

**SPEECH**  
**by Adrian Năstase, Prime Minister of Romania,**  
**to the training seminar for OLAF communicators**  
**Bucharest, 22 October 2003**

**Ladies and Gentlemen,**

I would first like to welcome the initiative of the representatives of the OLAF communicators network in organising this seminar in Bucharest, the first of its kind to take place in a candidate country awaiting accession to the European Union.

The role of this network is crucial since its main objective is to promote measures to combat fraud and to raise the awareness on the part of the general public and of journalists in particular of the importance of such measures. It is essential that we find efficient means of combating fraud and, at the same time, enlist the support of the representatives of the mass media for this initiative.

The fact that this event is taking place for the first time in Romania is a clear indication of the importance we attach to this extremely complex matter of fraud involving European funds.

I also believe that this gathering provides the best possible proof that the Government's desire to stamp out fraud involving European funds has struck a note at international level. The representatives of OLAF consider that our country, although still not part of the European Union, has the capacity and resources to take its place alongside Europe in combating this kind of unlawful conduct.

It is important that, as of now, we make all the necessary preparations for combating fraud, particularly where European funds are involved, starting from a very simple idea, namely that acts of corruption and illegal acts in the economic sphere will not be able to distinguish clearly or draw a line between European monies or funds and other funds, whether belonging to the State or to the private sector. For this reason, the fight against fraud involving European funds must be very closely linked to the fight against corruption and fraud in general.

The Romanian Government has recently taken several measures, some of a regulatory and legislative nature, that will lead to the adoption of a highly ambitious draft law incorporating anti-corruption measures and to the establishment of a number of special anti-corruption agencies — the National Anti-Corruption Office is one example — as well as practical measures at governmental level and, more broadly speaking, at administrative level that will remove some of the more deep-seated causes of corruption. Firstly, transparency of public procurement. Since the introduction of this system, over 190 000 electronic invitations to tender have been issued that have also had a beneficial effect from the budgetary viewpoint: some 30% of the sums allocated were saved thanks to these procedures.

In addition, we have introduced what we call the "one-stop-shop reform" consisting in a highly ambitious programme for performing electronically a number of administrative procedures — obtaining forms, completing them, sending them off. Over 165 forms can be obtained through a computerised system that is operational at all times. Similarly, we have also brought in a measure to streamline bureaucracy and have adopted legislation whereby, in so far as the authorities do not respond by the statutory deadline to a request for authorisation or approval, on expiry of the relevant period of 15 or 30 days such authorisation is deemed to have been granted. And so we have the principle of tacit

approval when such authorisations are sought, and this clearly puts greater pressure on public officials to comply with the relevant legal provisions and to show greater discipline where relations with the public are concerned.

Following the adoption by referendum of the new Constitution at the end of last week, we have taken the step of partially reorganising three of the main portfolios within the Government because we considered that such changes can enhance credibility and efficiency, over and above the personal problems which each of my colleagues concerned will resolve in one way or another, and we felt that such a measure was important, particularly at this very moment.

In addition, we are now going to press ahead with the administrative measures which we wish to take precisely with a view to dispelling various suspicions regarding the operation of a number of national procedures, some of which are very important. For example, road haulage licences have always given rise to some dissatisfaction and tension on account of the fact that demand is very high and supply very low; since the number of licences is very small, there is pressure to reorganise the system.\* As of a few days ago, the granting of these licences has also been computerised and is transparent. This provided an opportunity to replace the person who was in charge until recently. This step was taken yesterday.

The Director-General of the National Rail Company (SNCF) as well as the Director-General of the National Investment Company have also been replaced in the interests of greater efficiency and of removing certain susceptibilities or sensibilities, both long-standing and more recent, linked to the management of these bodies, which involve, to a large extent, the management of public money and projects of public interest.

My view is that these measures must continue. It is not my or our desire that, with these measures, we should determine individual responsibilities; this is not a matter for the Government.

