



ORIGINAL PAPER

The Autonomous Administrative Authorities in the Romanian Legal System

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Abstract

The autonomous administrative authorities were first created and implemented in the United States of America, this type of authorities was adopted also in Europe. The autonomous administrative authorities appeared recently in Romania, once the 1991 Constitution was adopted, exercising their attributions in full independence. The autonomous administrative authorities currently form an institutional system within the frame of public administration, having statutory guarantees and certain powers that allow them to perform actions without being politically influenced or forced in any way by different economic or professional interest groups.

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Introductory aspects regarding autonomous administrative authorities

The reform and modernization of governmental institutions and public administration has been a constant concern for the developed or developing economies, especially for the last three decades. In this situation, the states governments found themselves dealing with the need of identifying a solution for a series of problems such as: the need to provide with public services for lower costs, a continuous decline of budgets, the need to reform public institutions so that the desire to modernize the public administration would be complied, the difficult task of correlating the actions performed in the business environment or the private sector with the cumbersome activity developed by the public institutions. This was the moment that the autonomous administrative authorities appeared, authorities that are still forming a set of original structures developing their activity within the framework of the state administration apparatus. In this regard, the major concern of the legislator was that to establish administrative authorities and bestow them with autonomy so that they contribute to the endorsement of a governmental policy that is transparent and accountable with regards to its decision making process and method of action.

Although the term „authority” from the collocation „independent autonomous authorities” may induce a certain state of strictness and lack of correlation with democracy and the freedom of action of speech, this is only a psychological obstacle generated by the difficult transition between communism and democracy, the main role of these structures being that of overseeing compliance with the principles of the democratic state.

The origin of autonomous administrative authorities is found in the United States of America, where, in 1887 it was first debated the establishment of such authorities. This is when, through the Interstate Commerce Act, the first independent agency called Interstate Commerce Commission was founded. The goal was to create an authority that belongs to the executive power but that is (relatively) independent from the President and the executive power subordinated to the President in order to create a pole of independence within the executive power itself. Through this move began a transformation towards a greater complexity and organization of executive power (Veress, 2011). Gradually, this type of administration was adopted and integrated in Europe as well. In Romania, following the revolution of 1989 and once the Constitution was adopted in 1991, a series of distinct principles were implemented, in order to ensure regulations that were elaborated especially for a democratic state and the competent authorities that would ensure the regulation, development and compliance with the core values that a constitutional state tends to focus on. The implementation of the system of autonomous administrative authorities in Romania had as inspiration the French system, with the difference that the French legislator used the term „independent administrative authorities”, whereas the Romanian legislator used the expression „autonomous administrative authorities”. As any action, the initiation of autonomous authorities in the law systems did not lack its fair share of criticism, as it was considered that it may lead to the undermining of the executive power and consequentially to the state administrative activity to become unique. This criticism was without reason and could not lead to the elimination of administrative authorities with autonomous character. The autonomous administrative authorities, while not recently developed, continue to be a current concern, being from our point of view a theme of great importance today that has not been properly debated enough by the specialized literature.

The Autonomous Administrative Authorities in the Romanian Legal System

The term, the regulation and classification of autonomous administrative authorities

But establishing autonomous administrative authorities, the Romanian legislator set the basis of an actual legal mosaic in view of the complexity of the functions with which it invested the institutions that fall into the category of autonomous authorities, but also the diversity of the domains that enter their area of influence. The complex nuance of independent administrative authorities is supported by the sensitivity of the fields of activity of the domains in which they operate, the rules of establishment and of running their activities as well as the powers with which they have been invested. We agree with those who believe that the presence of the autonomous administrative authorities has a great impact on solving the problems and allow a better administrative governance, by eradicating organizational inefficiency and offering fair, transparent and efficient public services. Regarding the phrase „autonomous administrative authorities”, we found that in the specialized literature there is no universally accepted definition, and any attempt to define this phrase is quite cumbersome.

