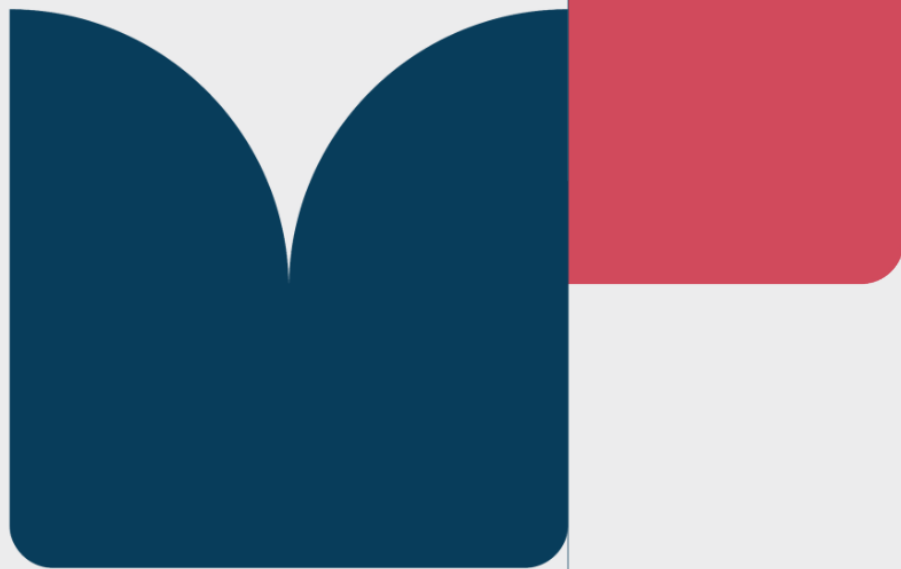


# Monitoring Action for Civic Space



## Country report

**ROMANIA**

**December 2025**



# About this report

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# TABLE OF CONTENTS

<b>About this report.....</b>	<b>2</b>
<b>Key developments .....</b>	<b>5</b>
Romania's Civil Society in Post-Election Crossfire	5
Freedom of Expression: Structural imbalances and enforcement challenges in a stress-test context	5
Institutional fragility and enforcement gaps as a systemic risk to civic space	6
<b>Dimensions.....</b>	<b>7</b>
<b>1. Freedom of Association</b>	<b>7</b>
<b>2. Freedom of Peaceful Assembly</b>	<b>10</b>
<b>3. Freedom of Expression</b>	<b>14</b>
<b>4. Safe Space</b>	<b>20</b>
<b>Recommendations .....</b>	<b>27</b>
<b>Methodology.....</b>	<b>28</b>
Country process	28



# Key developments

## Romania's Civil Society in Post-Election Crossfire

Intense societal polarisation in Romania has been accompanied by explicit narratives portraying civil society organisations (CSOs) as instruments of foreign forces allegedly acting against national interests. In 2025, these narratives became increasingly visible in political and media discourse, framing NGOs as vehicles of occult or external agendas.

Such conspiratorial narratives were used ahead of the May 2025 presidential election. In this context, the presidential candidate and leader of the sovereigntist and nationalist opposition *Alianța Pentru Unirea Românilor* - Alliance for the Union of Romanians (AUR Party) publicly accused CSOs critical of the campaign of operating as “Soros-type NGOs” and warned that they would be “held to account”. The CSOs - Funky Citizens and Declic - were named explicitly as being part of an alleged foreign-controlled network.<sup>1</sup> Several CSOs publicly denounced the escalation of attacks against civil society and journalists in the pre-election environment.<sup>2</sup>

These narratives persisted after the election and continued to shape post-electoral discourse, particularly within nationalist and populist circles. In an official post-election document, AUR portrayed civil society organisations as illegitimate political actors allegedly acting on behalf of the president.<sup>3</sup>

The election in 2025 of President Nicusor Dan with his strong background in civic activism brought attention to civil society, creating a double-edged effect for civic space. Heightened visibility reinforced conspiratorial portrayals of NGOs as “foreign agents”, but it also raised expectations for more structured recognition of civil society’s role through institutionalised dialogue, meaningful participation in reform processes, and sustained efforts to rebuild trust in public institutions.

## Freedom of Expression: Structural imbalances and enforcement challenges in a stress-test context

In 2025, freedom of expression in Romania was not curtailed through direct censorship, but increasingly constrained by structural, regulatory, and financial dynamics that produced uneven protection depending on the type of speech. Public interest journalism, civic monitoring, and institutional criticism faced legal, administrative, and economic pressure, while speech aligned with political power benefitted from greater reach in the public space.

<sup>1</sup> <https://hotnews.ro/george-simion-acuza-ong-urile-care-il-critica-ca-sunt-o-agentura-a-lui-soros-raspunsul-funky-citizen-miau-1968161>

<sup>2</sup> <https://www.stareademocratiei.ro/2025/05/09/we-stand-in-solidarity-with-funky-citizens-and-declic/>

<sup>3</sup> “RAPORT – LOVITURA DE STAT DIN ROMÂNIA, 24 NOIEMBRIE 2024 – 18 MAI 2025”, AUR claimed that “the entire network of Soros NGOs, hundreds of influencers and so-called intellectuals financed from EU funds acted as disguised electoral agents for Nicusor Dan, violating electoral law”, <https://partidulaur.ro/raport-lovitura-de-stat-din-romania-24-noiembrie-2024-18-mai-2025/>



The prolonged electoral cycle amplified these dynamics. Large-scale public funding of political parties, combined with opaque media financing and weak safeguards for editorial independence, further deepened risks for media capture.

Freedom of expression was affected by ongoing challenges in accessing public interest information, which was reflected in recurring practices of refusing or conditioning responses under Law 544/2001 (Freedom of Information Act - FOIA).<sup>4</sup> Emergency legislation, coupled with fragmented institutional oversight of online content, led to thousands of individual decisions affecting political speech, many of which lacked transparency or sufficient justification. Oversight bodies frequently acted reactively and in isolation, prioritising individual complaints over systemic risks such as coordinated disinformation campaigns.

These developments occurred alongside legislative initiatives that intend to introduce additional transparency obligations for civil society<sup>5</sup> and uneven enforcement against hate speech and intimidation. Taken together, these developments affected the ability of journalists and civil society to hold the authorities and institutions accountable and contributed to broader concerns regarding civic space and public trust in public information.

## Institutional fragility and enforcement gaps as a systemic risk to civic space

In 2025, the most significant risks to civic space in Romania stemmed not necessarily from gaps in the formal legal framework, but from institutional fragility, inconsistent enforcement, and declining public trust in oversight bodies. Across multiple domains – media regulation, electoral oversight, public assembly management, access to information and protection of civic actors – institutions operated with limited transparency, capacity, and weak government accountability.

Regulatory and oversight bodies frequently relied on discretionary, reactive, or ad hoc practices rather than predictable, rights-based procedures. This pattern was visible in the fragmented application of digital regulation, inconsistent policing of assemblies, selective enforcement of hate-speech rules, and application of disciplinary or administrative mechanisms in ways perceived as deterrent. Even where institutions acted within their formal mandates, the absence of clear reasoning, public scrutiny, and effective remedies undermined legitimacy.

The cumulative effect has been a widening gap between law and practice. While Romania's legislative framework remains broadly aligned with human rights standards, weak institutional performance and governance risk, hollow out these guarantees. Without sustained efforts to strengthen institutional integrity, independence, and trustworthiness, further regulatory or legislative initiatives may deepen uncertainty rather than improve rights protection.