Its problem is to ensure objectivity, credibility and efficiency in a categorical manner. For the rest, it goes without saying that if laws are infringed, these infringements must be closely scrutinised by the institutions of the State responsible for these problems. We had a very clear example of this recently in connection with the tenders for a project in the area of Bușteni concerning a ski slope. There are, of course, two different problems\*\* but, as regards use of the Phare funds, Mr Ponta, together with the Government's Control Department, has examined, analysed and investigated the case and, from what I have heard, the results are now available and can be made public.

The fight against fraud clearly does not concern Romania alone; it is a problem with which the European Community as a whole is faced. This has been the reason behind our attempts in recent years to identify, in conjunction with representatives of OLAF, the main objectives and instruments for launching a coordinated strategy for preventing and combating such unlawful conduct.

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\* This is the poorly constructed sentence I mentioned.

\*\* Ditto: two problems — one project.

I am pleased to say that we have succeeded in creating a coherent legislative and institutional framework for combating fraud involving Community funds. On the one hand, we need an appropriate panoply of instruments — laws, institutions and an efficient strategy — while, on the other, we are obliged to consolidate our relations with the specialised European agencies.

We have devised the necessary legislative framework and have created institutional machinery for taking comprehensive measures to control and combat fraud involving Community funds and national co-financing budgets. To this end, we have designated as the sole contact point for OLAF the Control Department, whose role is to coordinate the whole range of activities aimed at ensuring effective protection of the financial interests of Romania and the European Union.

In addition, we have adopted the "Anti-Fraud Strategy for protecting the financial interests of the European Union in Romania", a document which sets up the institutional structure for tackling fraud. It envisages for the Control Department a structure with two distinct components. The first will have a monitoring function for analysing the way in which funds granted to Romania by the European Union are selected, negotiated and used. The second will have an investigative function for tracking down any cases of fraud in conjunction with our specialised institutions.

We attach special importance to the **aspect of fraud prevention**. To this end, our monitoring arrangements consist in a series of analyses for determining the areas that are predisposed to fraud and for creating an early-warning system. In addition, the objectives of investment projects (building sites, production lines, etc.) carried out with EU funds are vetted with a view to devising a programme of on-the-spot controls. Our specialists carry out certain comparative analyses for all of the consultancy or construction firms and suppliers of software or IT equipment that have been selected to tender for EU financing programmes. Our objective is to identify any links between these firms and individuals exercising public functions.

There are, of course, still many aspects to be resolved. But, to my mind, what is important is the fact that we have managed to prepare the way for a well-coordinated strategy for combating fraud.

Ladies and Gentlemen,

It is very important that we have an appropriate institutional framework, and it matters a great deal that **we should take on board the experience of our European partners**. For Romania, stepping up the process of integration with the European Union necessitates systematic preparation in all fields and a responsible approach to problems facing the European Community. For me, it is extremely important that we should be receptive and that we should coordinate our working methods and instruments with those of our European partners.

I would like to remind you that, in this connection, the Control Department has signed a cooperation agreement with OLAF for carrying out various preparatory programmes and modules regarding the main aspects of the protection of the financial interests of the European Community. Under this agreement, assistance and advisory services are made available to the other institutions and structures in Romania, in close consultation with OLAF. I am convinced that our specialists, who are involved in the common measures for combating fraud, have taken on board the experience necessary to rationalise relations with OLAF and to meet our common objectives.

To my mind, it is very important that we should hold such meetings and seminars. They allow us to develop our relations with OLAF and to place them on a systematic basis as well as to lay down general guidelines for cooperation in combating the fraudulent use of Community resources.

By way of conclusion, Ladies and Gentlemen, I would like to assure you of our full willingness to discuss matters and cooperate with the departments of OLAF with a view to preventing and combating the scourge of fraud. In particular, I would like to thank Mr Brüner, the Director-General, for the close interest he has shown in cooperating with our specialised agencies and with the Control Department and to assure him that we will endeavour to draw the necessary conclusions from the experience of other countries as well as from what has happened to date in Romania, so that we can safeguard our credibility in relations with our partners in the European Union, not only at a general political level but also at a much more practical level, namely the use of Community resources.

I wish you much success!