

# SIMPLIFICATION OF ADMINISTRATIVE PROCEDURES IN ROMANIA

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**Abstract:** *Romania's membership of the European Union imposed the necessity of adapting the institutional system to the European processes of permanent improvement of the institutional services and transformation of the relationship between the institution and the citizen from a relationship of domination to one of collaboration. These processes are difficult, they require a long time for implementation and permanent assessments of progress. In the case of countries with different institutions and with different degrees of openness to modernity, we will notice many differences between addressing general issues that influence the activity of the institutions.*

**Key words:** digital agenda; administrative procedures; administrative simplification; citizens; public administration.

## 1. Inclusion of the administrative simplification among public policy objectives

Until 2001, the number of strategic documents approved by the Government or by the ministries regarding the different fields of activity was extremely low. A search in the Official Gazette reveals few examples with reference to privatization, the military domain, European integration, communications, child protection and air traffic. From this results that the focus on improving the performance of public administration through public policies and structured actions has been reduced. In this context, the concept of administrative simplification has not found a special place.

The European Union, through the "Action Program for Reducing Administrative Burdens in the EU" (E.C.- COM (2007) 23, 2007), approved in 2007, brought administrative simplification to national priority in Romania. To contribute to the EU target of 25% reduction in administrative burden by 2012, our country has developed its own path, materialized in the "Better Regulation Strategy for Central Public Administration 2008 - 2013". The document included administrative simplification objectives for both business and citizens. The economic crisis that has affected Romania since 2008 has given the reduction of administrative burdens for the business environment a higher importance, seen as a solution for increasing the competitiveness of the companies that were active in our country. Subsequently, the National Reform Programs, which have

been drawn up since 2011, included activities related to this objective, ranging from reducing para-taxation to measuring administrative burdens and simplifying the interaction with public institutions.

Administrative simplification for citizens has lagged behind as a national policy objective, but has been implemented through a variety of individual or business initiatives related to business. In 2014, the "Strategy for Strengthening Public Administration 2014-2020", which sets targets, actions and deadlines for reducing the administrative burden for citizens, was approved. At the same time, the Government approved an updated version of the Better Regulation strategy and the "National Digital Agenda for Romania 2020" Strategy, both containing proposals for simplification.

Romania currently has a correlated strategic framework for administrative simplification for citizens and the business environment as well as associated IT & C infrastructure. The relatively disparate initiatives that have been implemented so far will turn into large-scale programs designed around events involving the interaction of public institutions with users, implemented in partnership by all responsible actors and financing all kinds of necessary expenses, from technical assistance to the infrastructure.

The steps are still in the design phase of the best simplification methods. Internal gaps raise, slow down and differentiate the pace of implementation of reforms and simplification proposals. Thus, the three criteria pursued by administrative reforms (time reduction, costs and volume of documents) are perceived differently by citizens.

The theoretical framework abounds with a series of approaches that seek to identify the best public policies in the multitude of possibilities. Achieving a public policy is a vast intellectual challenge that involves more academic disciplines and organizations that are both private and public.

The first step is identifying problems and assessing needs in a particular social area. It is obvious that a public policy will be well done if basic needs have been defined, described and analyzed in an appropriate way. The formulation of a public policy in such a context has great chances of successful implementation. The definition of public policies is heterogeneous and there is a lack of consensus. Thomas Birkland (2005) highlighted the complexity of formulating public policies in the context of multiple actors: lawyers, governors and the population, influencing the type of public policy from a variety of perspectives. Hence the lack of consensus in the definition of public policies, as there is only the possibility of identifying the common features of public policies: "1) they are carried out on behalf of the public interest; 2) Generally executed or initiated by governors; 3) They are interpreted and implemented by public or private actors, and 4) also includes what the government chooses not to do." (Birkland 2005).

Administrative reforms are affected by the duality of administrative principles (Simon 1976: 20), which limit the organizational decision. In no case

are possibilities for identifying complete variants indicated. Thus, a complex study by Marilyn Moon (2006) substantiates the idea of transferring research results from social sciences into public policies, which can be adopted as a solution in the decision-making process. Otherwise we expect decisions taken in complete ignorance of the realities of a society.