<sup>4</sup> <https://apador.org/politia-romana-respecta-legea-numai-obligata-de-instanta/>; <https://activewatch.ro/articole/abuz-primarul-de-slatina-condi%C8%9Bioneaz%C4%83-accesul-jurnali%C8%99tilor-la-informa%C8%9Bii-de-interes-public/>

<sup>5</sup> <https://www.fdsc.ro/romania-proiect-de-lege-care-risca-sa-transforme-ong-urile-in-institutii-publice/>; <https://context.ro/legea-544-2001-este-principalul-instrument-in-baza-caruia-cetatenii-pot-solicita-informatii-de-interes-public-de-la-institutii-si-autoritati-legea-este-folosita-in-special-de-jurnalisti-in-documenta/>



# Dimensions

## 1. Freedom of Association

Freedom of association can be exercised in Romania, as the regulatory framework governing civil society organisations is broadly compliant with international standards. However, an increasing accumulation of compliance obligations has led to a growing administrative burden that constrains CSOs' operations.

Freedom of association is guaranteed by the Romanian Constitution (Article 40),<sup>6</sup> and the legal framework governing the exercise of this right is found in Government Ordinance No. 26/2000 on associations and foundations.

An association or foundation in Romania can be established by a domestic and/or foreign individual or entity as founder. Legal personality is acquired only after passing a judicial procedure. Informal groups (associations of individuals without legal personality) are not prohibited, and typically operate under the liability of individual members, though their legal and financial capacities will be limited. For example, they cannot contract or open a bank account in the name of a legal entity, and they are not eligible for public funding or grants as they cannot meet the criteria.

The registration procedure for Romanian CSOs is judicial, and the requirements for founders are fairly clear, as the law sets out the necessary steps and required documents. However, it is not always simple for a layperson, since drafting the statute may require the assistance of a legal expert. The procedure is significantly longer compared to registering a company, mainly due to the preliminary step of reserving the CSO's name with the Ministry of Justice Register, which can take up to 30 days, and the court procedure itself, which may last several months given the heavy workload of Romanian courts. Additional requests from the judge may further delay the process, as each response can result in a new hearing scheduled several months later.

The procedure is nonetheless fairly accessible, as it is conducted before first-instance courts, which are the most numerous courts in Romania. Although this possibility is not explicitly mentioned in any law, some courts accept the necessary documents by email and issue a decision without requiring physical presence. However, one cannot safely assume that the procedure can be completed solely by electronic means in all courts in Romania; therefore, it is necessary to check in advance whether the competent court allows it.

In Romania, CSOs have broad autonomy to determine their internal governance and operations, provided they comply with the basic legal framework established by Government Ordinance 26/2000, the Civil Code, and the Romanian Constitution. They are free to choose

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<sup>6</sup> <https://legislatie.just.ro/Public/DetaliiDocument/47355>



their internal structures, define the roles and powers of their governing bodies, set membership rules, adopt internal procedures, decide on strategic directions, and manage their activities without requiring approval from public authorities. Courts intervene only when a CSO violates its own statute or infringes upon the law. Correspondingly, the state has a negative obligation not to interfere in the internal affairs of CSOs. Public authorities cannot appoint or dismiss leadership, impose internal rules, control membership, modify statutes or influence organisational activities. State intervention is permitted only in limited and clearly regulated circumstances, such as tax compliance, financial investigations, criminal matters, or judicial dissolution and always under judicial oversight rather than administrative control.

The main regulatory framework is complemented by a range of additional legal acts that have a direct or indirect impact on the way CSOs operate, leading to an increasing administrative burden that, taken cumulatively, places significant strain on CSOs' capacity to operate.

These include direct obligations, such as the requirement for organisations to report through the Standard Audit File for Tax system,<sup>7</sup> similarly to any other private legal entity in Romania without differentiation based on the size or capacity of the organisation. They also include indirect regulatory constraints, for example, the obligation to register any amendment to a CSO's statutes in a special register maintained by the courts. The lengthy duration of judicial procedures, combined with the lack of consistent case law across courts, creates significant difficulties for CSOs seeking to amend their governance structures.

These delays often generate further complications in relations with financial institutions due to their know-your-customer obligations under anti-money laundering (AML) legislation, as well as with donors, since outdated governance information may prevent the valid signing of contracts or discourage the admission of new members. Collectively, these requirements contribute to a steady increase in compliance costs for CSOs.

The 2025 EU Rule of Law Report indicates that a significant administrative burden exists in Romania,<sup>8</sup> with an increased bureaucratic burden on CSOs due to the instrumentalisation of transparency measures. While international standards on NGO reporting (Council of Europe Recommendation CM/Rec(2007)14 on the Legal Status of NGOs in Europe) mentions that states must not impose obligations on NGOs comparable to public institutions, such a trend may be found in Romania. The most recent example is the draft Administrative Procedure Code,<sup>9</sup> which is in the process of government review and approval, that would increase the administrative burden on NGOs because it includes obligations normally imposed on public authorities, especially in regard to transparency and access to information. It imposes requirements that many NGOs are not structurally prepared for and creates ambiguity around who it applies to and may disproportionately affect smaller organisations with limited resources. The Early Warning and Alert Mechanism drew attention to potential

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<sup>7</sup> SAF-T (Standard Audit File for Tax) is an international standard developed by the OECD for the electronic exchange of reliable accounting and tax data between organisations and national tax authorities or external auditors.

<sup>8</sup> [https://commission.europa.eu/document/download/fcab6924-01cf-4514-9f68-3989759718e9\\_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Romania.pdf](https://commission.europa.eu/document/download/fcab6924-01cf-4514-9f68-3989759718e9_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Romania.pdf)

<sup>9</sup> <https://sgglegis.gov.ro/legislativ/docs/2025/11/m12ftv630xqp97j8bgnd.pdf>;

[https://sgglegis.gov.ro/legislativ/docs/2025/11/v0\\_48gpsqkixw76c2bty.pdf](https://sgglegis.gov.ro/legislativ/docs/2025/11/v0_48gpsqkixw76c2bty.pdf); <http://sgglegis.gov.ro/legislativ/domeniu.php?id=202>





consequences of the draft law in July 2025.<sup>10</sup> Although the draft had not been adopted by the end of 2025, the proposal moved to interinstitutional consultation which is the final stage before adoption by the government and subsequent submission to Parliament. The language of the bill has remained unchanged and the criticisms and concerns, therefore, remain.

A public debate on the upcoming mechanism for supervising the activity of associations and foundations to further the implementation of the anti-money laundering and counter-terrorism financing law was organised in August 2025. Several CSOs highlighted the areas of improvement and most of their comments were taken into consideration.<sup>11</sup> However, the text adopted in September 2025<sup>12</sup> includes additional administrative burdens for CSOs: the CSO's board of directors has to adopt an internal procedure to prevent terrorist financing and to verify annually, when approving the financial statements, that this procedure has been implemented. This creates a recurring verification obligation (linked to the annual approval of financial statements) and may require documentation, internal audit or review processes that many NGOs may not currently have the capacity to implement.

The law enables CSOs to determine their objectives and carry out any legitimate activities, without the need to comply with any government recommendations, priorities, or policies. Despite several legislative attempts during the last years to introduce harsh requirements on reporting and publicly disclose information related to sources of funding, no foreign funding or foreign agent-type law has been adopted. According to Romanian law, organisations whose purposes violate the Constitution, endanger national security, or undermine public order and public morals are prohibited.

The current framework law for CSOs has been subject to a comprehensive revision initiated by the government, through the Ministry of Justice, in 2023. The draft law was developed in consultation with civil society organisations and, despite completing the necessary stages, is currently stalled in Parliament, awaiting plenary debate following the issuance of all required opinions by the parliamentary committees.