There were a series of opinions regarding the term of administrative authority. Therefore, some authors consider that the autonomous administrative authorities are only those control bodies that have a real power of decision, whereas other authors classify as autonomous administrative authorities even those bodies that exercise their prerogatives by other means than issuing decisions (Van Lang, Gondouin, Inserguet, 1999: 37). The French doctrine considers that the autonomous administrative authorities represent in fact „those public non-jurisdictional bodies, to which the legislator or constituent, gave the mission to monitor or organize sensitive sectors, to ensure compliance with certain rights of those administered institutions that come with guarantees and statutory powers that enable them to perform their specific responsibilities without being subject to influence from the Government” (Gentot, 1994:16, apud. Gîrleşteanu, 2011: 41). Some Romanian authors, including Professor George Gîrleşteanu, agree with the French definition due to the fact that it presents an overall vision that encompass a broader spectrum of activity carried out by the autonomous administrative authorities. As far as we are concerned, it is fair to say that, so far, the French doctrine offers the best perspective on how to define autonomous administrative authorities, but as in any other action performed, there are some abnormalities that may appear, and the autonomous administrative authorities activity is no exception to this reality, therefore, in order to prevent the abuse of power that may occur in the exercise, the documents and the decisions made, must be subject to effective control, a matter envisaged by the legislator, when he established the rule according to which all documents issued by the administrative authorities, that violate fundamental legal rights and principles, may be subject to the control of administrative contentious by the party whose interests may be prejudiced by these documents or decisions. The importance of autonomous administrative authorities results from the legislator's intention and is given by the double approach through the Romanian Constitution as well as through organic laws. Thus, art. 117 par. (3) of the fundamental law stipulates that the administrative authorities may be established by an organic law. By corroborating the provisions of art. 116 from the Constitution with art. 29 of Law no. 90/2001 on the organization and operation of the Romanian Government, subsequently amended and supplemented (Official Gazette no. 164 from 02.04.2001), we gather that the autonomous administrative authorities are organised independently of any ministries and other competent authorities that are subordinated to the Government, and the

Government maintains a collaboration relationships with the this type of authorities. The fundamental ambiguity in understanding autonomous administrative authorities is given by the fact that although related to the area of action of the Government, unlike the Ministries and other specialized organizations in its subordination, these authorities are independent and are not submitted to hierarchic control exerted by the Government this nuance making them a true legal oxymoron (Senate (France, n.d.), because although they operate and are regulated along with the other components of the Government, these authorities are not subordinated to it and cannot be controlled by the Government.

It is not without reason that along time, in French practice, these autonomous administrative authorities have been considered as unidentified legal objects or as an institutional category of an undefined contour, as a result of the fact that although included in the category of administrative institutions, they do not undergo hierarchic control from the Government their relation being one of cooperation, such as in Romania. To a great extent, the public assignments of the Government are the privilege of the Ministries under its subordination, but nevertheless, a series of these assignments are attributed, by the will of the legislator, to autonomous administrative authorities who perform public assignments independently.

In Romania all categories of autonomous administrative authorities are established on the basis of public law. This type of administrative authorities are organized in our country as central public administration bodies, the only difference is that they operate independently in view of exercising their executive powers that have as main object the law enforcement operations, ensuring the proper functioning of certain public services, in this case there is no scenario involving the existence of any designated bodies or state authorities with higher status and command, having the their own governing bodies and special responsibilities that are separated from other central administrative bodies. A number of autonomous administrative authorities are nominated by the Fundamental Law, namely: the Ombudsman (art. 58-60), the Legislative Council (art. 79), the Supreme Council of National Defence (art. 119), the Superior Council of Magistracy (art. 133-134), the Court of Auditors (art. 140), the Economic and Social Council (art. 141). There are autonomous administrative authorities that are not expressly mentioned in the Constitution, but they were created by organic laws, this category includes: the Competitiveness Council, the National Audiovisual Council, the National Integrity Agency, National News Agency AGERPRES, the National Supervisory Authority for Personal Data Processing, The Permanent Electoral Authority, Private Pension System Supervisory Commission, The National Council for the Study of the Security Archives, National Council to Prevent Discrimination, The Romanian Intelligence Service. Depending on the internal structure of autonomous administrative authorities (Gîrleşteanu, 2011: 41), there are: unique authorities, such as the Ombudsman; collegial authorities, those authorities that represent a Council operating in the name of a specific Authority or a Service. Depending on the scope of activity, the autonomous administrative authorities were qualified as qualified as bodies of the field (Iorgovan, 2005: 437), organized as: synthesis bodies (the National Supervisory Authority for Personal Data Processing); coordination bodies (the Supreme Council of National Defence); control bodies (Court of Auditors).

