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## The Corruption of Anti-Corruption

A mixed-method analysis of corruption in the governing institutions of Romania 1998-2019

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# Abstract

The purpose of this dissertation is to examine the relationship between governing institutions and corruption in Romania. To engage substantially with corruption, a conceptual framework is established. The framework distinguishes between (1) *patrimonial and neo-patrimonial political systems*, (2) *individual corruption* and (3) *institutional corruption*. Through a qualitative document study of 30 European Commission Progress- and Technical reports, key anti-corruption institutions and agencies are identified. The challenges which impede anti-corruption efforts pursued by agencies such as the National Anticorruption Directorate (DNA) provide insight into mechanisms which contribute to- or enable corruption. Findings resulting from the document study are corroborated by V-Dem index- and indicator measurements for corruption in a mixed-method analysis. The dissertation argues that current pressure exerted on the DNA by the executive presents a threat to anti-corruption efforts in Romania – a process which could lead to the institutional corruption of the agency. Further findings result in five proposed mechanisms which have bearing on corruption. These mechanisms are derived from challenges faced by the DNA as well as other anti-corruption institutions and agencies in combatting corruption. The dissertation argues that several mechanisms made visible by obstacles preventing anti-corruption efforts can be traced to elements within the legislature, the judiciary and the executive.

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# 1. Introduction

2019 marked the 20<sup>th</sup> anniversary of the Romanian Revolution which brought about the fall of Nicolae Ceaușescu and the Romanian Communist Party. In the decades since, Romania has struggled to come to grips with the problem of corruption. Corruption appears ubiquitous in Romanian society, effecting even the highest ranks of political office. In May 2019, leader of the Social Democratic Party (PSD) Liviu Dragnea – then serving President of the Chamber of Deputies – was sentenced to prison for three and half years, convicted for incitements to abuse of office.<sup>1</sup> In January 2017, Prime Minister Sorin Grindeu (PSD) sparked country-wide mass demonstrations when he introduced a government ordinance set to decriminalize corruption involving sums of less than 200,000 lei (£38,000).<sup>2</sup> The public outrage manifested in mass protests numbering more than 400,000 protestors in February 2017. The protestors took to the streets of Bucharest, where they painted a clear image to onlookers: Although corruption may be rampant, the Romanian people will not suffer such brazen acts quietly. The protests, which ultimately led to the removal of the Grindaenu cabinet by a vote of no confidence, is a clear indicator that there exists a desire in the Romanian public to fight back against corruption.

The purpose of this dissertation is to investigate the mechanisms which enable corruption to persist in Romania. To achieve this overarching goal, the dissertation aims to:

1. Present a conceptual framework of corruption which will serve as a basis for understanding the phenomenon in Romania.
2. Examine the extent of corruption over time in key government institutions, namely (a) *the executive*, (b) *the judiciary* and (c) *the legislature*, based on V-Dem data.
3. Identify key changes in- and events connected to corruption linked to governing institutions – relying on European Commission CVM reports.
4. Identify mechanisms which enable corruption to persist based on corroborated findings.

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<sup>1</sup> Gillet & Santora 2019

<sup>2</sup> Fishwick 2017

## 2. Theoretical and conceptual framework

### 2.1 Three conceptions of corruption

In order to investigate the driving mechanisms of corruption, it is necessary to establish a working definition. What constitutes corruption? By virtue of its tenacity and ubiquity, corruption has a multitude of technical, legal and conceptual definitions. This makes it difficult to establish a working definition which adequately encompasses the phenomenon that is being studied. This difficulty is compounded by the fact that the most widely accepted forms of corruption today have not always been labelled as corrupt. Despite these challenges, a working definition must be established.

Corruption in its most general sense can be characterised as a form of *pollution of the public by the private*. In order to engage with corruption more substantially, it is necessary to establishing a more robust conceptual framework. This is crucial for understanding the phenomenon descriptively, as well as for the development of normative anti-corruption measures.<sup>3</sup> Consequently, this dissertation will deploy a conceptual framework of corruption which divides corruption into three distinct categories. These categories of corruption are (1) *patrimonial and neo-patrimonial political systems*, (2) *individual corruption* and (3) *institutional corruption*. The categories of individual corruption and institutional corruption are especially relevant to the study of how high-level corruption manifests in Romania today. Note that unless explicitly stated, corrupt acts described in later sections fall into the category of individual corruption.

### 2.2 Patrimonial and neo-patrimonial political systems

#### 2.2.1 Relevancy of the concepts to the case of Romania

The concepts of patrimonialism and neo-patrimonialism are important to the case study of Romania for two main reasons. First, the system of governance which was in place during the regime of Nicolae Ceaușescu can be categorized as partially, if not wholly, neo-patrimonial – in the form of socialist patrimonialism.<sup>4</sup> Secondly, history is widely recognized as an important factor in the study of corruption and the manner in which it manifests across

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<sup>3</sup> Persson & Teorell 2012; Thompson 2013

<sup>4</sup> Linden 1986; Fisun 2019

different areas at different points in time.<sup>5</sup> Mechanisms and process drivers which enable corruption today are not wholly separate from broader historical context – nor are they separate from the historical precondition which allowed for these systems and mechanisms to develop initially. For this reason, it is reasonable to assert that elements of past history shape present systems- and institutions of government. An account of how classical- and neo-patrimonial systems are conceptualized are therefore warranted, as their presence in the relatively recent history of Romania makes it highly probable that their influence is still felt. Although a comprehensive investigation into the relationship between past and present systems falls outside the scope of this dissertation, the concepts are still relevant – if only to contrast the issues which stem from corruption in the current system to those of past systems.

### 2.2.2 Patrimonialism

Corruption is a fundamental feature of governance in both patrimonial and neo-patrimonial political systems.<sup>6</sup> The concept of patrimonialism as a system of governance, originally articulated and proposed as an ideal type by Weber, is centred on a form of political domination.<sup>7</sup> Traditionally, in patrimonial systems, authority is intrinsically tied to the personal and bureaucratic power of royal families and royal households – and the excision of this power is left to the arbitrary preference of the ruler. The ruler maintains dominance by employing a political apparatus that has no independent power, and by extending personal favours without institutional checks. In other words, privilege and power is granted, in the form of grace and favours, from the ruler to clients. These clients, who in turn perform tasks which serve the interests of the ruler, are locked in a reciprocal relationship under the domination or authority of the ruler. The exchanging of favours in a patrimonial system can therefore be labelled as intrinsically corrupt – as the notion of corruption as a form of pollution of the public by the private is a fundamental feature of patrimonialism as a system of governance.