If adopted, the draft<sup>13</sup> would introduce several important amendments to the existing legislation, including reducing bureaucratic requirements, simplifying judicial procedures related to the establishment and governance of NGOs, and further digitising existing processes. These reforms include the modernisation of the National Register of Non-Profit Legal Entities maintained by the Ministry of Justice, as well as the unification of NGO registers.

Despite additional efforts by several NGOs to explain the necessity of adopting the draft law, it has not yet been placed on the agenda of the Chamber of Deputies and has therefore not been debated. There is growing concern that the current wave of extremism represented by the parties in Parliament may either leave the draft dormant or introduce new amendments that, at this stage, could negatively affect the proposed reforms. Moreover, the adoption of the law is necessary as several of its provisions are linked to the digital reform of court registries under the EUs National Programme for Recovery and Resilience (NRRP).

<sup>10</sup> <https://www.fdsc.ro/en/romania-draft-law-risks-turning-csos-into-public-bodies/>

<sup>11</sup> <https://www.fdsc.ro/opinie-fdsc-mecanismul-de-supraveghere-a-activitatii-asocatiilor-si-fundatiilor/>; <https://acdd.ro/2025/09/02/finantarea-terorismului-si-sectorul-non-profit/>; <https://apador.org/observatiile-apador-ch-cu-privire-la-proiectul-de-ordin-privind-supravegherea-ong-urilor/>;

<sup>12</sup> <https://legislatie.just.ro/Public/DetaliuDocument/302390>

<sup>13</sup> [https://www.cdep.ro/pls/proiecte/upl\\_pck2015.proiect?cam=2&idp=21379](https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?cam=2&idp=21379)



## 2. Freedom of Peaceful Assembly

Although freedom of peaceful assembly is a constitutional guarantee in Romania, its exercise in practice remains inconsistent. Outdated legislation, informal approval practices, and uneven law enforcement continue to limit the effective enjoyment of this right, particularly for vulnerable groups and during contentious forms of protest.

Public meetings, demonstrations, processions, or any other gatherings may be organised and held peacefully under Article 38 of the Constitution. However, the implementation of the law falls short, due to outdated legislation from 1991, misuse of notification mechanisms, informal and unlawful approval structures, discriminatory practices, and inconsistent law enforcement.

The framework law regulating the organisation and conduct of public assemblies in Romania – Law no. 60/1991 – is more than 30 years old and no longer corresponds to contemporary social and civic realities.<sup>14</sup> The normative act was drafted in a post-communist, predigital context and does not reflect modern forms of civic expression, such as spontaneous assemblies, flash mob actions or online/hybrid protests, which are not regulated in any way in the current legislation. According to the report *Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States (May 2022 – June 2024)*, released in February 2025, “in Romania, regrettably, spontaneous assemblies are not protected in legislation and authorities have reported that any assembly not approved in advance would be banned and dispersed.”<sup>15</sup>

The domestic legal framework restricts the protection of the right to freedom of assembly to Romanian citizens. Assembly notifications submitted by minors between 16 and 18 years of age have to be supported by their parents or legal representatives.<sup>16</sup>

According to the law, protest organisers are required to notify local authorities at least three days before the event; however, in practice, this notification procedure functions as a de facto authorisation system. Although the United Nations, in its interpretation of Article 21 of the International Covenant on Civil and Political Rights,<sup>17</sup> states that notification regimes must not become authorisation mechanisms, local authorities in Romania consistently treat notification as a request for approval, exercising discretionary control over the organisation of public assemblies.

Additionally, the legal deadline of 48 hours for issuing a prohibition decision is not consistently respected. In practice, authorities’ responses are often delayed, sometimes even by several months, making it impossible to plan or effectively carry out an assembly.

The review commissions within the cityhalls do not apply the law uniformly and, in some cases, display discretionary or discriminatory attitudes, particularly toward vulnerable

<sup>14</sup> <https://legislatie.just.ro/Public/DetaliiDocument/55480>

<sup>15</sup> [https://odhr.osce.org/sites/default/files/f/documents/e/6/585436\\_0.pdf](https://odhr.osce.org/sites/default/files/f/documents/e/6/585436_0.pdf)

<sup>16</sup> Report *Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States (May 2022 – June 2024)*, released in February 2025.

<sup>17</sup> [https://irido.ro/pdf/009\\_CC37\\_2020\\_Art21.pdf](https://irido.ro/pdf/009_CC37_2020_Art21.pdf)



groups. A clear example of an unjustified restriction on the freedom of assembly is the systematic refusal by the Oradea City Hall to approve the Oradea Pride March for the third consecutive year, invoking vague reasons such as “public works” and “overlap with other public assemblies”, without proposing an alternative route, despite numerous requests from the organisers.<sup>18</sup>

The ARK Oradea Association, the event organiser, notified the authorities that it would hold the march on an alternative route, as a peaceful gathering. Although the demonstration took place without incidents, the disproportionate presence of law enforcement, the lack of effective protection for participants, and the fining of the organisers for non-compliance with procedures and some participants for refusing to disperse when requested to do so created a climate of tension and intimidation.<sup>19</sup>

It has been reported that there is an abusive practice whereby a specific location, traditionally used for public assemblies, is reserved for an extended period of time, effectively blocking any other assembly in that space. It is necessary for the authorities to respond to and discourage such practices, and to include preventive safeguards against them in their own regulations. Timely and updated publication of the schedule of notified public assemblies on official channels is encouraged.

Similar situations were also reported during the Bucharest Pride March 2025,<sup>20</sup> where several gendarmes were caught making misogynistic and discriminatory remarks toward participants. Following the incident, the gendarmes involved received only disciplinary warnings – a symbolic sanction that reflects the absence of a real accountability mechanism and of clear conduct standards for managing public assemblies.

Such practices indicate a systemic problem in applying the principles of legality, proportionality, and non-discrimination, as well as an urgent need to modernise the regulatory framework. It is necessary to revise Law no. 60/1991, clarify the status and competencies of the approval commissions, and establish a simplified, transparent, and non-discriminatory notification procedure. In parallel, professional training for law enforcement on human rights and international standards regarding freedom of assembly and equal treatment is essential.

Although Law no. 60/1991 on the organisation and conduct of public assemblies explicitly prohibits gatherings aimed at promoting totalitarian ideas and criminalises fascist, racist or xenophobic symbols in public spaces, the authorities consistently tolerate the holding of such public demonstrations.

Every year, far-right/extremist groups organise commemorative events dedicated to leaders of the Legionary Movement, a fascist and anti-Semitic interwar movement. Among the most well-known are the annual commemoration in Tâncăbești dedicated to Corneliu Zelea Codreanu, founder of the Legionary Movement; the January 2025 ceremony at a cemetery in Bucharest in memory of Ion Moța and Vasile Marin, fascist fighters who took part in the

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<sup>18</sup> <https://hotnews.ro/primaria-oradea-interzice-organizarea-marsului-pride-pentru-al-treilea-an-la-rand-acuza-organizatorii-au-fost-propuse-11-posibile-trasee-niciunul-nu-a-fost-acceptat-2030785>

<sup>19</sup> <https://hotnews.ro/tensiuni-la-marsul-oradea-pride-2025-participantii-blocati-de-jandarmi-pe-traseul-anuntat-2032040>

<sup>20</sup> <https://stirileprotv.ro/stiri/actualitate/sase-jandarmi-au-fost-sanctionati-disciplinar-in-urma-plangerii-unor-femei-care-au-participat-la-bucharest-pride-2025.html>



Spanish Civil War on Franco's side<sup>21</sup> or visits to the grave of Ilie Lăcătușu, a member of the Iron Guard in the Legionary Movement who was canonised last year by the Romanian Orthodox Church.<sup>22</sup>

These public assemblies take place repeatedly under the supervision of the gendarmerie and police who do not intervene to stop them, even though they violate both the legislation on public assemblies and Government Emergency Ordinance no. 31/2002 on the prohibition of organisations, fascist, racist and xenophobic symbols, and the cult of persons guilty of war crimes. In most cases, authorities limit themselves to issuing minor administrative fines, which are insufficient to prevent the recurrence of such manifestations.