The success of the implemented policies is conditioned by various factors, or the very complexity of a policy that can be a good practice model requires a careful assessment, in that the success expected by replicating a good practice model is not guaranteed in a different context (Coletti 2013:86). Thus, the introduction of administrative simplification between the objectives of the public reforms will have the desired success only by comparing the models of good practice with the specifics of the Romanian context.

## **2. Strategic foundation of administrative simplification measures**

The strategic documents that set goals and actions of administrative simplification over the last 16 years are:

1. Government Strategy on accelerating the reform in public administration (2001);
2. Better regulation strategy for central public administration 2008-2013;
3. Better regulation strategy 2014-2020;
4. The strategy for strengthening public administration 2014-2020;
5. National Strategy on the Digital Agenda for Romania 2020;
6. National Reform Programs for 2012-2015.

In support of the measures provided in the strategies and programs, the responsible institutions have developed methodological and analytical documents. They describe working methodologies and present the results of measuring administrative costs as follows:

1. The methodological guide to simplification of administrative procedures, elaborated by the Central Unit for Public Administration Reform within the Ministry of Administration and Interior in 2005.
2. The manual for administrative cost measurement in Romania, prepared for the General Secretariat of the Government (GSG) in 2010,
3. Reports on the measurement of administrative costs for the General Secretariat of the Government (GSG) in the years 2012-2014, in areas covered by:
  - a. Ministry of Labor, Family, Social Protection and the Elderly;
  - b. Ministry of Health;
  - c. Ministry of Education;
  - d. Ministry of Justice;
  - e. Ministry of the Environment;
  - f. Ministry of Transport;

- g. Ministry of Agriculture and Rural Development;
- h. Ministry of Public Finance;
- i. Ministry of Economy, Commerce and Business Environment;
- j. Ministry of Communications and Information Society;
- k. Ministry of Administration and Interior;
- l. Ministry of Regional Development and Tourism.

Documents developed to substantiate administrative simplification strategies are derived from two perspectives: the first treats the administration as a whole, even though there are various hierarchical differences and levels, while the second perspective refers to the administrative support specific to each ministry, direction or department.

Thus, the administrative simplification approach becomes even more laborious than it is today: adaptations of European principles to the Romanian social context are necessary from a dual perspective: both general and sectorial.

### **3. Governmental strategies to increase citizens' awareness of legislation through administrative simplification**

The first strategic document setting national targets for administrative simplification was the "Strategy for accelerating the reform in public administration" adopted by the Government in 2001. Among the medium-term priorities there was also "improving relations between the administration and the public service users ". Regarding the directions of action, there was no clear distinction between users as natural persons and as legal entities. Without designating the target sectors, the Strategy's purpose was wide-ranging interventions for "simplifying administrative procedures, eliminating parallelism and overlapping in the work of various public institutions, rationalizing administrative procedures and document circuits, selecting and training civil servants working directly with citizens and economic agents and expanding the use of IT equipment and technologies in public administration. "The main instrument identified in order to achieve the simplification objective was the "single payment-window", considered as a reducing factor the bureaucracy in issuing notices and agreements.

As a result of the Strategy, simplification of the procedures for the establishment of commercial companies and vehicle registration can be mentioned. The Government has set up a "Program of Measures to Combat Bureaucracy in Public Relations", which has streamlined the public relations practice of the institutions and has made some improvements such as informing through websites and spaces, improving the spaces for reception of the public, telephone lines for complainants counseling, e-mail communication, separation of front office and back office functions, establishment of citizens' information centers etc. Implementation of the "Program of Measures" has not been

coordinated, monitored and reported, so progress has been uneven, depending on one-off initiatives.