### 2.2.3 Neo-patrimonialism

Neo-patrimonialism is essentially a hybrid of traditional, patrimonial authority and legal-rational, bureaucratic authority.<sup>8</sup> In principle, a neopatrimonial regime is characterised by the coexistence of two separate hierarchies – one which stems from the ruler's claim to exercise

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<sup>5</sup> MacDonald & Majeed 2011

<sup>6</sup> Eisenstadt 1973; Fisun 2019

<sup>7</sup> Mungiu-Pippidi 2015; Eisenstadt 1973

<sup>8</sup> Bratton 2011: 1680-1681

authority and control over members of society, and another which stems from the codified rules and routines of the bureaucracy. The line between these two hierarchies become blurred when attempting to isolate the source of the regime's legitimacy, and the inherent conflict between the patrimonial and the bureaucratic hierarchies as the ultimate source of authority results in a degree of permanent tension. Officials in state bureaucracies and hierarchies have powers which are formally defined, but the exercise of these powers are not a form of public service, but instead private property.<sup>9</sup> For a more comprehensive overview and debate on the characteristics of neo-patrimonialism, see Eisenstadt, Clapham and Cammack.<sup>10</sup>

Although much of recent research on the topic of neo-patrimonialism has been centred on the study of post-colonial African states, it is not a uniquely African phenomenon. The model of neo-patrimonial rule has been used to give insight into the regimes of Hugo Chavez in Venezuela, Ferdinand Marcos of the Philippines as well as the regime of Nicolae Ceauşescu.<sup>11</sup> It is an important concept which can help illuminate the prevalence of corruption in current-day Romania, as a democracy which has transitioned from a regime which shared many characteristics typical of neo-patrimonial governing systems.

## 2.3 Individual Corruption

The conception of individual corruption is rooted primarily in a principal-agent framework.<sup>12</sup> Corrupt acts are seen as quid-pro-quo transaction, often procedurally improper, between a public principal and a private actor which benefits the participants but harms the public. This framing can be briefly summarized as a relationship between a principal and an agent, in which the agent possesses information the principal does not. The agent can levy the information to further its own interest at the cost of the principal. In cases of corrupt government officials, the public can be viewed as the principal which has enlisted the services of the agent – the government official. The government official is able to engage in rent-seeking activities, that is to say activities which increases the wealth of the agent without creating wealth in the process, by exchanging a portion of the public good to an external

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<sup>9</sup> Clapham 1985: 47-50

<sup>10</sup> Eisenstadt 1973; Clapham 1985; Cammack 2007

<sup>11</sup> Bratton 2011: 1681; Linden 1986

<sup>12</sup> Mitnick 2007



actor. This is done in exchange for wealth or services which further the self-interest of the government official.

This conception of corruption is widespread both in political science as well as developmental economics. The prevalence of its use is exemplified in Shleifer & Vishny's study on the economic relationship between weak governance and corruption, where the principal-agent framework is an explicit prerequisite for conceptualizing corruption.<sup>13</sup>

Another distinguishing feature of individual corruption, which separates it markedly from institutional corruption, stems from the way in which benefit is extracted from the act of corruption. This aspect of individual corruption is articulated by Thompson in his paper presenting a conceptual distinction between individual and institutional corruption.<sup>14</sup> In cases of individual corruption, an institution or its officials receive a benefit that do not serve the institution. Additionally, the corrupt service granted by the institution or the public official is provided through channels or relationships that are external to the institution – and the underlying motive can be determined to be *quid pro quo*. When these conditions are met, and the act of corruption does not serve the interests of the institution, it is a form of individual corruption.

Conceptions similar to this have seen widespread use amongst political scientists and economists as a necessary presupposition in the study of corruption. It is helpful both in terms of understanding the phenomenon descriptively as well as with regards to developing prescriptive anti-corruption measures.<sup>15</sup> Despite widespread use and apparent utility in terms of understanding corruption as an interaction between an agent and a principal, this conception of corruption is not without limitations. Critics have attributed some of the failures and shortcomings of implemented anti-corruption measures in high-corruption environments to the perfunctory acceptance of the principal-agent framework.<sup>16</sup> In some cases, failed attempts to curb the prevalence of corruption might stem from a failure to conceptualize corruption as a collective action problem, rather than an agent-principal problem.<sup>17</sup> The question of whether the current conditions in Romania constitutes a high-corruption environment to the point where corruption ought to be viewed as a collective

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<sup>13</sup> Shleifer & Vishny 1993: 559-617

<sup>14</sup> Thompson 2013

<sup>15</sup> Shleifer & Vishny 1993; Mauro 1995; Persson & Teorell 2012

<sup>16</sup> Persson, Rothstein & Teorell 2012

<sup>17</sup> Persson, Rothstein & Teorell 2012

action problem rather than an agent-principal problem is therefore an important question to raise. This is fertile grounds for further research.

## 2.4 Institutional Corruption

The concept of institutional corruption is another helpful tool to assist investigations into high-level corruption in Romania. The concept has its roots in the notion of legislative corruption as presented by Thompson in his inquiry into U.S congressional politics and corrupt practices.<sup>18</sup> This concept was further developed by Lessig and Thompson, and it is Lessig's definition which will serve as the working definition for the purposes of this dissertation. Lessig presents the follow definition of institutional corruption:

Institutional corruption is manifest when there is a systemic and strategic influence which is legal, or even currently ethical, that undermines the institutions effectiveness by diverting it from its purpose or weakening its ability to achieve its purpose, including, to the extent relevant to its purpose, weakening either the public's trust in that institution or the institution's inherent trustworthiness.<sup>19</sup>

There are two components of this definition which are important in distinguishing how institutional corruption differs from individual corruption. First, institutional corruption is characterised by activities and influences which divert an institution from its purpose. Second, institutional corruption undermines the effectiveness and trustworthiness of the institution. Unlike other forms of corruption, which may serve to increase the effectiveness of individual actors or institutions, the opposite holds true for institutional corruption. For a more thorough review of the different components which form the definition, see Lessig's account of this working definition.<sup>20</sup> For an overview of alternative conceptions of institutional corruption, see Thompsons work on institutional corruption.<sup>21</sup>

The concept of institutional corruption is particularly important to the study of corruption in Romania for two main reasons. First, the implementation of anti-corruption initiatives on the institutional level – such as National Anti-corruption Directorate (NAD) – are susceptible to institutional corruption. For these anti-corruption measures to be successful, it is vital to understand how institutional corruption can divert focus and purpose, and in the process destroy the trustworthiness of the institutions responsible for combating other forms of

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<sup>18</sup> Thompson 1995

<sup>19</sup> Lessig 2013: 2

<sup>20</sup> Lessig 2013

<sup>21</sup> Thompson 2018: 495-502

corruption. The importance of this aspect is compounded when anti-corruption initiatives are implemented in highly corrupt environments, as both the risk and cost of failure is likely to be higher. The institutional corruption of dedicated anti-corruption agencies may also cause harm to future anti-corruption initiatives, especially in terms of public support and trust. While the study of individual corruption is given much attention compared to its institutional counterpart, institutional corruption should not be considered less damaging or dangerous than its counterparts.<sup>22</sup>

### 3. Methodology

This dissertation will employ a qualitative approach to investigate corruption in Romania. The decision to utilize a single-case study of Romania over time as part of the research design is born out of two primary considerations. The first consideration relates to the benefits provided by qualitative approaches – in that they are open-ended to varying degrees and allow for in-depth analyses of rich and detailed data.<sup>23</sup> The decision to conduct a single-case study of Romania rather than a cross-country study stems from the desire to limit and control for factors which would be introduced by a cross-national comparative study. Broader aspects, such as history, culture and law, are generally accepted as being important factors which are difficult to control for in cross-national studies of corruption.<sup>24</sup> While qualitative research designs generally allow for more open-ended processes that can take these other factors into account, the need to account for two or more sets of these variables in a cross-national study would detract from the time and effort spent on the core research topic; corruption. As such, a single-case study was deemed appropriate.