The quintessence of autonomous administrative authorities is that they manage to maintain a balance between different branches of the Government (executive, legislative, and judiciary) (Iorgovan, 2005: 436.), representing the key to democracy and the means of building a constitutional state. The purpose of these authorities is not a

The Autonomous Administrative Authorities in the Romanian Legal System

formal one, and tends rather to substantiate itself by defending and complying with the values set for the constitutional state. Although the administrative autonomous authorities operate in different fields of activity they pursue the achievement of a common goal.

The usefulness of this type of authority lies in the fact that it takes over a part of the Government responsibilities, in key areas, where there is a need for independent and impartial experts, thus without understanding that the legislator also considered the limitations of their executive powers, or the fact that the Government delegated some of its responsibilities to be carried out by other bodies. In their entirety these authorities contribute to the effectiveness of administrative measures and also to the decisional transparency of the activity carried out by the public administration. On the other hand, we must consider the fact that once these authorities were created, they have significantly limited the influence that the political system had on the public administration, even by cutting out their influence using the legislator's intention. We shall not generalize this statement as the influence of the political environment is difficult to eradicate, but a significant progress has been made in this regard.

Features of autonomous administrative authorities

The main features of autonomous administrative authorities are given by the fact that: they represent public structures, as a result of their regulatory activity as well as the purpose for which they were created. In order to achieve the purpose for which they were created, the legislator offered them guarantees of independence, so that the way they operate shall not remain subject to a purely formal nature, thereby contributing to ensuring the practical levers in operation, as well as for avoiding situations where the political environment could get involved and to be free from all pressures made by certain social or economic interest groups; they represent administrative entities that should not be confused with the jurisdictional ones. This distinction is necessary, even if for some of them, the legislator intended to give the necessary means to perform sanctioning actions, in order to facilitate their activity, this situation applies to: - Competitiveness Council – that, in order to maintain a normal competitive environment, imposes sanctions for illegal documents and actions that influence this type of environment, as well as for any type of documents and actions that may prejudice the achievement of their tasks, (Law no. 21/1996, Official Gazette no. 153 from 29.02.2016); the National Audiovisual Council has the responsibility to ensure a free expression environment and monitors the Audiovisual activity for the viewers, imposing sanctions when non-compliance with the audiovisual legislation is discovered; the Superior Council of Magistracy is the institution that acts as a guarantor for the independence of justice, imposing sanctions for disciplinary liability of judges and prosecutors; has an autonomous character by virtue of the fact that they are not to subordinated to the Government and there is no other higher hierarchical state authority to which they have to report to. However, this autonomy that was granted to them, should not be seen as a super power. Although their actions cannot be undone by another public authority that has not judicial character, it does not void the rights of the subjects from the public or private sector, that consider themselves injured by an act of the authorities to address the court by using contentious administrative proceedings. Therefore, “any person that considers him/herself aggrieved in relation to his/her rights or interests, by a public authority, through an administrative document or the unsettlement within a legal term of a legitimate request, can address the competent administrative court for the cancellation of the document, acknowledgement of the claimed right or of the legitimate interest and the remedying of the caused damage. The

legitimate interest can be both private and public” (law no.554/2004, Official Gazette no.1154 dated 7.12.2004).

The fact that these authorities depend on the terms of ensuring funding sources offered by the Government, as they are acting in the interests of the state and do not aim at achieving any revenue, therefore they do not have their own financial means, this is not against and does not affect in any way the autonomy that was granted to them. Even in these circumstances they have a financial autonomy that comes as an institutional guarantee of their independence towards the state, from which it results that they have enough resources to ensure the full exertion of their competences and that they have a position of decision regarding the method of using these resources (Gîrleşteanu, 2011: 51). The autonomous administrative authorities have their own budgets that they can use without restrictions in order to ensure the accomplishment of the goal for which they were built. This freedom cannot be absolutized as it is not unlimited, given the fact that following financial resources the control exerted by the Court of Auditors of Romania, who checks the effectiveness and transparency of the uses of these financial resources. In other words, their autonomy has in view their organic independence (who is appreciated as depending on more factors such as the method) of composition, the statutory rules and the characteristics of the mandate) as well as the functional independence (that is based on two elements: the absence of any hierarchical control over these authorities, as well as the organization and operating autonomy) (Lazăr, 2010: 54-55).

