concerning the funding of the political parties and of the political campaigns has been endorsed by the Parliament in March 2003. The political parties are obliged, following this law, to publish detailed lists with their main sponsors and with the exact amount of money that has been donated;

With regard to an increase in making the population more aware about corruption, a national campaign called “Nu da spaga”³¹

("Do not bribe") has been launched. The campaign targets mainly the young people, with an average age between fifteen and twenty-five years. The objectives of the campaign are to make people conscious about the phenomenon of corruption and why this phenomenon should not be encouraged. Remarkable at this point is that the promoters of this campaign are the NGOs, governmental bodies and international organizations.

The *decentralization and the transparency of the decision-making process* have represented other concerns for the government, taking into account the negative signals given by the European Commission with regard to these two aspects of the Romanian public administration. The Report from 2003 mentions that in Romania "in the past three years constant transfers of responsibilities towards local authorities such as public health, education, transport, services and public utilities took place"³².

With regard to the *legislative process*, certain laws ensured the decentralization and the transparency of the central decision-making process:

- January 2003 – the sunshine law, defining the procedural requests for ensuring the transparency of the decision-making process, has been adopted;
- The Law no. 161/2003 regarding some measures aiming to ensure transparency in exercising public functions, public dignities and in the business environment had been adopted;
- In May 2004, the project for endorsing the Law concerning the decentralization has been approved, the Law being in the Parliamentary procedure.

Concerning the decentralization of the *financial environment*, among the normative acts one can find the followings: the Fiscal Code, the Code for Fiscal Procedure, the Law no 108/2004 regarding the local public finances.

The *e-governance initiative* is quite recent in Romania. Nevertheless, it represents a viable solution for increasing the transparency of the administrative procedures. Although there are few administrative procedures that can be applied through e-governance, this remains a powerful tool which has to be

continuously developed by the institutions. Meanwhile, it is very important to make people aware and responsible and guide them towards an increased use of e-governance.

In the aspect of *creating a body of professional public civil servants*, the solution would be to create institutions that would offer courses and trainings to specialize the public civil servants, as well as implementing a coherent legislation which should clearly define their responsibilities and the norms of their profession.

A first step in the *legislative domain* has been the elaboration of the Law no. 188/1999 regarding the Status of the public civil servants, as well as the secondary legislation adopted.

With regard to the *creation of institutions* that aim to professionalize the body of the public civil servants, in the past years the following institutions have been created:

- the National Institute of Public Administration (INA) – for the management of the public function
- the National Agency of the Public Civil Servants (ANFP) – for continuous specialization of the public civil servants

The National Institute of Public Administration has as main objective the creation of public civil servants. In this aspect, several programs aimed to improve, to prepare and to specialize the public civil servants that have been created. Furthermore, an increased number of master programs have been oriented towards satisfying the necessity of every public civil servant.

The last central problem that has emerged from the present SWOT analysis is *the chance of missing 2007* as the date of accession in the European Union. The solutions for this problem are represented mainly by the continuity of the public policies launched by the government and by the strict fulfillment of the undertaken commitments. At the political level, enhancing the cooperation with the governments of the member states of the European Union is a prerequisite in Romania's membership to the EU in 2007. Furthermore, a more efficient campaign of external communication would be very welcomed.

NOTES:

- ¹ Pearce, J & Robinson, R. *Strategic Management – Formulation, Implementation and Control*, 1997, Irwin, Chicago, p. 162
- ² Lynch, R., *Corporate Strategy*, Pitman Publishing, London, 1997, p. 262
- ³ Lynch, R., *Corporate Strategy*, Pitman Publishing, London, 1997, p. 172
- ⁴ De Wit, B. & Meyer, R. with the assistance of Pursey, H., *Strategy – Process, Content, Context. An International Perspective*, second edition, International Thomson Business Press, London, 1998, p. 31
- ⁵ European Commission, *Regular Report from the Commission on Romania's Progress Towards Accession*, 1998
- ⁶ Pearce, J & Robinson, R., *Strategic Management – Formulation, Implementation and Control*, 1997, Irwin, Chicago, p. 171
- ⁷ Ministry of Public Administration, *Government Strategy concerning the Acceleration of the Reform of the Romanian Public Administration*, 2004
- ⁸ Commission of the European Communities, *2001 Regular Report on Romania's Progress Towards Accession*, Brussels, 13.11.2001, SEC (2001) 1753
- ⁹ Pearce, J & Robinson, R., *Strategic Management – Formulation, Implementation and Control*, 1997, Irwin, Chicago p.171
- ¹¹ National Agency of the Public Civil Servants, *The management of the public dignities and of the public civil servant - Report 2003*, Bucharest, 2004
- ¹² Idem.
- ¹³ Idem
- ¹⁴ National Agency of the Public Civil Servants, *The management of the public dignities and of the public civil servant - Report 2003*, Bucharest, 2004
- ¹⁵ 1999 *Regular Report from the Commission on Romania's Progress Towards Accession*, Romania-Regular Report-13/10/99
- ¹⁶ 2000 *Regular Report from the Commission on Romania's Progress Towards Accession*. 8 Noiembrie 2000
- ¹⁷ Commission of the European Communities, 2003, *Regular Report on Romania's Progress Towards Accession*, Brussels
- ¹⁸ 2000 *Regular Report from the Commission on Romania's Progress Towards Accession*, 8 Noiembrie 2000
- ¹⁹ Commission of the European Communities, *2001 Regular Report on Romania's Progress Towards Accession*, Brussels, 13.11.2001, SEC (2001) 1753
- ²⁰ Commission of the European Communities, *2002 Regular Report on Romania's Progress Towards Accession*, Brussels, 9.10.2002, SEC (2002) 1409
- ²¹ Commission of the European Communities, 2003, *Regular Report on Romania's Progress Towards Accession*, Brussels
- ²² Commission of the European Communities, 2004, *Regular Report on Romania's Progress Towards Accession*, Brussels
- ²³ Growth for Knowledge, *The climate of corruption in Romania*, 21 April 2004, http://www.gfk-ro.com/ccb/climatul_coruptiei.pdf, available at: 25.10.2004
- ²⁴ Idem.
- ²⁵ Transparency International, *Transparency International Corruption Index 2003*, www.transparency.org
- ²⁶ Growth for Knowledge, *The climate of corruption in Romania*, 21 April 2004, http://www.gfk-ro.com/ccb/climatul_coruptiei.pdf, available at: 25.10.2004
- ²⁷ Alexandru Gulci, *Psychology Today*, nr. 5, September – October 2004
- ²⁸ Commission of the European Communities, *2001 Regular Report on Romania's Progress Towards Accession*, Brussels, 13.11.2001, SEC (2001) 1753
- ²⁹ Commission of the European Communities, *2004 Regular Report on Romania's Progress Towards Accession*, Brussels
- ³⁰ Pearce, J & Robinson, R., *Strategic Management – Formulation, Implementation and Control*, 1997, Irwin, Chicago, pag 171
- ³¹ Available at: www.nudaspage.ro
- ³² European Commission, *2003 Regular Report on Romania's Progress Towards Accession*, Brussels