The only recent action to prohibit a far-right assembly occurred on 2 September 2025, when the organisation Noua Dreaptă (The New Right) requested approval for a public demonstration against migrant labour in Bucharest. Although the Bucharest City Hall initially approved the event, the authorisation was revoked due to concerns over potential discriminatory or hate speech as well as following strong opposition from several non-governmental organisations and the Elie Wiesel Institute.<sup>23</sup>

The above case represents a notable exception, not a change in practice. Allowing assemblies with fascist or xenophobic elements demonstrates the absence of a coherent law-enforcement mechanism and double standards applied to different civic gatherings. While some vulnerable groups, such as the LGBTQI+ community, face administrative restrictions and excessive surveillance, far-right groups benefit from de facto impunity under the pretext of guaranteeing freedom of expression and assembly.

This practice contradicts Article 11 of the European Convention on Human Rights, allowing for freedom of assembly to be restricted when a gathering promotes hatred or violence, which aligns with Romania's international commitments on combating extremism and protecting minorities.

The law does not provide comprehensive procedures to regulate the rights and obligations of authorities during public assemblies; it does not regulate spontaneous assemblies, flash-mobs, online/hybrid protests or counter-protests and does not regulate the informal "approval commissions" used by many city halls. In some localities, the procedure is managed by so-called Public Assembly Approval Commissions, structures not expressly regulated by law but informally established within city halls that can issue their own protocols regarding the conduct of public assemblies.

The obsolescence of the law and its lack of relevance to present realities is also highlighted in a petition by 30 civic groups in Bucharest, which argued that the protocols initiated by city halls are discretionary and have raised concerns about the right to a clean environment and quality green space.<sup>24</sup>

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<sup>21</sup> <https://www.rfi.fr/ro/rom%C3%A2nia/20250113-ritualuri-legionare-re%C3%AEnviat>

<sup>22</sup> <https://www.reuters.com/world/europe/romanians-court-far-right-symbolism-run-up-election-2025-04-29/>

<sup>23</sup> <https://www.gandul.ro/actualitate/marsul-noua-dreapta-care-a-pus-pe-jar-institutul-elie-wiesel-nu-mai-are-loc-primaria-bucuresti-a-anulat-avizul-20621005>

<sup>24</sup> <https://www.facebook.com/share/17Vv2gyfFN/>



Although the law places full responsibility for ensuring security on the state rather than on organisers, implementation remains inconsistent. For instance, during Bucharest Pride 2025, the police identified several individuals preparing to throw eggs at participants and removed them from the crowd.<sup>25</sup> While this intervention was appropriate, similar measures are not applied uniformly across assemblies. In the case of 2025 Oradea Pride, organisers reported that participants were forcefully redirected away from the intended central route by law enforcement, who cited construction work as the reason.<sup>26</sup> The participants were repeatedly stopped, rerouted, and fined by the gendarmerie itself which was mandated to protect them.<sup>27</sup>

There are cases of fines levied against protest organisers for spontaneous incidents outside their control or technicalities related to route, number, or time schedule notification or even when incidents were caused by others. In 2025, the most recent incident happened during Colectiv<sup>28</sup> 10-year commemoration march in October. Multiple media outlets reported that activist Marian Rădună, one of the organisers of the Colectiv commemoration, was fined 3,000 Romanian lei (600 EUR) for exceeding the hour of commemoration. The fine was issued around 23:30, when about 25 people were quietly keeping vigil with candles, while the main march had long ended.<sup>29</sup> The gendarmerie later admitted that the fine may have been issued without understanding *law rationale* and it subsequently opened an internal inquiry.<sup>30</sup>

Between 2023 and 2025, Romania saw several Gaza related protests ranging from mass demonstrations of several thousand participants to small student encampments. They were generally tolerated by authorities in public spaces but actively discouraged when taking the form of prolonged occupations. There were no reported arrests and violent clashes between protesters and authorities (based on information from available open sources).

The authorities have not publicly reported on the scale of any measures aimed at discouraging protests. Human rights organisation ActiveWatch reported that it was contacted by several individuals who received police visits to their homes or were summoned to police stations after expressing their intention to participate in protests. According to these accounts, they were “informally advised” not to post protest-related messages on social media and not to discuss the protests with others.<sup>31</sup>

The same organisation requested clarifications from the authorities regarding banning posters without vulgar, discriminatory, violent, or hate-inciting content, as well as conducting body searches at the entrance to cordoned-off protest areas, when no incidents

<sup>25</sup> <https://adevarul.ro/stiri-locale/bucuresti/incidente-minore-la-bucharest-pride-2025-cinci-2449095.html>

<sup>26</sup> <https://gdm.md/ro/2025/07/29/tensiuni-la-marsul-oradea-pride-2025-participantii-blocati-de-un-cordon-de-forte-de-ordine-sa-intre-pe-traseul-anuntat/>

<sup>27</sup> <https://www.scena9.ro/article/oradea-pride-lgbt-ark-mars-interzis-primarie>

<sup>28</sup> Colectiv refers to the 2015 nightclub fire in Bucharest that killed 64 people and triggered massive national protests against corruption, leading to the fall of the Romanian government.

<sup>29</sup> <https://hotnews.ro/organizatorul-marsului-de-comemorare-a-victimelor-de-la-colectiv-amendat-de-jandarmi-pentru-depasirea-orei-de-comemorare-n-am-cuvinte-sa-descriu-2098940>

<sup>30</sup> Șeful Jandarmeriei a prezentat scuze publice, după ce Marian Rădună a fost amendat pentru depășirea orei stabilite pentru comemorare la fostul club Colectiv | Site-ul de stiri al TVR

<sup>31</sup> [https://activewatch.ro/documents/263/Corespondenta\\_Politie\\_si\\_Jandarmerie.pdf](https://activewatch.ro/documents/263/Corespondenta_Politie_si_Jandarmerie.pdf)





had been reported that would justify heightened security concerns. The authorities' response was vague, formal, and lacked concrete information.<sup>32</sup>

In 2025, street mobilisations continued, including the launch of the “Elbit Out”<sup>33</sup> campaign by dozens of organisations and a related Bucharest protest on 5 October 2025, addressing Romania's ties with Israeli defence industry actors in the context of Gaza.<sup>34</sup> There were also further public solidarity actions in autumn 2025, including participation in larger marches in Bucharest where messages of solidarity with Palestine were visible and promoted by organisers/activist networks.<sup>35</sup>

### 3. Freedom of Expression

Freedom of expression in Romania is shaped by a strong formal legal framework but increasingly tested by structural, financial, and regulatory pressures that affect the media environment, digital public discourse, and access to information. While constitutional and legislative guarantees remain in place, recent years marked by prolonged electoral cycles, significant public funding of political communication, and the rapid expansion of digital regulation have exposed persistent vulnerabilities in the protection of editorial independence, media pluralism, and civic participation.