The second consideration relates to the application of multiple conceptualizations of corruption. A significant portion of the study of corruption generally is dedicated to defining and conceptualizing corruption. A qualitative approach allows for critical evaluation and application of concepts based on empirical findings abductively, which is a strength of the design. Additionally, the grounds for making such evaluations is strengthened by the richness and depth of available empirical data.

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<sup>22</sup> Thompson 2013: 2-4; Lessig 2013

<sup>23</sup> Maoz 2002; Tjora 2017

<sup>24</sup> MacDonald & Majeed 2011;

One of the major challenges corruption researchers face is related to data availability and data reliability. Most forms of corruption are codified as illegal activities, and as such, it is difficult to establish to what extent visible corruption is representative of de facto conditions. Perception based indexes, such the Corruption Perception Index (CPI) maintained by Transparency International, are also flawed as indicators for the extent of actual corruption. This challenge warrants attention, and a more comprehensive review of the topic is provided in section 3.2.1. of the dissertation.

In order to address some of the limitations of a qualitative approach, a combination of two research methods is employed in order to corroborate findings and strengthen the validity of the design. The two methods employed are (1) *a document analysis of European Commission progress- and technical reports on corruption in Romania* and (2) *an analysis of Varieties of Democracy (V-Dem) corruption indicators derived from survey data*. The data generated from both methods is then triangulated as part of the final analysis. The goal of triangulation is twofold. First, triangulation serves to reduce the impact of biases that can more easily impact single-case single-method document analyses.<sup>25</sup> Second, triangulation provides the opportunity for contradictions to emerge – these discrepancies can serve to highlight faulty presumptions, weak causal links or weaknesses in the theoretical framework. This approach was considered suitable for investigating the stated research goals of this dissertation.

### 3.1 Document study and thematic analysis

The document study of European Commission progress- and technical reports was conducted in three phases. The first phase included gathering the appropriate reports, assessing their authenticity, reviewing the relevancy of supplementary documents (such as press releases, fact sheets and official statements) and compiling the reports into two separate data blocs. The supplementary data was determined to ultimately be alternative representation of data available within the reports, and as such was excluded from further analysis. Once the decision to exclude supplementary documents from the dataset had been made, a chronological structuring of data into two blocs was conducted. Data bloc 1 consisted of European Commission progress reports, and data bloc 2 consisted of European Commission technical updates/reports. Both are datasets are made available in the appendix.

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<sup>25</sup> Bowen 2009: 28

The second phase of the study involved a closer reading of the compiled data. Prior to thorough examination, a number of superficial examinations (skimming) were conducted to identify and trace the presence of elements which made routine appearances in the reports. Particular attention was paid to benchmarks provided in the reports focusing on legislative transparency and anti-corruption initiatives. This superficial examination was carried out three times before initial coding, close-reading, and analysis was conducted.

The third phase of the study included coding, close-reading and analysing all reports. Once all reports had been thoroughly examined, a thematic analysis was conducted focusing on the three code groups which had emerged and were assessed to be most relevant to the goals of the dissertation. Once relevant information had been identified and separated, the sections deemed most meaningful provided the basis for further analysis. The most relevant sections are directly quoted in the dissertation and are used as datapoints which are then triangulated with V-Dem indicators to corroborate or challenge findings.

### 3.2 Varieties of Democracy dataset and measurements

The dissertation employs empirical indicators provided by Varieties of Democracy (V-Dem) dataset version 10 to measure corruption.<sup>26</sup> This data is used to corroborate findings that result from the document study of European Commission reports, outlined in section 3.1. All V-Dem measurements provided in this paper are derived from dataset version 10 unless otherwise specified. The V-Dem dataset is derived primarily from information provided by country experts through surveys and questionnaires, in accordance with a comprehensive methodology which includes an extensive account of data-collection practices and a detailed overview of data measurement methods.<sup>27</sup>

This dataset shares many of the limitations inherent to survey-based perception indexes, as outlined in section 3.2.1. Although the country experts responsible for the Romanian dataset are of interest to this dissertation, the experts are provided confidentiality to protect their identities.<sup>28</sup> This ethical consideration is necessary to ensure the safety of country experts, and to protect them from reprisals. Furthermore, it is assumed that best practices have been carried out when generating and coding the dataset, in accordance with the methodology

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<sup>26</sup> Coppedge et. al. 2020a

<sup>27</sup> Coppedge et. al. 2020b

<sup>28</sup> Coppedge et. al. 2020b: 15

presented by V-Dem. As such, the necessity of country-expert confidentiality is not considered to be a detriment to transparency or overall quality of findings, and the data provided is considered suitable for the purpose of measuring corruption.

### 3.3 Challenges and limitations

There are several limitations inherent to the methods applied in this dissertation. Although the decision to employ a mixed-method approach was made in part to minimize the risk of selection bias, it does not protect against it entirely. As such, challenges related to biased selectivity in the data-selection process are still present.<sup>29</sup> The primary source of data used for analysis is also subject to bias. It comprises documents produced by the European Commission, the executive branch of the European Union. The European Union is a political body which has interests and biases that could colour the picture painted by the reports. Nevertheless, for the purposes of this dissertation, it is presumed that reducing corruption within the European Union is of interest to the European Commission, and that bias which emerges from these interests does not conflict with the goal of identifying mechanisms which enable corruption to endure.

There are also significant challenges relating to how well selected indicators measure corruption. Although Commission reports provide some insight into the state of visible corruption, especially relating to law, prosecution and transparency, it can not serve as a proxy for measuring the extent of total corruption. This limitation also extends to the V-Dem indicators derived from country-expert survey data. The problem of data availability and data reliability is one factor which makes the general study of corruption difficult, and it is a limiting factor which impacts the validity of findings presented in this dissertation.