The updated version of the Strategy in 2004 did not make any reference to administrative simplification, as other areas had become priorities for meeting the Copenhagen criteria needed to join the European Union, namely the public function, decentralization and the public policy cycle. However, in 2005 the Central Unit for Public Administration Reform within the Ministry of Administration and Interior elaborated the "Methodological Guide to Administrative Procedures Simplification", which provided recommendations on the organization of simplification initiatives, using as a case study the project to simplify the registration of motor vehicles.

Administrative simplification was no longer part of the Government's declared national targets until 2008, with the adoption of the "Better Regulation Strategy for Central Public Administration 2008-2013". In the meantime, institutional or sectoral initiatives that have focused on the business environment have been pursued since the founding of companies to the tax regime applicable to them.

The strategy was adopted as a national response to the "Action Program for Reducing Administrative Burdens in the European Union" adopted by the European Commission in 2007. The program aimed at reducing the administrative burdens of companies by 25% by 2012, estimating a term contribution average of 1.4% of EU GDP in case of success.

The "Better Regulation Strategy 2008-2013" (Government of Romania) has replicated the European target at national level, proposing to improve the quality and simplification of national regulations in order to increase the competitiveness of the economy and create new jobs. The document set out two distinct processes according to the subjects of the regulations, namely the economic operators and the citizens.

The simplification of business conditions in Romania was the priority of the Strategy, the aim being to increase the competitiveness of the active companies in our country. The General Secretariat of the Government has been designated the coordinator of the interventions under the six general objectives, namely:

1. improving the assessment of the impact of regulations and consultation activity;
2. reducing administrative burdens for business;
3. facilitate the interaction between the economic sector and the central, public administration;
4. improving the process of regulation at the level of agencies and authorities;
5. simplification of national legislation;

6. effective application of community law.

In the process of implementation, the General Secretariat of the Government (GSG), with financial support through the Operational Program Administrative Capacity Development 2007-2013, drew up a manual for measuring administrative costs (Berenschot & Business Development Group, 2010) and has applied it in the relevant fields of twelve ministries. The volume of administrative burdens for economic operators at national level was estimated at around 3 billion euros, or 2% of GDP, the main generating areas being labor, health, agriculture, the environment, finance and the trade register.

Following the measurement of administrative burdens, line ministries had to draw up plans to reduce administrative burdens.

According to the data presented in the "National Reform Program 2014", the economies achieved by the economic operators due to the simplification measures implemented during 2012-2013 were 300 million lei (the Romanian Government).

Regarding the second part of the Strategy, dedicated to the regulations in the relation between public institutions and citizens, the simplification of procedures and the reduction of costs incurred by users of public services were targeted. Specifically, it was mentioned the elaboration of a specific measurement methodology based on the "Standard Cost Model", the inventory of procedures, the actual measurement of costs and administrative burdens, the establishment and implementation of plans for reducing administrative burdens. The actions were to be coordinated by the Ministry of Administration and Interior. In practice, national citizens' simplification initiatives have been delayed until 2014, with the objectives being taken up in the 'Strategy for Strengthening Public Administration 2014-2020'.

The new "Better Regulation Strategy 2014-2020" seeks a more pragmatic approach, proposing narrower but more realistic targets for the quality of legislation and the capacity to implement public policies.

Simplification of procedures and reduction of administrative burdens for the business environment remain a priority; among the action targets there are:

1. simplifying administrative burdens;
2. introducing more flexible methodologies for measuring and reducing bureaucracy;
3. digitizing administrative procedures;
4. continuing measurements using the "Standard Cost Model" and updating global measurement;
5. reduce/eliminate specific administrative procedures.

Although the current version of the Strategy no longer includes direct references to administrative simplification for citizens, it remains a reference document, as many initiatives can have a dual impact, with benefits for both

business and citizens. For example, horizontal IT solutions and electronic services are proposed along the "single payment-window" model. Few are services that only serve one category of users or another.

Another element of importance for administrative simplification in relation to citizens is the method of measuring administrative costs. Unlike the 2008 version, the new Strategy proposes diversification from the "Standard Cost Model", which has proven to be inexpensive, to new methods such as "identification of administrative burdens" and "guillotine of regulations" (Government of Romania, G.D. 1076 / 2014).