Freedom of expression is guaranteed under Article 30 of the Constitution and is primarily supported through the Civil Code and other sector-specific legislation.

Freedom of expression has been increasingly challenged in Romania over the past years, particularly as a result of the progressive political capture of parts of the media sector.<sup>36</sup> Civil society organisations and international stakeholders, including the European Commission in its annual Rule of Law Reports, have consistently warned about opaque media financing, notably through public funds channelled by political parties, as well as about persistent risks to the independence of the national media regulator and the public service media.<sup>37</sup> These factors, along with market pressure, continue to undermine the reliability of information and public trust in the media.<sup>38</sup> The concentration of financial resources in politically aligned media outlets, combined with the lack of transparent and predictable public support mechanisms for independent journalism, further weakens media pluralism and limits the reach of public-interest reporting.

In 2024, Romanian political parties received 386 million lei (approx. 77,200,000 EUR) in state subsidies. A large share of party spending in 2024 (approximately 214 million lei -

32 <https://www.stareademocratiei.ro/2024/05/22/comunicat-activewatch-fantomele-militiei-si-securitatii-bantuie-politia-si-jandarmeria/>

33 <https://elbit-out.info/de-ce-elbit>

34 <https://hotnews.ro/stop-complicitatii-la-genocid-mai-multe-organizatii-cer-romaniei-sa-incheie-colaborarea-cu-elbit-systems-cel-mai-mare-producator-israelian-de-armament-2077889>

35 <https://www.facebook.com/RomaniaPalestineSolidarity/posts/pfbid0LuAvE6mdo57qrEPjMUrWJ54GUYrpfknBJP9R4MD4CorGKd38mTYWrxDfJs4lEwq4l>

36 <https://romania.europalibera.org/a/cum-a-crescut-in-zece-ani-subventia-pentru-partide-de-la-bugetul-statului-de-la-8-la-386-de-milioane-de-lei/33302932.html>

37 <https://www.stareademocratiei.ro/2025/06/11/raport/>; <https://cji.ro/wp-content/uploads/2024/04/Starea-mass-media-din-Romania-in-pragul-anului-super-electoral-2024-1.pdf>; <https://activewatch.ro/search/#p=publication>; <https://ipi.media/wp-content/uploads/2025/11/ROMANIA-Media-Capture-Monitoring-Report-Overview-5.pdf>

[https://commission.europa.eu/publications/2025-rule-law-report-communication-and-country-chapters\\_en](https://commission.europa.eu/publications/2025-rule-law-report-communication-and-country-chapters_en); <https://www.stareademocratiei.ro/2025/07/10/reactiile-organizatiilor-neguvernementale-in-urma-publicarii-raportului-comisiei-europene-privind-statul-de-drept-in-romania/>; <https://www.liberties.eu/f/vdxw3e>

38 <https://rsf.org/en/country/romania>



57.8%) was allocated to press and propaganda activities, indicating a direct link between public funds and media engagement in the electoral context.<sup>39</sup>

In 2025, parties received 232 million lei (approx. 46,400,000 EUR) in public subsidies, of which 112 million lei (about 50%) was spent on press and propaganda in the first eleven months.<sup>40</sup> This sustained flow of public money into media and related activities continues to raise concerns about editorial independence and media pluralism.

In addition to annual state subsidies, Romanian political parties also receive substantial public funds through the reimbursement of electoral campaign expenses, which significantly increase in electoral years. In 2024, a super-electoral year, cumulative reimbursed campaign spending and regular subsidies exceeded one billion lei,<sup>41</sup> while additional millions were spent and reimbursed during the 2025 presidential elections.

A dominant share of both subsidies and reimbursed campaign funds was allocated to media, advertising, online promotion, and propaganda, reinforcing the economic dependence of many media outlets on political actors. This dual public-funding mechanism contributes to structural media capture, undermines editorial independence, and places independent public-interest journalism at a severe competitive disadvantage.

In this extraordinary context, marked by two consecutive years of electoral contests, the European Media Freedom Act (EMFA) became fully applicable across the European Union in August 2025. Romania is required to put the necessary policies in place and align regulatory adjustments and administrative practices with the EMFA. It also aims to strengthen those areas where Romania has long standing vulnerabilities: the independence of media regulators, transparency of media ownership and funding, the protection of journalists and whistleblowers, and platform transparency and access to digital news content.

The EMFA introduces transparency obligations regarding media ownership and public funding of the press, as well as rules aimed at protecting journalists from abusive surveillance and intimidation.<sup>42</sup> However, national implementing legislation has not yet been adopted, and the working group announced by the Ministry of Culture<sup>43</sup> has, to date, operated without transparency. According to the 2025 Media Capture Monitoring Report,<sup>44</sup> which reviews developments related to media capture in Romania in 2025 and assesses the country's compliance with the EMFA, Romania is not fully compliant with any of the standards analysed. The report records a "No" assessment in particular with regard to the use of state funds to influence media content and to the transparency of media ownership. The report sets out a detailed list of findings and recommendations in this regard.

Romania started to apply the Digital Services Act (DSA) in March 2024 through the Law No. 50/2024<sup>45</sup> accompanied by secondary legislation that was adopted by the National Authority for Management and Regulation in Communications (ANCOM),<sup>46</sup> in its role as Digital Services Coordinator. However, the regulatory framework is not yet complete as at least one

<sup>39</sup> <https://expertforum.ro/subventiile-2024-planuri-2025/>

<sup>40</sup> <https://expertforum.ro/subventii-partide-precampanie-noiembrie-2025/>

<sup>41</sup> <https://expertforum.ro/subventia-partidelor-politice-in-2024/>

<sup>42</sup> <https://activewatch.ro/articole/salut%C4%83m-intrarea-%C3%AEn-vigoare-a-emfa-regulamentul-european-privind-libertatea-mass-mediilor/>

<sup>43</sup> <https://www.cultura.ro/ministerul-culturii-adapteaza-legislatia-nationala-pentru-aplicarea-regulamentului-european-privind/>

<sup>44</sup> <https://ipi.media/wp-content/uploads/2025/11/ROMANIA-Media-Capture-Monitoring-Report-Overview-5.pdf>

<sup>45</sup> <https://legislatie.just.ro/public/DetaliiDocument/280106>

<sup>46</sup> [https://www.ancom.ro/legislatie\\_7090](https://www.ancom.ro/legislatie_7090)



ANCOM decision on the requirements related to the notification of all national online platforms due in 2025 had not yet been adopted, which civil society has criticised.<sup>47</sup>

Additional challenges in understanding DSA and the role of public authorities have been noted particularly during the pre-campaign and electoral campaign periods in 2025. There is a shortage of competencies and knowledge in the digital communication environment among the public authorities that lead to actions that lack efficiency or even legitimacy. Priority is often given to individual complaints, which overwhelm underfunded public institutions and lead to ad hoc decisions (see the examples of the BEC and the CNA below). By contrast, coordinated cases of *inauthentic coordinated behaviour* – which are ones that most significantly affect public discourse and often appear to be supported by hostile state actors – are neither systematically documented nor addressed. At the same time, existing mechanisms for reporting such content or other illegal content directly to platforms do not function effectively, according to information from civil society organisations, including trusted flaggers.<sup>48</sup>