#### 3.2.1 Perception-based measurements

The study of corruption is made difficult by the fact corrupt activities are often codified as illegal activities. This places a limitation on data availability and reliability due to the need for secrecy on behalf of involved actors. Many popular measurements of corruption are based primarily on perception indexes – such as the Corruption Perception Index (CPI), an index developed and published annually by Transparency International (TI). The CPI scores countries based on the aggregate of several public and expert surveys, and it is widely used as

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<sup>29</sup> Yin 1994: 80; Bowen 2009: 32

an indicator of corruption. In spite of its relative widespread use, the CPI has inherent flaws as a measurement of corruption.<sup>30</sup>

One of the fundamental weaknesses of the index is tied to the inherent unreliability of perception surveys to reflect the actual degree and extent of corruption. One can easily conceive of an institution which is perceived outwardly as legitimate in its dealings, whilst inwardly being fundamentally corrupt in its operations. Adversely the opposite is also true; an institution can be perceived as being largely corrupt although it performs its legitimate operations without the presence of any corruption. Perception-based survey information can still be useful in the study of corruption, especially relating to the study of the relationship between political trust and perceived corruption. As it is inherently difficult to generate accurate data pertaining to corruption, perception indexes can still be useful when no more suitable measurements are available – although such indexes remain imperfect. Romanian scores on the CPI 2012-2018 are provided in the appendix. For a more extensive examination of the limitations of perception-based surveys, see Louis.<sup>31</sup>

## 4. Corruption Measurements

### 4.1 V-Dem Indicators and Indexes

Investigating the relationship between governing institutions and corrupt processes is the primary focus of this dissertation. To do this, it is necessary to differentiate between government institutions when examining the extent of visible corruption. The V-Dem dataset provides several indicators measuring corruption in both the executive, legislative and judicial branches of government. It is important to note that these indicators and indices provide information relating to the extent of *individual corruption* within governing institutions. They do not serve as proxies or indicators to the extent of *institutional corruption* as conceived by Thompson and Lessig.<sup>32</sup>

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<sup>30</sup> Yeganeh 2014; Louis 2007

<sup>31</sup> Louis 2007

<sup>32</sup> Thompson 2013; Thompson 2018; Lessig 2014

## 4.2 V-Dem data and analysis

### 4.2.1 Executive Corruption

The executive corruption index is a composite average of two indicators, namely (1) executive bribery and (2) executive embezzlement. This index measures (1) how routinely members of the executive, or their agents, grant favours in exchange for bribes, kickbacks or other material inducements, and (2) how often they steal, embezzle or misappropriate public funds or other state resources for personal or family use.<sup>33</sup> The point estimates for this index are on an interval scale, ranging from low to high (0-1). Lower scores indicate less corruption and higher scores indicate more corruption.

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<sup>33</sup> Coppedge et. al. 2020c: 279



**Table 1***Executive corruption index – Romania 1998-2018*

Year	Score	Relative change
1998	0.48	+/- --
1999	0.48	+/- 0.00
2000	0.66	+ 0.18
2001	0.73	+ 0.07
2002	0.73	+/- 0.00
2003	0.73	+/- 0.00
2004	0.66	- 0.07
2005	0.65	- 0.01
2006	0.65	+/- 0.00
2007	0.65	+/- 0.00
2008	0.65	+/- 0.00
2009	0.62	- 0.03
2010	0.62	+/- 0.00
2011	0.62	+/- 0.00
2012	0.62	+/- 0.00
2013	0.52	- 0.10
2014	0.52	+/- 0.00
2015	0.44	- 0.08
2016	0.09	- 0.35
2017	0.58	+ 0.49
2018	0.57	- 0.01
2019	0.40	- 0.17

Overall, the level of executive corruption has fluctuated somewhat over the time period 1998-2019 with significant levels of corruption present throughout. The highest levels of executive corruption measured was during period of 2001-2003. This watermark was followed by a period of moderate improvement from 2004-2015. While the total difference between 1998 and 2018 amounts to an increase in executive corruption of 0.10 points on the index scale, the

overall downwards trend from 2003-2015 in addition to the stark drop in levels of executive corruption during 2016 warrants further investigation.

#### 4.2.2 Judicial Corruption

Judicial corruption measurements are based on the V-Dem indicator “judicial corrupt decision”. This indicator measures the frequency of undocumented extra payments/bribes made by businesses or individual in order to speed up, delay or obtain favourable judicial decisions.<sup>34</sup> The point estimates are on an ordinal scale ranging from 0-4, with low scores (0) indicating high levels of corruption and high scores (4) indicating low levels of corruption. This scoring scheme is consistent with most V-Dem measurements, with low scores indicating less democratic tendencies, and high scores indicating more democratic tendencies.

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<sup>34</sup> Coppedge et. al. 2020c: 156

**Table 2***Judicial Corruption Indicator – Romania 1998-2018*

Year	Score	Relative change
1998	1.48	+/- --
1999	1.48	+/- 0.00
2000	1.48	+/- 0.00
2001	1.48	+/- 0.00
2002	1.48	+/- 0.00
2003	1.48	+/- 0.00
2004	1.68	+ 0.20
2005	1.84	+ 0.16
2006	1.84	+/- 0.00
2007	1.97	+ 0.13
2008	1.97	+/- 0.00
2009	2.06	+ 0.09
2010	2.43	+ 0.37
2011	2.43	+/- 0.00
2012	2.43	+/- 0.00
2013	2.96	+ 0.53
2014	2.96	+/- 0.00
2015	2.96	+/- 0.00
2016	2.95	- 0.01
2017	2.87	- 0.08
2018	1.58	- 1.29
2019	2.06	+ 0.48

The data indicates a gradual improvement in levels of corruption in the judiciary from 1998-2016. Despite significant improvements, the level of judicial corruption is still relatively high compared to other European states. Most of the progress which had been made over the course of two decades was lost during 2017-2018, and the drastic change in 2018 warrants further investigation.

### 4.2.3 Legislative Corruption

The measurements of corruption in the legislature are based on the V-Dem indicator “legislature corrupt activities”.<sup>35</sup> This indicator measures the extent to which members of the legislature abuse their position for financial gain through (1) accepting bribes, (2) helping firms that the legislator (or close family/friends/supporters) own obtain government contracts, (3) doing favours for firms in exchange for opportunity of future employment, (4) stealing money from the state or from campaign donations for personal use. The point estimates are on an ordinal scale ranging from 0-4, with low scores (0) indicating high levels of corruption in the legislature, and high scores (4) indicating low levels of corruption.

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<sup>35</sup> Coppedge et. al. 2020c: 137

**Table 3***Legislative Corruption Indicator – Romania 1998-2018*

Year	Score	Relative change
1998	1.01	+/- --
1999	1.01	+/- 0.00
2000	1.01	+/- 0.00
2001	1.01	+/- 0.00
2002	1.01	+/- 0.00
2003	1.01	+/- 0.00
2004	1.01	+/- 0.00
2005	1.01	+/- 0.00
2006	1.01	+/- 0.00
2007	1.01	+/- 0.00
2008	1.13	+ 0.12
2009	1.00	- 0.13
2010	1.00	+/- 0.00
2011	1.00	+/- 0.00
2012	1.00	+/- 0.00
2013	0.96	- 0.04
2014	1.10	+ 0.14
2015	1.10	+/- 0.00
2016	0.88	- 0.22
2017	0.62	- 0.26
2018	1.11	+ 0.46
2019	1.40	+ 0.29

The data indicate significant levels of corruption in the legislative over time. Slight fluctuations in the periods of 2008-2009, 2013-2014 and most significantly in 2016-2018 can be observed. However, the overall change in levels of legislative corruption remains slight. The total difference in levels of legislative corruption between 1998 and 2018 is only 0.10 points, which indicates that efforts to curb legislative corruption have mostly been

ineffective. The significant changes present in the period of 2015-2019 are notable and warrant further investigation.