Another argument in favour of the autonomy of these authorities is given by the fact that their members dispose of a series of guarantees of their independence and refers mainly to their irrevocable, inamovable, incompatible nature without which political mixture and those coming from various groups of interests would be hard to avoid, and once infiltrated, almost impossible to eradicate. Autonomous administrative authorities are not a conglomerate of experts organized into committees meant to establish, clarify or evaluate the facts or circumstances, or to make judgments of value, these being endowed viably with decisional powers, power investigation power of approval, power and issuing recommendation and issuing views, regulatory power, referring to the security bodies of the State and even sanctioning bodies (<http://www.vie-publique.fr/decouverte-institutions/institutions/administration/organisation/etat/aai/quest-ce-qu-autorite-administrative-independante-aai.html>). The term „powers” of autonomous administrative authorities refers to the leverages that the legislator understood to make available to autonomous administrative authorities in order to ensure that the activity they undergo is within the context of the production of actual effects and are not limited to observing facts and issuing opinions and recommendations for which no means are found to transform them into actions. The power of investigation refers to the fact that in carrying out the overall control and supervision of a specific type of sector, certain authorities must be informed of the realities in that area, in order to have ensured free access to all information and public documents, and from another perspective, these institutions actually have legal competence on conducting investigations, surveys and inspections. This power is held by the Competitiveness Council, the National Agency for Integrity, the Ombudsman, the Economic and Social Council.

The Power of Endorsement refers to those autonomous independent authorities that following the exercise that has been established for them by the legislator, they are issuing optional letters - materialized in advisory documents (Legislative Council and Economic and Social Council) or mandatory - whose absence can be considered as an

The Autonomous Administrative Authorities in the Romanian Legal System

abuse of power and consequently may result in the annulment that document (the Supreme Council of National Defence).

With regards to consultative endorsements, they refer mainly to the fact that many state bodies consult autonomous administrative authorities with regards to problems from specific domains that they wish to regulate, in this case not being forced to follow the guidance given by autonomous authorities. On the other hand, there are cases in which state authorities cannot legally act until obtaining the endorsement of these authorities, even if they are not held to respect it. For a better understanding we mention the case of the Legislative Council whose main attribution is that of analysing and endorsing normative projects in view of submitting them for legislation or adoption.

We should mention that things are different in the case of mandatory endorsements, case in which a public authority invested with the power of decision must consult an autonomous administrative authority because on the contrary a decision taken without the mandatory endorsement is considered vitiated and can be cancelled for power abuse.

The strength of recommendation and the issuance of views that enjoy the recognition of the legislator, approaches the power of approval in the sense that basically aims to adopt a certain position, a certain type of approach concerning a reform or a legislative amendment. This power is the prerogative of the Ombudsman, the Competitiveness Council, the Economic and Social Council, authorities which may raise points of view, recommendations, may be referred to or may take notice in issues related to national interests. Given the fact that the recommendations do not have normative executive force, they cannot create rights and obligations for the state public authorities, if not explicitly specified otherwise by the legislator. Regulatory power is connected to the knowledge that some of the autonomous administrative authorities have concerning the proclamation of general rules and impersonal generating rights and duties for individuals and legal subjects. This power must not lead us to the thought that these authorities may replace the legislator or that they are empowered to legislate a certain industry or field, but only about their opportunity to organize compliance and enforcement of the law, this being a materialization of administrative nature, thus being a „limited and subordinated” power (Gentot, 1994: 74, apud. Gîrleşteanu, 2011: 60). The legislator included in this category of authorities: the Competitiveness Council, that in its field has the ability to regulate the application, organization and execution of the law that is the subject of its area of activity, and the Supreme Council of National Defence.