Enforcement of the DSA became more problematic following the adoption of a specific legal framework for the new presidential elections through Emergency Ordinance No. 1/2025, which was adopted in less than one day and without any public consultation.<sup>49</sup> The Ordinance introduced provisions that may affect fundamental rights, such as freedom of expression, or that directly conflict with other legal instruments, such as the DSA, as civil society actors warned. Moreover, the manner in which the Central Electoral Bureau (CEB) operated during the April 2025 electoral campaign confirmed the concerns expressed by civil society regarding the content of Emergency Ordinance No. 1/2025. These concerns materialised through multiple overly broad interpretations which resulted in limitations on the freedom of expression for ordinary citizens and media outlets alike.<sup>50</sup> For example, on 13 May 2025, the Ilfov Electoral Bureau in Romania ordered the removal of an editorial published by the online outlet Aktual24, citing breaches of electoral regulations.<sup>51</sup> The CEB issued more than 4,000 individual decisions regarding online campaign content in the first round of the election,<sup>52</sup> and over 1,850 decisions in the second round.<sup>53</sup>

The post-election OSCE report,<sup>54</sup> which corroborates the findings of the Vot Corect Coalition, notes that the authorities took a fragmented approach to monitoring the online space and there was a lack of information on how to respond to reported violations. The lack of uniformity and information could lead to reduced civic engagement and increased self-censorship. It also noted that most complaints concerned online political advertising and

<sup>47</sup><https://www.apti.ro/pozitia-noastra-legata-de-procedura-de-informare-pentru-furnizorii-de-servicii-intermediare-a-ancom>

<sup>48</sup> <https://expertforum.ro/industria-retelelor-inautentice-pe-tiktok/>; <https://expertforum.ro/alegerile-din-bucuresti-2025-pe-tiktok/>; <https://funky.org/raport-analiza-alegeri-locale-partiale-decembrie-2025/>; <https://www.instagram.com/p/DRO6GhJl7V/?hl=ro>; <https://context.ro/comportamentul-inautentic-de-pe-retele-nu-a-fost-combatut-suficient-este-nevoie-de-mai-multa-transparenta-din-partea-autoritatilor-concluziile-misiunii-osce-dupa-primul-tur-la-prezidentiale/?tztc=1>; <https://www.inshr-ew.ro/raport-de-monitorizare-antisemitism-si-negarea-holocaustului-in-anul-electoral-2024-2025/>

<sup>49</sup> <https://apti.ro/modificarea-legii-electorale-trebuie-facuta-transparent-si-fara-a-afecta-drepturile-fundamentale-ale-cetatenilor>; <https://expertforum.ro/en/political-advertising-in-the-2025-elections/>

<sup>50</sup> <https://www.stareademocratiei.ro/2025/04/07/opiniile-politice-ale-utilizatorilor-de-retele-sociale-sunt-parte-a-libertatii-de-exprimare-mai-ales-in-campania-electorala/>; <https://apti.ro/opiniile-politice-ale-utilizatorilor-de-retele-sociale-sunt-parte-a-libertatii-de-exprimare-mai-ales-in-campania-electorala/>

<sup>51</sup> <https://activewatch.ro/articole/birourile-electorale-cenzureaz%C4%83-abuziv-presa-online/> și <https://apti.ro/opiniile-politice-ale-utilizatorilor-de-retele-sociale-sunt-parte-a-libertatii-de-exprimare-mai-ales-in-campania-electorala/>

<sup>52</sup> <https://activewatch.ro/articole/birourile-electorale-cenzureaz%C4%83-abuziv-presa-online/>

<sup>53</sup> <https://www.mapmf.org/alert/33576>

<sup>54</sup> <https://prezidentiale2025.bec.ro/decizii-privind-campania-online/>

<sup>55</sup> <https://prezidentiale2025.bec.ro/decizii-privind-campania-online-din-16-05-2025/>

<sup>56</sup> <https://www.osce.org/files/f/documents/f/3/600295.pdf>





were brought before the CEB, with appeals filed with the Bucharest Court of Appeal (BCoA). Electoral disputes were resolved in an efficient manner overall and by established deadlines. Electoral bureaus, however, conducted proceedings in closed sessions, with some decisions reportedly lacking sufficient justification and contravening international good practice.<sup>55</sup>

Overstepping of competences in the application of the Digital Services Act (DSA), accompanied by similarly problematic decisions affecting freedom of expression, can also be observed in relation to the national media regulator – *Consiliul Național al Audiovizualului* (CNA), particularly in 2025. In March 2025, CSOs expressed concern that the CNA had de facto extended its jurisdiction to all online video content in a manner exceeding its legal mandate.<sup>56</sup> Moreover, the CNA adopted decisions that raised serious concerns from a freedom of expression perspective, including orders for the removal of online content protected by the right to freedom of expression or by freedom of the press.<sup>57</sup>

This practice has continued to date, including through public information materials published by the CNA on its own website which indicate that the authority may take decisions regarding online video content regardless of who publishes it.<sup>58</sup> By the end of 2025, the CNA has adopted 468 decisions<sup>59</sup> concerning online content in 2024 and 2025 (8 in 2024 – rising sharply to 460 in 2025), justifying their enforcement primarily on the basis of the DSA and Law No. 50/2024 rather than on its own sector-specific legislation.

At the same time, in 2025 the CNA proposed several internal regulatory acts—such as the already adopted Audiovisual Content Regulatory Code<sup>60</sup> and the still pending draft decision on the licensing, authorisation, and notification procedure for audiovisual media services<sup>61</sup> which effectively adds new rules to the primary legislation (Law No. 504/2002).<sup>62</sup> These initiatives were presented as a means to address some of the criticism raised in relation to the CNA's decisions. In this context and despite concerns raised by civil society during public consultations,<sup>63</sup> the newly adopted Code includes vague definitions of “illegal content” and “disinformation”, leaving interpretation to the subjective discretion of the CNA.

A worrying proposal to merge the CNA with ANCOM due to budgetary constraints was announced as a possibility envisaged by the ruling coalition. This prospect triggered criticism from civil society organisations.<sup>64</sup> No concrete progress has been made thus far, and no draft law was officially launched.

CSOs have warned that if the Digital Services Act (DSA) is applied without strong safeguards for media freedom and rights protections, there is a risk that its implementation could function as a tool of administrative control rather than a rights-based framework. In a

<sup>55</sup>ODIHR Report“ The BCoA ruled on 89 complaints against CEB decisions, mostly related to online content, and rejected them all. In 15 cases, plaintiffs requested the BCoA to seek an opinion from the Court of Justice of the European Union (CJEU) regarding the interpretation of the term ‘political actor’ under the Regulation (EU) 2024/900, citing legal uncertainty; all such requests were dismissed. Thirty-three BCoA rulings were appealed at the High Court of Cassation and Justice, which fully upheld two, partially upheld one, and rejected all other appeals. In some cases, the BCoA allowed very limited time for the submission of defences and responses and issued rulings almost immediately after the hearings. This raised concerns about the quality of due process, which is at odds with OSCE commitments.”