## 5. European Commission and CVM reports

Since Romania joined the European Union (EU) on January 1<sup>st</sup> 2007, the European Commission (EC) has published progress reports on judicial reform and other anti-corruption initiatives in Romania and Bulgaria. To oversee progress, the Commission established the Cooperation and Verification Mechanism (CVM) in December 2006.<sup>36</sup> The CVM provides formal reports where benchmark recommendations are established, and efforts to meet previous benchmarks are assessed. In the case of Romania, the primary focus of these reports has been judicial reform and corruption. Benchmarks used to assess the effectiveness and transparency of the judiciary and other key governing institutions are also provided in the reports.

The first Commission report was released in June 2007. Since then, they have been released on an annual/bi-annual schedule. These progress reports will be used in conjunction with V-Dem indicators and indexes to study the mechanisms of corruption in governing institutions. Attempts will be made to identify process-drivers and underlying mechanisms which lead to- or enable corruption. Note that although there have been marked improvements in areas, the analysis is primarily concerned with elements that (a) lead to- or enable corruption and (b) prevent anti-corruption initiatives from achieving their stated goals. As such, attention will be directed towards negative trends, failures and setbacks in curbing corruption.

### 5.1. The National Anticorruption Directorate

The assessments made by the Commission on the implementation and effectiveness of the National Anticorruption Directorate (DNA) in its pursuit of prosecuting public servants suspected of corruption provides critical insight into high-level corruption in Romania. The DNA is an independent judicial structure attached to the High Court of Cassation and Justice (HCCJ), responsible for investigating and prosecuting suspected corruption.<sup>37</sup> It has

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<sup>36</sup> The European Commission 2020

<sup>37</sup> Anti-Corruption Authorities 2012

jurisdiction across the whole of Romania, and has purview to prosecute public servants, including past and present members of the Parliament, on grounds of corruption. Since its restoration following the ratification of Law 54/06 by Parliament in 2006, the impact of the DNA has been significant. The effect of an independent judicial structure responsible for prosecuting corruption can be seen from the outset of 2007. In their first progress report of 2007, the European Commission places emphasis on the importance and impact of the DNA.

There has been continued progress in the prosecution of high-level corruption cases. The specialised prosecution services for corruption (National Anti-Corruption Department - DNA) have been established throughout the country and show a positive track record concerning investigations and indictments for high-level corruption. This includes high-profile cases with the indictment of well-known and influential public figures.<sup>38</sup>

In their first report of 2008, the European Commission present assessments which align with the previous report:

In November 2007, the National Anti-Corruption Directorate (DNA) launched investigations against several prosecutors for forgery of competitions for leading prosecutor positions. [...] The work of the National Anticorruption Directorate (DNA) shows a positive track record over the past six months. By October 2007 the DNA had requested permission to start criminal investigations on eight serving or former Ministers. This was granted by the Romanian President in January. The decision on lifting immunities was taken following an intense legal and political debate. In the past six months several of these cases which involve serving or former members of the government have been sent back by the courts to the prosecution on grounds of procedural errors. This, in addition to the immunity issue, has provoked considerable debate and controversy. It is not clear whether the courts' argumentation means that the evidence is inadmissible, requiring new investigations, or whether the prosecution can remedy the situation without having to restart the process.<sup>39</sup>

The DNA is reported as having consistently and effectively carried out its responsibilities of investigating and prosecuting high-level corruption. This trend is clear from the initial 2007 report up to and including the 2019 report. The reports also present the DNA as an institution maintaining good track records of corruption cases brought to court, non-partisan investigation into high-level corruption cases, transparent reporting along with willingness to review internal procedures, practices and conduct.<sup>40</sup> As an independent judicial structure, the DNA emerges as one of the most critical components in effectively combating high-level corruption in Romania. In the July 2012 report, the Commission states that:

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<sup>38</sup> Progress report Romania June 2007 [COM(2007)378]

<sup>39</sup> Progress report Romania February 2008 [COM(2008)62]

<sup>40</sup> Progress report Romania July 2009 [COM(2009)401]; Progress report Romania January 2017 [COM(2017)44]

The performance of the National Anti-Corruption Directorate (DNA) in the investigation and prosecution of high-level corruption cases can be considered one of the most significant advances made in Romania since accession.

Despite its good overall performance, the DNA has also faced significant obstacles in combatting high-level corruption. By tracing the progress and challenges faced by the DNA in conducting prosecuting corruption, patterns emerge which may explain what mechanisms enable corrupt practices to persist in the Romanian system. It is perhaps unsurprising that several of these mechanisms can be traced to the judiciary, the executive and the legislature respectively.

## 5.2. Challenges to the DNA – Legislature

Tracing the obstacles faced by the DNA in efforts to investigate and prosecute corruption reveals several important elements which can be sourced to the Romanian legislature. One such obstacle relates to the legal framework which codifies illegal corruption. This legal framework refers to sections of civil- and criminal code that establish corruption as an illegal activity – sections which ultimately stem from the Romanian Parliament. From 2007 to 2019, several attempts have been made to decriminalise certain forms of corruption by Parliament – some successful. In 2007, Law n. 69/2007 was passed, modifying the Law for Preventing and Investigation Corruption, resulting in the decriminalization of certain forms of bank fraud.<sup>41</sup> It is difficult to establish conclusively that these amendments to the code are caused by corruption. However, it is even more difficult to argue that members of parliament who engage in corrupt activities would not benefit from changes to the criminal code that result in the decriminalization of corruption. This view can be supported and corroborated by the high levels of corruption in the legislature during the relevant period, demonstrated by the V-Dem Legislative Corruption Indicator.

In more general terms, it appears that extensive corruption in the legislature creates an incentive for legislation which decriminalizes corrupt behaviour. This claim rests on the observation of multiple attempts to weaken the legal framework surrounding corruption by the legislature. The issue highlights a potential mechanism by which corruption can disseminate society due to corruption in the legislature.

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<sup>41</sup> Progress report Romania June 2007 [COM(2007)378]



The second important obstacle presented by the legislature is a matter already mentioned in 5.1 – namely, procedural immunity. This is a mechanism by which Parliament can effectively prevent initial investigations of parliamentarians and ministers suspected of corruption. Throughout the reports, there are several instances where investigations of serving members of parliament have been obstructed by the legislative, in their refusal to lift procedural immunity.

No real progress has been made in ten key cases involving former ministers. This is partly due to Parliament having blocked the investigation and partly to dismissal of the cases by the High Court of Cassation and Justice which overturned previous decisions.<sup>42</sup>

Although specific amendments to the procedural codes were passed in 2013/2014, the issue remains unresolved.