The power of referring to the state powers - this power was given to the Competitiveness Council under Competitiveness Council Art. 8 paragraph (2) of the Competitiveness Law no. 21/1996, republished. Thus, when it is found that the central or local authorities or the central government institutions, or entity to whom they have delegated powers, do not comply within the time prescribed, the measures ordered by the Competitiveness Competition decision in order to restore competitive environment, may use contentious administrative proceedings to the Bucharest Court of Appeal, asking the court, where applicable, the cancellation, in whole or in part, of the document that led to the prevention, restriction or distortion of competition, compelling the authority or institution concerned to issue an administrative act or to perform some administrative operations (law no. 21/1996, Official Gazette no. 153 of 02/29/2016). The power to sanction refers to the ability of those established by the legislator to those autonomous authorities which may in sanction the slippages of the subjects of law from the legal norms established in the area where they carry out their activity. The best examples of authorities

that enjoy this power are the National Broadcasting Council and the National Council to Prevent Discrimination.

Given the range of powers granted to autonomous administrative authorities and particularly the power of sanctioning, we might fall into the trap of a rigid approach of these authorities and tend to minimize the importance and value they hold in a democratic society. We must take into account and not forget that the power of sanctioning with which autonomous administrative authorities have been invested has the role of penalizing behaviours that compromise on legality but also to bring things into normality.

Leadership and powers of autonomous administrative authorities

Despite the fact that the autonomous administrative authorities are part of the authorities of the central state administration, unlike the latter, they have legal personality and their leaders are those who represent them in dealings with other authorities, public institutions, natural or legal persons, they represent their interests in court, with the main credit quality. Some autonomous authorities have their own leadership bodies established in the Constitutive Document, have their own organizational structure and special responsibilities that, as we have discussed before, makes them different from other specialized institutions of the central government. For another category of autonomous authorities, the Romanian Constitution provides for the appointment of governing bodies, such as the Romanian Intelligence Service where the appointment of directors is made by Parliament following a proposal from the President [art. 65 paragraph (2), letter h)]. The establishment or appointment of the leadership/management of autonomous authorities must actually be free of the political influence. The leadership of the autonomous administrative authorities may be collegial or single (Ombudsman). In the vast majority of cases these independent authorities appear as a Council (Competition Council, the Supreme Council of National Defence, the National Audiovisual Council), a Committee (Supervisory Commission of the Private Pension System), an Agency (the National Integrity Agency, National News Agency ROMPRES), of an Authority (the National Supervisory Authority for the Processing of Personal Data, the Permanent Electoral Authority) or a service (Romanian Intelligence Service), that form of collegial bodies (Gîrleşteanu, 2011: 41). The Leaders of autonomous authorities differ from typical ministries by various titles evidenced by names such as: Chairman, Director, Ombudsman. It should be noted that that no matter who makes the nomination of leadership for the autonomous authority (the President of Romania, the Standing Bureaus of the two Chambers of Parliament), it should be done respecting the principle of depoliticization, so that individuals proposed to fill leadership positions could not be members of political parties. In carrying out their duties, the autonomous authorities also carry out a series of tasks, some of which fall under the general functions carried out by the executive bodies of state, here bringing into question the specific executive activity that that involves - organizing the execution and enforcement of the law, but also ensuring the functionality of services and sometimes even the exercise of powers of a judicial nature (ANFP, n.d.). By jurisdictional competence we refer to the possibility of autonomous administrative authorities to determine behaviours and punish deviations from normality, and not to the power of jurisdiction in the true sense of the word, while others are strictly specific to autonomous administrative authorities, being described in detail in the laws/ordinances that regulate their activity and operation.

The Autonomous Administrative Authorities in the Romanian Legal System

The fact that the activity and attributions of autonomous authorities are established by laws and ordinances that are issued by the Parliament or Government must not give us the false impression that they have a hierarchical patronage over them. But as any structure of the state, this category of administrative authorities must respect the law of the state, and any deviation from this principle shall be corrected. On the other hand, the organizational independence and functional authority that independent authorities have shall not determine us to disregard the will of the legislator and consider autonomous administrative authorities as being a self-standing power of the state. Both the organizational independence and the functional autonomy have appeared as a leverage granted to autonomous authorities by the legislator who wanted to ensure that this category of the strategic and sensitive sectors is protected against politics and also to grant them enough weapons to be able to stand the pressure from the external environment who could disrupt the activity of the domains above mentioned.