<sup>56</sup><https://apti.ro/content/cna-nu-poate-reglementa-tot-con%C8%9Binutul-video-online>;

<sup>57</sup><https://apti.ro/cna-nu-trebuie-sa-cenzureze-abuziv-dreptul-constitu%C8%9Bional-al%20cetatenilor-la-libertatea-de-opinie>

<sup>58</sup><https://monitor.civicius.org/explore/romania-in-crisis-ahead-of-presidential-election-rerun-protests-become-violent/>

<sup>59</sup><https://cna.ro/a-instructiuni-privind-completarea-formularelor-q7om731apaybvzp5mzsoo7sw/>

<sup>60</sup><https://cna.ro/c-decizii-continut-illegal-online-lhc3wh2kvf5obt8747lzu2pu/>

<sup>61</sup><https://cna.ro/a-decizie-nr-573-din-25-iunie-2025-privind-codul-de-reglementare-a-continutului-audiovizual-uctok362bj5a8f5c4sq9sdb9/>

<sup>62</sup><https://cna.ro/c-proiecte-de-decizii-pjwkzfs0gw3bigvysrj5edvls/>

<sup>63</sup><https://legislatie.just.ro/Public/DetaliiDocument/37503>

<sup>64</sup><https://activewatch.ro/articole/proiectul-cna-de-cod-alaudiovizualului-observa%C8%9Bii-activewatch-%C8%99i-apti/>;  
[https://activewatch.ro/documents/284/Aw\\_si\\_ApTL\\_-\\_Formular\\_colectare\\_propuneri\\_si\\_observatii\\_cf\\_HG\\_831-2022\\_Anexa\\_nr\\_6.pdf](https://activewatch.ro/documents/284/Aw_si_ApTL_-_Formular_colectare_propuneri_si_observatii_cf_HG_831-2022_Anexa_nr_6.pdf)

<sup>65</sup><https://activewatch.ro/articole/comasarea-cna-cu-ancom-pune-%C3%AEn-pericol-libertatea-media/>



December 2025 open letter, ApTI and Expert Forum argue that defective implementation of the DSA could affect freedom of expression and lead national authorities to exceed the regulatory mandate.<sup>65</sup>

Several CSOs and experts have highlighted that inadequate transparency and data access under the DSA undermines democratic accountability, illustrating how a rights framework can fail in practice without procedural safeguards. The call for radical transparency in data access for researchers further underscores these concerns, arguing that weak implementation risks systemic harm to democratic discourse.<sup>66</sup>

Further case law of the European Court of Human Rights (ECtHR) highlights these trends. In 2025, the ECtHR once again found that Romania had violated the right to freedom of expression, including in *Pătrașcu v. Romania*,<sup>67</sup> a case where an individual responsible for a social media page was held liable for comments posted by third parties on the page.

In May 2025, the Romanian Constitutional Court ruled<sup>68</sup> that the legal provisions requiring public officials to provide unrestricted access to their asset declarations and to publish declarations of assets and interests is unconstitutional. However, this also limits freedom of expression by restricting access to public information.<sup>69</sup>

Several legislative proposals were introduced in Parliament, some of which have passed the first chamber, and which promote various forms of techno-solutionism. Their implementation would lead to restrictions on freedom of expression and civil society has criticised the proposals, including the following:

- To combat disinformation through AI systems<sup>70</sup> implemented by large online platforms: a legislative proposal requiring the rapid removal of illegal content within a maximum of 15 minutes of publication, relying exclusively on artificial intelligence algorithms. The proposal also imposes distribution/post sharing to 150 users for posts deemed to “contain incitement to hatred and violence or misleading information on matters of national interest.”
- To protect minors online through mandatory identification mechanisms: several legislative proposals (two of which have passed the Senate) would require user identification by any online service, including obligations to label or verify all online content,<sup>71</sup> with the aim of protecting minors from harmful content. If adopted, that will imply mandatory identification requirements for all internet users, not only for minors. A convergent opinion argues that an under sixteen ban risks cutting children off from educational/social resources without guaranteeing real protection and Romania should test evidence-based alternatives first. A pilot to assess multiple models (parental controls, time limits, educational guidance) would be useful to calibrate the legislation.<sup>72</sup>

<sup>65</sup> <https://apti.ro/content/scrisoare-deschisa-analiza-procedurilor-de-moderare-a-continutului-pe-platformele-digitale>

<sup>66</sup> <https://activewatch.ro/articole/dsa-avem-nevoie-de-transparen%C8%9B%C4%83-radical%C4%83-%C3%AEEn-accesul-la-date-democra%C8%9Bia-din-rom%C3%A2nia-este-%C3%AEEn-pericol/>; <https://expertforum.ro/en/dsa-we-need-radical-transparency-in-data-access-romanians-democracy-is-at-risk/>

<sup>67</sup> <https://hudoc.echr.coe.int/eng?i=001-240296>

<sup>68</sup> [https://www.ccr.ro/wp-content/uploads/2025/06/Decizie\\_297\\_2025.pdf](https://www.ccr.ro/wp-content/uploads/2025/06/Decizie_297_2025.pdf)

<sup>69</sup> <https://www.mapmf.org/alert/33329>; <https://activewatch.ro/articole/ap%C4%83ra%C8%9Bia-integritatea-public%C4%83/>

<sup>70</sup> <https://apti.ro/content/solutia-la-dezinformare-nu-este-un-ai-si-cu-atat-mai-putin-reglementarea-sa-legislativ>; the proposal text as adopted by the first chamber is available at: [www.cdep.ro/proiecte/2025/200/00/0/se235.pdf](https://www.cdep.ro/proiecte/2025/200/00/0/se235.pdf)

<sup>71</sup> <https://apti.ro/content/noul-vataf-al-accesului-digital-legea-majoratului-cu-big-brother-tatuat-pe-brat>

<sup>72</sup> <https://adevarul.ro/stil-de-viata/tehnologie/youtube-va-fi-interzis-copiii-in-australia-cum-2461203.html>



One can observe significant public pressure on authorities to take action, particularly with regard to disinformation and the protection of minors, especially in relation to content published on major social media platforms. This pressure often leads to hastily drafted and insufficiently substantiated legislative initiatives that are difficult—or even impossible—to enforce, as well as to public statements by authorities with terms such as “hybrid warfare” or “the fight against fake news”. These “symbolic” regulations may deepen social polarisation without producing effective or tangible outcomes. The fact that major social media platforms are not based in Romania and do not participate in these public debates is also an issue.

Several legislative initiatives to modify FOIA law were registered in 2025:

- Drastic limitation to access to public interest information (FOIA law) may also occur in case of the adoption of the draft Administrative Procedure Code (see also the section on Freedom of Association).<sup>73</sup> The draft law is on its way to be adopted by the government and sent to Parliament for debate.
- A draft initiative to amend the FOIA law was reported as restricting access and/or adding burdensome requirements; the initiative was withdrawn following criticism from civil society.<sup>74</sup>
- A legislative initiative that reached the second chamber of Parliament in December 2025 mentions that individuals who request public information verbally must comply with the working hours of the authority/institution and display behaviour that does not disrupt the activity of its staff. Failure to comply would allow staff to remove the person concerned from the premises. The text is ambiguous and lacks clarity and predictability, particularly when referring to “behaviour”.<sup>75</sup>

By the end of 2025, Romania’s justice system had entered a phase of acute institutional strain, in which the freedom of expression of magistrates emerged as a key point of conflict between hierarchical authority and democratic accountability. The publication of the Recorder media outlet’s investigation “Justiție Capturată” (Captured Justice) triggered unprecedented public responses from judges and prosecutors, many of whom denounced a climate of fear that discourages speaking openly about issues affecting the functioning and independence of the judiciary.<sup>76</sup>

In December 2025, the European Court of Human Rights (ECtHR) issued a historic decision for the magistrates: in the case *Danileț v. Romania*, the Grand Chamber upheld that there had been a violation of the right to freedom of expression.<sup>77</sup> It examined disciplinary sanctions imposed on the Romanian judge for public statements and online expression that allegedly breached the magistrates’ *duty of reserve*. The ECtHR considered that the domestic authorities applied the duty of reserve too broadly and abstractly; the interference with freedom of expression was not “necessary in a democratic society”, and the sanctions had a chilling effect on judicial speech. The ECtHR clarified that the *obligation of silence of magistrates is not absolute* and cannot be used to silence judges on matters of public interest, especially when those matters concern the functioning of the justice system, threats to judicial independence, and rule of law issues. The Court’s judgment in *Danileț v. Romania*