For most of 2014, DNA had little success in persuading Parliament to accede to requests from DNA for the lifting of immunity of Members of Parliament to allow for the opening of investigation and the application of preventive detention measures. This trend appears to have changed in late 2014, when the Parliament lifted the immunity of several parliamentarians investigated by DNA in a large corruption case. Parliament's response to DNA requests seems arbitrary and lacking objective criteria.<sup>43</sup>

The decision to lift immunities in 2014 was a significant step in combatting legislative corruption – a view consistent with the modest improvements in legislative corruption observed in 2014 (+0.14 increase). Although the decision to lift immunities in 2014 demonstrates that prosecution of parliamentarians is possible within the Romanian system, procedural immunity continues to be a significant obstacle. Over the course of 2015 alone, one third of appeals issued by the DNA requesting Parliament to lift immunities were refused.<sup>44</sup> The importance of providing dedicated anti-corruption institutions unobstructed access in cases of suspected corruption is accentuated by the reports. In situations where procedural immunity is upheld arbitrarily, despite legitimate suspicions, the prosecution of corrupt agents becomes impossible. In more general terms, it is possible that extensive procedural immunity can protect corrupt agents from prosecution. This may serve as a mechanism which allows corruption to become entrenched, as corrupt agents are protected from official inquiry and investigation. It may also serve as a catalyst for other forms of corruption, by removing deterrents which result from open prosecution.

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<sup>42</sup> Progress report Romania July 2008 [COM(2008)494]

<sup>43</sup> Progress report Romania 2015 [COM(2015)35]

<sup>44</sup> Progress report Romania 2016 [COM(2016)41]: 10-11

### 5.3. Challenges to the DNA – Judiciary

In analysing the reports, several obstacles in the fight against corruption can be traced to institutions and agencies which make up the judiciary. The first and perhaps most important obstacle is directly related to a primary function of the judiciary – sentencing. The Commission reports indicate that there have been significant discrepancies between the number of cases presented by the DNA as prosecutor and the number of sentences passed down by the courts. Although the size of the discrepancy has trended towards significant improvement since 2007, this element emerges of the clearest and most pressing obstacles in effectively combatting corruption. Courts passing sentences which are not dissuasive to prevent further corruption, and courts dismissing or deferring cases which results in extensive delay or procedural stalemate are clear examples of this.<sup>45</sup> In reference to the track-record of the DNA, the Commission report of 2007 highlights this problem:

However, rigour in prosecution is not reflected by judicial decisions. Data provided on sentences show that penalties on average are not dissuasive and a very high-number of suspensions of these penalties in cases of high-level corruption. The rationale for these suspensions, including awareness and attitudes among the judiciary towards dissuasive sentences of cases of high level corruption needs to be clarified. This undermines recent progress in investigation and affects negatively public perception of the political commitment to tackle corruption.<sup>46</sup>

The improvements in judicial efficacy, in part due to strengthening of the National Integrity Agency (NIA) and broader reform of the judiciary, are corroborated by V-Dem indicators for Judicial Corruption. The V-Dem indicators show a marked improvement in the period of 2007-2017, a trend which is largely consistent with Commission reports from 2010 onwards.

The National Anticorruption Directorate (DNA) has maintained its good track record of impartial investigations into high level corruption cases. This is beginning to be reflected at court level with an increase of the total of final convictions by one-third in 2009 compared to 2008.<sup>47</sup>

As the DNA continued its investigations and prosecution of high-level corruption cases, the number of public servants sentenced on corruption charges markedly rose. Many of these cases were brought to the trial stage by the High Court of Cassation and Justice (HCCJ) in the period of 2014-2017. This was in part made possible by more consistent application of

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<sup>45</sup> Progress report Romania July 2010 [COM(2010)401]: 5-6

<sup>46</sup> Progress report Romania June 2007 [COM(2007)378]

<sup>47</sup> Progress report Romania March 2010 [COM(2010)113]

jurisprudence – an issue which needs be emphasised in connection with previous failures to pass effective sentences – due to efforts undertaken by the HCCJ leading up to 2011-2012.<sup>48</sup>

Closer analysis of the reports provide insight into the importance of consistent sentencing, jurisprudence and an independent judiciary.<sup>49</sup> The nature of the relationship between an independent judicial structure responsible for investigating and prosecuting and judicial institutions responsible for passing sentences is made more clear by studying points of conflict. These findings can be articulated in more general terms. Failures by the courts and magistracy to conduct fair trials and pass down proportional, consistent sentences renders efforts made to prosecute largely ineffectual. This issue reveals a mechanism which enables corruption to thrive, as ineffective courts impair or remove official sanction as a deterrent. This is seen as a mechanism which is likely to result in increased corruption overall.

#### 5.4. Challenges to the DNA – Executive

There are several prominent obstacles to fighting high-level corruption in Romania which can be traced to the executive. Note that Romania is a bi-cameral parliamentary republic, with separate presidential and parliamentary elections.<sup>50</sup> Elected governments require parliamentary approval, which makes the effort to distinguish between (a) obstacles rooted in the executive and (b) obstacles rooted in the legislature more difficult. For the purposes of this dissertation, challenges and obstacles which result from the actions of the president, prime minister and other appointed ministers are allocated to the executive.

The extent of corruption within the Romanian executive is apparent throughout the period of 2007-2019. Numerous prime ministers, former ministers, members of parliament and other senior officials have been indicted and sentenced on corruption charges. This trend is consistent with the V-Dem Index for Executive Corruption, which shows moderate to high levels of corruption throughout the period.

DNA indicted over 1250 defendants in the course of 2015, and this included the Prime Minister, former Ministers, Members of Parliament, mayors, presidents of county councils, judges, prosecutors and a

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<sup>48</sup> Progress report Romania July 2012 [COM(2012)410]: 7-9

<sup>49</sup> Progress report Romania January 2017 [COM(2017)44]: 4-6

<sup>50</sup> The Economist 2017a

wide variety of senior officials. It has also increased its interim asset freezing measures relating to these cases, to reach a figure of €452 million.<sup>51</sup>

In analysing the reports, two major obstacles stemming from the executive emerge as preventing the investigation and prosecution of high-level corruption in Romania. The first obstacle stems from the threat of executive overreach in the form of decriminalization of corruption by unilateral decrees. In January 2017, Romanian Prime Minister Sorin Grindeanu put forward a government decree decriminalizing forms of official misconduct and corruption, which led to widespread protests and political upheaval.<sup>52</sup>

Furthermore, the positive progress and the continued good results of the judicial institutions in the fight against corruption were largely questioned by events, such as in January 2017 the adoption by the previous Government of a Government Emergency Ordinance to decriminalise certain corruption offences, such as abuse of office and the proposal for a pardon law. Widespread protests throughout Romania contested these measures.<sup>53</sup>

Although the ordinance was reversed, this attempt by the executive to unilaterally decriminalize forms of corruption by decree provides a clear example of how anti-corruption initiatives can potentially be undermined by unilateral ordinance in systems where effective institutional checks are absent.

