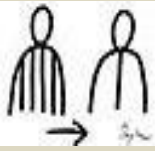


# CHARTER FOR GOOD GOVERNANCE

- 1) **Proposals concerning the organization of political parties, with the aim to reassure the citizens about the ability of parties to properly nominate those who aim to hold public office on the basis of integrity and competence, in compliance with the criteria of good governance**
  - 1.1 Adoption of any legislation and electoral decisions only in consultation and following a broad consensus (minimum two thirds) so as to prevent the parties in power from taking unilateral decisions for their own gain.
  - 1.2 The urgent establishment of a working group to supervise the process of updating the voting lists according to new census data, under the supervision of a parliamentary committee.
  - 1.3 Simplify the currently restrictive conditions needed to setup a new political party and the elimination of discriminatory and favouring conditions for some of the actors running for office, with the aim of enhancing political competition and reducing the risk of the current party system becoming an oligopoly.
  - 1.4 Table a legislative initiative targeting political migration of MPs and follow the existing legislation prohibiting this practice for mayors.
  - 1.5 Bring legal amendments to the political parties' financing law and completely ban funding from legal entities.
  - 1.6 Extend the mandate of the Romanian Court of Auditors to all financial transactions made by political parties and strengthen the Permanent Electoral Authority so that this institution may become truly

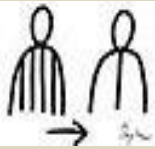


operational in verifying the political parties' practice in spending public money.

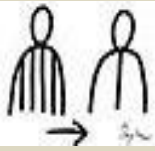
- 1.7 Oblige all political candidates running for office, civil servants and magistrates to declare any collaboration they had with the communist Secret Services; this must be subject to criminal prosecution without a statute of limitations.
- 1.8 For all political parties: adopt a set of integrity criteria (decided upon after prior consultation with the civil society) for the nomination of candidates running for office or who hold public office. Set up internal Integrity Committees which will monitor the use of these criteria, such as: criminal convictions (or indictments), collaboration with the "Securitate", political migration between more than two political parties in the last 10 years, public discriminatory/racist statements or actions, proven financial gain as a consequence of abuse of power.
- 1.9 Return to an electoral system of majority runoff for mayors.

## **2) Proposals concerning administrative measures on good governance which can be immediately put into practice by the ruling coalition, while the opposition can pledge to support or initiate them once in power**

- 2.1 The implementation of Law 24/2000 concerning the technical legislative rules for new legislative proposals, including the submission of an impact study for "legal proposals of outstanding importance and complexity", as required by law; imposing administrative sanctions if the law is not enforced and implemented.
- 2.2 Limiting, on a voluntary basis, the Government's practice of using emergency ordinances and that of asking for a confidence vote to 20% of the 2011 volume since their frequent use in recent years' amounts to a constitutional abuse.
- 2.3 The creation, in accordance with the World Bank's recommendation, of a HR service inside the Government and local authorities to examine and report periodically as to the degree of qualifications of those appointed and promoted so as to de-politicize and professionalize those occupying public offices.



- 2.4 Establish, in cooperation with civil society and business associations, a permanent surveillance system as to how public money is given to the private sector by publishing public procurement contracts on the National Integrity Agency's (ANI) website and by creating a search engine for private companies and state institutions which publish that contract (modelled after the Slovenian example).
- 2.5 Creating a "black list" for companies that do not stick to the initial price and/or the deadlines under threat of receiving a prohibition to participate in public tenders.
- 2.6 The complete and proactive implementation of Law 544/2001 by publishing by default all activity reports required by law and all public procurement contracts, budgets and salaries of those working in the public sector. Increase the capacity of those departments which provide answers to requests made under Law 544/2001 so that they may be capable of providing an answer in the shortest time possible, correctly and completely to requests made by the citizens. Establish administrative penalties for failure to properly apply Law 544/2001.
- 2.7 Increase the role of participatory democracy, in line with the Lisbon Treaty, by creating new interaction mechanisms between citizens and institutions and by respecting the citizens' initiatives on a local and parliamentary level.
- 2.8 Initiate public consultations for the development of important programmatic documents (e.g. the National Anti-Corruption Strategy, the National Development Plan, the Operational Programmes funded by the European Union and the National Rural Development Program). The creation and use of real dialogue and public consultation mechanisms in ministries and public local authorities. Initiate consultations to build consensus around major themes, such as the constitutional reform, labour legislation or social allocation mechanisms.
- 2.9 Include NGO members in the Economic and Social Council. Establish and follow a regular schedule of consultation with the Prime Minister, through the College for the Consultation of Associations and Foundations.