Conclusions

Autonomous administrative authorities represent one of the modern mechanisms for achieving the rule of law, being considered an innovation and a response given by the democratic state to the new social order. Their appearance is justified by the necessity of promoting a modern method of governing transparently, by consultation and negotiation. Their essential characteristic is that they do not depend or are not subordinated to any of the three state powers: legislative, executive or of the court of law, which is a main condition for ensuring balance in the abilitated sectors. These autonomous authorities have a major role in the process of establishing rules and organizing the categories of sensitive sectors having a significant economic, political or social impact in which the Government does not wish to get directly involved, but where "neutralization" of politics is absolutely necessary, helping also to resist pressures of different economic and social interest groups. Thus, an autonomous authority may take binding decisions, which distinguishes them from courts whose decisions are enforceable under the law, affecting only with the parties and their successors and being opposable to third parties. In exercise of the powers they have been granted, the autonomous administrative authorities mediate between state powers, between the government and the opposition and last but not least, between the state and the civil society. This missing that was granted involves the possibility to monitor, organize, verify and control the method of action of the entities that develop their activity in the field in which these authorities were abilitated by the legislator and despite the guarantees of independence that they offer, they are a form of intervention of the state in society. This intervention is however justified by the necessity of ensuring and preserving social order and does not oppose the principles of the state of law. If any inadvertencies or deviations from normality are noticed, the autonomous authorities can apply corrections for any behaviours that deviate from legality and to reinstate order and conformity and equal and fair rules for all participating actors. This is one of the distinctive particularities of autonomous administrative authorities as compared to other administrative authorities as autonomous administrative authorities are called among others to ensure a climate of trust to the judges from their area of influence. Meeting all of these attributes is possible and guaranteed, given the fact that autonomy is effective and is acting without being subject to or controlled by any another authority, maintaining a collaboration relationship with the Romanian Government. In summary, we could say that autonomous administrative authorities are called upon to contribute in offering a guarantee to the public opinion with regards to the impartial and prompt

intervention of the state in the fields where they operate, while in correlation and in accordance with daily realities. Through the autonomy and specialization that they benefit from, autonomous administrative authorities have the capacity of contributing to an efficient administration in a dynamic society that needs to continuously adapt to the change.

References:

- ANFP (Agenția Națională a Funcționarilor Publici) (n.d.) Prezentarea generală a sistemului administrației publice din România. Retrieved from: http://www.aippimm.ro/files/articles_files/23/4467/prezentare-administratie.pdf.
- Romanian Constitution (2003). Retrieved from; <http://www.cdep.ro/pls/dic/site.page?id=371>.
- Gîrleșteanu, G. (2011). *Autorități administrative autonome*, Bucharest: Universul Juridic
- Gentot, M. (1994). *Les autorités administratives indépendantes*, 2nd Edition, Paris: Montchrestien.
- Iorgovan, A. (2005) *Tratat de drept administrativ*, IVth edition, volume I, Bucharest: All Beck Printing House.
- Lazăr, I. M. (2010) Studiu comparativ asupra autorităților administrative independente/automone. *Revista de Drept Public*, (2), 54-55.
- Van Lang, A., Gondouin, V., Inserguet, V., (1999), *Brisset Dictionnaire de droit administratif*, Paris: Dalloz.
- Legea Concurenței nr. 21/1996* (1996) (republished). In *Official Gazette*, no. 153 of 29.02.2016.
- Legea contenciosului administrativ nr. 554/2004* (2004) (with subsequent amendments). In *Official Gazette*, no. 1154 of 07.12.2004
- Legea pentru înființarea, organizarea și funcționarea Consiliului Legislativ nr. 73/1993* (1993) (with subsequent amendments). In *Official Gazette*, no. 1122 of 29 noiembrie 2004.
- Prezentarea general a sistemului administrației publice din România*. Retrieved from: http://www.aippimm.ro/files/articles_files/prezentare-administratie.pdf.
- Veress, E. (2011). Considerații generale privind autoritățile autonome administrative. Retrieved from: <http://jog.sapientia.ro/data/tudomanyos/Periodikak/scientia-iuris/2011-2/8-veress.pdf>.
- Senate (France) (n.d.) Les autorités administratives indépendantes: évaluation d'un objet juridique non identifié (Tome 1 : Rapport). Retrieved from: <https://www.senat.fr/rap/r05-404-1/r05-404-12.html>

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