The second, and currently most pressing obstacle to the effective prosecution of corruption in Romania, relates directly to powers of appointment. The importance of transparent and depoliticized appointments of agency leaders is emphasised at several points throughout the reports, especially in relation to the DNA.

The reappointment of the Head of the National Anticorruption Directorate (DNA) in February this year marked an important step in ensuring stability and continuity of the authorities in charge of the fight against corruption. The continued existence of a specialised and efficient anti corruption framework is of vital importance for Romania.<sup>54</sup>

In January, the Commission reiterated its recommendation to put in place a system of transparent and merit based appointments of top prosecutors which would provide sufficient safeguards against politicisation. The appointment procedure of top prosecutors has been a key part of the debate around proposed amendments to the laws on Justice since August.<sup>55</sup>

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<sup>51</sup> Progress report Romania 2016 [COM(2016)41]

<sup>52</sup> The Economist 2017b

<sup>53</sup> Progress report Romania November 2017 [COM(2017)751]: 2-3

<sup>54</sup> Progress report Romania July 2009 [COM(2009)401]

<sup>55</sup> Progress report Romania November 2017 [COM(2017)751]: 3

This issue has been brought to the forefront following the dismissal of DNA chief prosecutor at the request of the Minister of Justice in 2017.<sup>56</sup> The increased concentration of power in the hands of the Minister of Justice poses a serious threat to the independence of the DNA, and consequently its ability to effectively carry out its stated goals. According to the latest 2019 report, the DNA has been without an appointed head prosecutor due to the refusals by the President to accept candidates nominated by the Minister of Justice.<sup>57</sup> The current situation highlights the risks posed by concentrated powers in the executive, where the ability to both dismiss and appoint chief prosecutors without the support of other institutions or procedural checks is serious cause for concern. The dismissal of DNA head prosecutor and consequent attempts to replace the Prosecutor General of Romania by the Minister of Justice reveals an institutional mechanism by which anti-corruption initiatives can be co-opted and diverted from their purpose. Without effective checks on the excision of power by the executive, institutions responsible for combatting corruption may be rendered ineffective. Processes and procedures which ensure that appointed institutional heads are fit for purpose and politically independent is seen as critical to prevent institutions from being co-opted by a corrupt executive. The enduring importance of the appointment process is articulated in the European Commission 2019 technical report, stating:

To remedy the situation the following measures are recommended:

[...]

Relaunch a process to appoint a Chief prosecutor of the DNA with proven experience in the prosecution of corruption crimes and with a clear mandate for the DNA to continue to conduct professional, independent and non-partisan investigations of corruption.<sup>58</sup>

## 5.5. The Risk of Institutional Corruption

Throughout this study, the majority of acts labelled as corrupt have fallen well within the conception of *individual corruption*. Whether bribery, embezzlement, larceny or nepotistic favouritism, the types of corruption documented in the V-Dem dataset and explicitly listed in the Commission reports all constitute forms of individual corruption. However, in analysing the efforts by the National Anticorruption Directorate (DNA) to combat forms of individual

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<sup>56</sup> Progress report Romania November 2017 [COM(2017)751]: 4-6

<sup>57</sup> Progress report Romania October 2019 [COM(2019)393]: 9-10

<sup>58</sup> Technical report Romania 2019 [SWD(2019)393]: 3-4

corruption at high levels, the importance of *institutional corruption* as a distinct concept emerges.

As described in Commission reports, the overall track record of the DNA stands out as the most consistent and effective institutional apparatus in the fight against high-level corruption. Its mandate to investigate and prosecute corruption offences has resulted in convictions of several high-profile public servants on corruption charges. These include prime ministers, ministers, legislators, judges and prosecutors. Recent developments have threatened the independence and integrity of the agency, following the dismissal of the previous head prosecutor in 2017. These developments present a challenge to the DNA which is different from other obstacles that have impeded efforts to prosecute corruption in the past. Where previous obstacles consist of external factors which have obstructed the effective prosecution of corruption, the current situation threatens to undermine the ability of the DNA to perform its purpose at a fundamental level. If a future nominee brought forward by the Minister of Justice is unfit for the position of head prosecutor, due to corrupt motives or lack of competence, the possibility exists that the DNA may (1) *be diverted from its purpose* or (2) *lose trustworthiness as a result of corrupt associations* as a result.

This problem illustrates how agencies responsible for combatting forms of individual corruption at high levels are susceptible to institutional corruption if appropriate procedures to protect their integrity and independence are not in place. The issue of public trust and trustworthiness generally is compounded by the complex media landscape in Romania, which has also been subject to corruption.<sup>59</sup> The subject of media criticism is also broached in Commission reports.

[...] there has also been a reaction to this trend: political and media criticism of magistrates and judicial institutions has been frequent, with attacks against the National Anti-corruption Directorate continuing to intensify in 2016. The risk is that such criticism undermines public confidence in the judicial system as a whole, especially when it comes from government or Parliament.<sup>60</sup>

The question of whether this results from corrupt actors levying corrupt media to undermine public trust of anti-corruption agencies is a potential question for future research.

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<sup>59</sup> Adavani 2016

<sup>60</sup> Technical report Romania 2017 [SWD(2017)701]: 4

## 6. Conclusion

The purpose of this dissertation has been to investigate corruption in governing institutions, and to identify key mechanisms which allow corruption to persist. To achieve this goal, a thematic analysis of European Commission CVM reports was conducted. Findings were corroborated using V-Dem indexes- and indicators for corruption to limit the impact of selection bias, and bias inherent in Commission reports.

The analysis yielded results. In studying corruption in Romania, the Anti-Corruption Directorate is identified as a key institutional agency in the ongoing effort to combat corruption. The obstacles which prevent the effective investigation into- and prosecution of corruption in Romania yielded insight into potential mechanisms which may lead to increased levels of corruption.

- I. Extensive corruption in the legislature appears to create an incentive for legislation which decriminalizes corrupt behaviour. This is proposed as a mechanism by which corruption disseminates through corruption in the legislature.
- II. Procedural immunity for members of the legislature protects corrupt agents from prosecution. This is identified as a mechanism by which corruption may become entrenched in systems, as corrupt agents are protected from official inquiry and investigation. Additionally, it may serve as a catalyst for other forms of corruption, as effective deterrents which result from prosecution are removed.
- III. Failures by the courts to conduct fair trials and pass down proportional, consistent sentences renders efforts to prosecute ineffectual. This is proposed as a mechanism which facilitates the dissemination of corruption due to the absence of official sanctions and deterrents – corruption is likely to increase as a result.
- IV. Unilateral executive decrees decriminalizing forms of corruption may pose significant challenges in combatting high-level corruption. In cases where sufficient institutional checks are not in place to prevent such decrees, the legality of corruption is left to the unchecked preferences of the executive.
- V. Concentrated powers of appointment in the executive without adequate rules of procedure that ensure the competence and independence of appointed institutional leaders poses risk to anti-corruption institutions. This is proposed as a mechanism through which dedicated anti-corruption institutions can be co-opted and subject

to institutional corruption, diverting them from their purpose and rendering them ineffective.