#### **4. The strategy for strengthening public administration in 2014-2020**

Adopted in 2014, the 2014-2020 strategy for strengthening public administration (SSPA 2014-2020) sets out the priorities and coordination of public sector reform interventions. The lack of such a document in the last 8-10 years generated unpredictability and lack of coordination between institutions responsible for the making reform measures.

Among its overall objectives, the SCAP includes "de-bureaucratization and simplification for citizens, business and administration". It is estimated that the benefits gained from achieving the objective will be felt by both public bodies and users of services provided by them. For implementation, four lines of action are identified under the specific objective of "reducing bureaucracy for citizens":

1. Analyzing needs and objectives in terms of simplification and rationalization of administrative procedures for citizens, focusing on the main "life events" (GD 909/2014);
2. Developing an integrated plan to simplify administrative procedures applicable to citizens, in priority areas for simplification, with targets / specific objectives of simplification and a registry/ nomenclature/ inventory of administrative procedures with impact on citizens;
3. Implementing and monitoring the integrated plan to simplify procedures applicable to citizens;
4. Periodic assessment of the impact of measures to simplify the procedures applicable to citizens and regularly measuring of the administrative burdens arising from them.

Directions for simplifying the relationship with citizens influence other specific objectives, such as "Reducing bureaucracy for the business environment", "Reducing inter- and intra-institutional bureaucracy" and "IT solutions for streamlining public administration". As common to all proposed interventions, there are the measurement of user costs / tasks and the deployment of IT & C solutions for e-government services and communication between public institutions. Furthermore, the Strategy makes any investment in

IT&C public infrastructure conditional upon "the establishment of operational requirements derives from life event management procedures." Consequently, coordination between responsible institutions becomes decisive for the success of the Strategy, and compliance with the action plan is of particular importance. Projects impacting public services accessed by citizens, including the above-mentioned intervention categories, are funded from different sources, namely the 2014-2020 Administrative Capacity Operational Program and the Competitiveness Operational Program 2014-2020.

### References:

1. BIRKLAND, Thomas A (2005), *An Introduction to the Policy Process: Theories, Concepts, And Models of Public Policy Making*, 2nd ed. Armonk, NY: M. E. Sharpe.
2. COLETTI, Paola (2013), *Evidence for Public Policy Design: How to Learn from Best Practice*, Palgrave Macmillan, London.
3. MOON, Marilyn (2006), *Medicare: A Policy Primer*. Washington, DC: Urban Institute Press.
4. SIMON, Herbert A. (1976), *Administrative Behavior: A study of Decision-making Processes in Administrative Organization*, 3<sup>rd</sup> ed., New York: The Free Press.
5. Standard Cost Model - Manual for Measuring Administrative Costs in Romania, Berenschot & Business Development Group, Bucharest, 2010, available at [www.sgg.ro/index.php?politici\\_publice\\_documente](http://www.sgg.ro/index.php?politici_publice_documente) (accessed: 08.10.2018).
6. European Commission, Action Program for the Reduction of Administrative Burdens in the European Union, COM (2007) 23, Brussels, 2007.
7. Government of Romania, Strategy for Better Regulation in the Central Public Administration 2008-2013", accessible at [www.sgg.ro/index.php?politici\\_publice\\_documente](http://www.sgg.ro/index.php?politici_publice_documente) (accessed: 08.10.2018).
8. Government of Romania, National Reform Program 2014, available at [http://ec.europa.eu/europe2020/pdf/csr2014/nrp2014\\_romania\\_en.pdf](http://ec.europa.eu/europe2020/pdf/csr2014/nrp2014_romania_en.pdf) (accessed: 08.10.2018).
9. The Government of Romania, the Strategy for Strengthening the Public Administration 2014-2020 and the establishment of the National Committee for Coordination of the Implementation of the Strategy for Strengthening the Public Administration 2014-2020, approved by GD no. 909/2014, available at <http://www.mdrap.ro/administratie/-2168> (accessed: 08.10.2018).