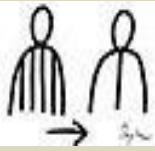


- 2.10 End police abuse against the practice of freedom of speech and public assembly and investigate the abuses perpetrated by the Gendarmerie against peaceful demonstrators, including a parliamentary committee in the process.
- 2.11 Halt the process of authorizing mining procedures in Roșia Montana and investigate the illegalities signalled by civil society. In addition, we call upon the political parties and the President of Romania to distance themselves from supporting the interests of those involved in the exploitation of natural resources which have a major impact on the environment.
- 2.12 Identify and promptly punish those that facilitate abuses on the environment (illegal cutting of trees, pollution, allowing hunting in protected areas, unsustainable urban development, etc.) as well as those who are guilty of abuses and administrative complicity with the latter, identifiable through litigations against them promoted and achieved in court by the civil society.
- 2.13 Assure the continuation of the National Anticorruption Directorate's (DNA) investigations without political interference, without retaliation against the prosecutors and judges who have sent to court or condemned political figures, in compliance with the commitment taken within the Cooperation and Verification Mechanism (CVM); assure the fulfilment of all obligations set forth within the CVM; assure the protection of those who have implemented, implement and will implement these obligations. Maintain the CVM standards even if the EU decides to cease this monitoring mechanism in the future.

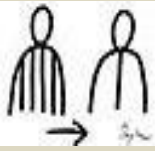
### **3) Proposals regarding legislative measures on good governance which can be immediately put into practice by the ruling coalition, while the opposition can pledge to support or initiate them once in power**

- 3.1 Guarantee the constitutional right to freedom of speech, especially with regard to the critique towards politicians and governing powers, by bringing legislation and juridical practice in line with the European Convention on Human Rights and with the activity of the European Court of Human Rights.





- 3.2 Ensuring the right to private association and the practice of association without state interference by simplifying the law on associations and foundations and eliminating the need for government approval for the creation of an NGO.
- 3.3 De-politicization of the state owned media by removing direct subordination to the Government or to the Parliament.
- 3.4 Reducing the number of Members of Parliament to 300.
- 3.5 Amending Law 52/2003 on decisional transparency so that it contains:
  - Direct and immediate sanctions applied to those managers of public entities who do not comply with the principles of decisional transparency (minister, mayor, county council president, local councillor, county councillor or leader of an authority/institution/agency);
  - The possibility for a court of law, upon citizen demand or upon the demand of those who consider that they affect their rights, to declare null and void those documents which are adopted and published in the Official Gazette, but which are not in accordance with the law on decisional transparency;
  - Extending the period for public consultation on drafts of laws to at least 90 days, in accordance to existing European standards;
  - Establish minimum and unitary rules of dialogue and make them obligatory for any public or local authorities.
- 3.6 Widening the scope of Law 544/2001 to cover other categories of the public and corporate-owned sphere, as well as the amount of information to which access is free; the introduction of penalties for any refusal to apply the law.
- 3.7 Change the law on the organization and progress of public gatherings so as to remove current excessive restrictions.
- 3.8 Amend the legislation and establish the principle of civil patrimonial liability for the bad management of public funds.
- 3.9 Withdrawal and discouragement of any draft legislation that would impair the transparency of statements of assets or that restricts the powers of National Integrity Agency; strengthening the role of civil society in its cooperation with this institution.



- 3.10 Establish the requirement for prior parliamentary approval for the exploitation of the country's mineral and fossil resources.
- 3.11 Reject the draft legislation which amends Mining Law no. 85/2003 and which would allow private mining companies to expropriate land on behalf of the state.
- 3.12 In the spirit of the Romanian Constitution and given the inability shown so far to exploit mineral resources, regardless of their form of ownership, towards the benefit of the Romanian citizens, we call upon the need to adopt a policy, following the Norwegian model, permitting the future profit obtained through the exploitation of these resources (gold, oil from the continental platform, etc.) to be distributed non-discriminately to all Romanian citizens.

Carta Alba a Bunei Guvernari