The extent to which these mechanisms can be applied generally is uncertain. However, they are presented in the hope that they may applied to the study of corruption in other areas.



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## Appendix

### Dataset.

The dataset is a collection of all European Commission progress reports and technical updates/reports on judicial reform and anti-corruption initiatives in Romania from 2007-2019. Progress reports are provided in table A.1 and technical updates/reports are provided in table A.2

**Table A.1**

*European Commission Progress Reports on Romania*

Year	Month	Document headline	Available at
2007	June	Progress report Romania June 2007 [COM(2007)378]	<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0378:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0378:EN:NOT</a>
2008	February	Progress report Romania February 2008 [COM(2008)62]	<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0062:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0062:EN:NOT</a>
2008	July	Progress report Romania July 2008 [COM(2008)494]	<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0494:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0494:EN:NOT</a>
2009	February	Progress report Romania February 2009 [COM(2009)70]	<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0070:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0070:EN:NOT</a>
2009	July	Progress report Romania July 2009 [COM(2009)401]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2009&amp;number=401&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2009&amp;number=401&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2010	March	Progress report Romania March 2010 [COM(2010)113]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2010&amp;number=113&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2010&amp;number=113&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2010	July	Progress report Romania July 2010 [COM(2010)401]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2010&amp;number=401&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2010&amp;number=401&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>

			<a href="#">eLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2011	February	Progress report Romania February 2011 [COM(2011)80]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2011&amp;number=80&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2011&amp;number=80&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2011	July	Progress report Romania July 2011 [COM(2011)460]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2011&amp;number=460&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2011&amp;number=460&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2012	February	Progress report Romania February 2012 [COM(2012)56]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2012&amp;number=56&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2012&amp;number=56&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2012	July	Progress report Romania July 2012 [COM(2012)410]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2012&amp;number=410&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2012&amp;number=410&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2013	January	Progress report Romania 2013 [COM(2013)47]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2013&amp;number=47&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2013&amp;number=47&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2014	January	Progress report Romania 2014 [COM(2014)37]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2014&amp;number=37&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC.pdf">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2014&amp;number=37&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC.pdf</a>
2015	January	Progress report Romania 2015 [COM(2015)35]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2015&amp;number=35&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;title">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2015&amp;number=35&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;title</a>

			<a href="#">Language=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2016	January	Progress report Romania 2016 [COM(2016)41]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2016&amp;number=41&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2016&amp;number=41&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2017	January	Progress report Romania January 2017 [COM(2017)44]	<a href="https://ec.europa.eu/info/files/progress-report-romania-2017-com-2017-44_en">https://ec.europa.eu/info/files/progress-report-romania-2017-com-2017-44_en</a>
2017	November	Progress report Romania November 2017 [COM(2017)751]	<a href="https://ec.europa.eu/info/files/progress-report-romania-2017-com-2017-751_en">https://ec.europa.eu/info/files/progress-report-romania-2017-com-2017-751_en</a>
2018	November	Progress report Romania November 2018 [COM(2017)751]	<a href="https://ec.europa.eu/info/files/progress-report-romania-2018-com-2018-851_en">https://ec.europa.eu/info/files/progress-report-romania-2018-com-2018-851_en</a>
2019	October	Progress report Romania October 2019 [COM(2019)393]	<a href="https://ec.europa.eu/info/files/progress-report-romania-2019-com-2019-393_en">https://ec.europa.eu/info/files/progress-report-romania-2019-com-2019-393_en</a>

**Table A.2***European Commission Technical Updates/Reports on Romania*

<b>Year</b>	<b>Month</b>	<b>Document headline</b>	<b>Available at</b>
2008	July	Technical update Romania July 2008 [SEC(2008)2349]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2008&amp;number=2349&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2008&amp;number=2349&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2009	July	Technical update Romania July 2009 [SEC(2009)1073]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2009&amp;number=1073&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2009&amp;number=1073&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2010	July	Technical update Romania July 2010 [SEC(2010)949]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2010&amp;number=949&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2010&amp;number=949&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2011	July	Technical update Romania July 2011 [SEC(2011)968]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2011&amp;number=968&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=2&amp;year=2011&amp;number=968&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2012	July	Technical update Romania July 2012 [SWD(2012)231]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2012&amp;number=231&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2012&amp;number=231&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2014	January	Technical report Romania 2014 [SWD(2014)37]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2014&amp;number=37&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC.pdf">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=1&amp;year=2014&amp;number=37&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC.pdf</a>
2015	January	Technical report Romania 2015 [SWD(2015)8]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2015&amp;number=8&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2015&amp;number=8&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>



			<a href="#">ateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2016	January	Technical report Romania 2016 [SWD(2016)16]	<a href="https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2016&amp;number=16&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC">https://ec.europa.eu/transparency/regdoc/?fuseaction=list&amp;n=10&amp;adv=0&amp;coteId=10102&amp;year=2016&amp;number=16&amp;version=F&amp;dateFrom=&amp;dateTo=&amp;serviceId=&amp;documentType=&amp;title=&amp;titleLanguage=&amp;titleSearch=EXACT&amp;sortBy=NUMBER&amp;sortOrder=DESC</a>
2017	January	Technical report Romania 2017 [SWD(2017)25]	<a href="https://ec.europa.eu/info/files/technical-report-romania-2017-swd-2017-25_en">https://ec.europa.eu/info/files/technical-report-romania-2017-swd-2017-25_en</a>
2017	November	Technical report Romania 2017 [SWD(2017)701]	<a href="https://ec.europa.eu/info/files/technical-report-romania-2017-swd-2017-701_en">https://ec.europa.eu/info/files/technical-report-romania-2017-swd-2017-701_en</a>
2018	November	Technical report Romania 2018 [SWD(2018)551]	<a href="https://ec.europa.eu/info/files/technical-report-romania-2018-swd-2018-551_en">https://ec.europa.eu/info/files/technical-report-romania-2018-swd-2018-551_en</a>
2019	October	Technical report Romania 2019 [SWD(2019)393]	<a href="https://ec.europa.eu/info/files/technical-report-romania-2019-swd-2019-393_en">https://ec.europa.eu/info/files/technical-report-romania-2019-swd-2019-393_en</a>

**Table A.3***Transparency International Corruption Perception Index – Romania 2012-2019*

Year	Score	Confidence interval
2012	44	3
2013	43	3
2014	43	3
2015	46	3
2016	48	3
2017	48	3
2018	47	3
2019	44	2

The Corruption Perception Index score countries on a scale from 0-100, which high scores indicating less corruption. Data for 1995-2011 is excluded due to different methodology.