<sup>73</sup> <https://www.fdsc.ro/en/romania-draft-law-risks-turning-csos-into-public-bodies/>

<sup>74</sup> <https://www.news.ro/cultura-media/proiectul-modificare-legii-nr-544-2001-privind-liberul-acces-informatiile-interes-public-initiat-deputati-pnl-retras-15-ong-uri-au-reclamat-tradeaza-dispret-profund-fata-cetateni-nesocoteste-1922402319312025111222242973>

<sup>75</sup> <https://www.cdep.ro/proiecte/2025/500/30/1/se678.pdf>; <https://context.ro/legea-544-2001-este-principalul-instrument-in-baza-caruia-cetatenii-pot-solicita-informatii-de-interes-public-de-la-institutii-si-autoritati-legea-este-folosita-in-special-de-jurnalisti-in-documenta/>

<sup>76</sup> <https://recorder.ro/documentar-recorder-justitie-capturata/>

<sup>77</sup> <https://www.echr.coe.int/w/grand-chamber-judgment-concerning-romania>



significantly limits the scope of the magistrates' duty of reserve. It confirms that judges enjoy robust protection of freedom of expression when speaking on matters of public interest, including the functioning and integrity of the justice system. This jurisprudence strengthens the legal position of Romanian magistrates who speak out in good faith and prevents the use of disciplinary silence as a tool to suppress accountability.

## 4. Safe Space

While Romania maintains a formally adequate legal framework aligned with European human rights standards, recent developments reveal a widening gap between law and practice, marked by ineffective implementation, insufficient institutional safeguards, and the increasing use of legal, administrative, and disciplinary tools with a chilling effect on public participation and growing institutional fragility, political polarisation, and intensified pressure on critical voices.

Romania entered 2025 with a formally adequate legal framework for the protection of fundamental rights, freedom of expression, and civic space but with persistent and deepening implementation gaps. Multiple international and domestic monitoring sources confirm a deterioration in practice, marked by weak institutional responses, intimidation of critical voices, and the absence of effective protection mechanisms for journalists, human rights defenders (HRDs) and CSOs.

At the EU level, the 2025 EU Civil Society Strategy<sup>78</sup> recognises the need to support and protect civil society actors and HRDs, but it does not impose binding obligations on Member States to establish national protection mechanisms. In Romania, this gap is particularly visible given the absence of a National Human Rights Institution accredited under the UN Paris Principles and the fragility of existing bodies, such as the Ombudsman (Avocatul Poporului) and the National Council for Combating Discrimination (CNCD) – that is one of the recurring recommendations in the European Commission Rule of Law Reports for Romania.<sup>79</sup>

The tendency towards weaker human rights protections is reflected by the proposal launched by the governing coalition to merge the CNCD with the Ombudsman.<sup>80</sup> In response, civil society organisations called on the government and the presidency to abandon this proposal. More than 100 members of the Anti-Discrimination Coalition and the RESPECT Platform for Rights and Freedoms warned that such a merger would drastically weaken prevention of discrimination; it could contravene EU directives on equality bodies; and victims of discrimination could lose effective access to remedies.<sup>81</sup> No concrete action had been taken further by the government at the time of writing this report.

The lack of interest on the part of public institutions to strengthen the protection of those who defend human rights is illustrated by a recent example (December 2025) and comes from a professional category that is among the best placed both to understand and to act in this field, namely the magistrates.

<sup>78</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025DC0790>

<sup>79</sup> 2025 EC Rule of Law report recommendation: "Take forward the process for obtaining accreditation for the National Human Rights Institutions, taking into account the UN Paris Principles.", [https://commission.europa.eu/document/download/fcab6924-01cf-4514-9f68-3989759718e9\\_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Romania.pdf](https://commission.europa.eu/document/download/fcab6924-01cf-4514-9f68-3989759718e9_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Romania.pdf)

<sup>80</sup> <https://hotnews.ro/un-elefant-se-uneste-cu-o-furnica-iar-furnicii-i-se-taie-4-picioare-acuze-ca-cineva-incearca-sa-l-prosteasca-pe-premier-in-procesul-de-restructurare-2016368>

<sup>81</sup> <https://www.digi24.ro/stiri/actualitate/societatea-civila-cere-protejarea-cncd-comasarea-cu-avocatul-poporului-ar-slabi-lupta-impotriva-discriminarii-3337601>





By the end of 2025, Romania's justice system entered a period of acute tension in which freedom of expression of magistrates became a central fault line between institutional authority and democratic accountability. Publication of the independent media outlet Recorder investigation "Justiție Capturată" (Captured Justice) prompted unprecedented public reactions from judges and prosecutors.<sup>82</sup> While no final disciplinary sanctions for their reactions had yet materialised, the Judicial Inspection initiated preliminary disciplinary checks.

The Romanian Judges' Forum, Movement for the Defence of Prosecutors' Status, and Initiative for Justice issued public statements demanding an end to disciplinary pressure on magistrates exercising their right to free speech.<sup>83</sup> The letter states that it is essential to have clear rules in place that allow judges and prosecutors to act as whistleblowers without fear of retaliation.

The initiation of these checks, despite collective and publicly articulated concerns, was widely perceived within the magistracy as disciplinary pressure rather than neutral oversight. This perception was reinforced by the rapid mobilisation of over 800 magistrates and by strong public statements from professional associations which explicitly framed disciplinary mechanisms as tools capable of silencing legitimate dissent.<sup>84</sup>

Civil society, investigative journalists, and international judicial organisations interpreted the situation as emblematic of broader shrinking civic space, in which legal and administrative instruments are used to discourage public criticism. The concern is not limited to whether sanctions are ultimately imposed, but to the deterring effect of investigations themselves, which can lead to self-censorship and erode public trust.

In this context, the Romanian case illustrates how disciplinary measures, even when formally lawful, can exert disproportionate pressure on freedom of expression if deployed reactively. The long-term risk is systemic: when magistrates are discouraged from speaking openly, society loses an essential early-warning mechanism for democratic backsliding and civic space becomes more restricted.

### Protection of HRD activists/ CSOs/ journalists

Hate speech and hate crime are distinct but interrelated legal concepts under Romanian law. Hate speech refers to expression that incites hatred, discrimination, or violence against protected groups. It is criminalised only when it reaches the threshold of public incitement under Article 369 of the Criminal Code. Other severe forms, such as the promotion of fascist, racist or xenophobic ideologies and Holocaust denial, are criminalised under Government Emergency Ordinance No. 31/2002. Most other forms of hate speech remain unlawful but non-criminal, falling under Government Ordinance No. 137/2000, and are sanctioned administratively by CNCD. Hate crime, by contrast, always involves a criminal act committed with a bias motive; Romanian law does not define it as a separate offence, but recognises bias motivation as an aggravating circumstance under Article 77(h) of the Criminal Code.

The main problem lies not in the absence of legislation, but in its ineffective and inconsistent application in practice. Prosecutors and law-enforcement authorities frequently fail to identify or investigate bias motives *ex officio*, even where clear indicators

<sup>82</sup> <https://recorder.ro/documentar-recorder-justitie-capturata/>

<sup>83</sup> <https://www.forumuljudecatorilor.ro/index.php/archives/6958>;  
<https://www.facebook.com/masp.amasp/posts/pfbid0r8mSnFWHyuiFm7bAWDCu7QKnk3E5ka2ZB7RSTJuGqFbWajg7YUi3MUBV2jNnREuAl>

<sup>84</sup> <https://tvrinfo.ro/adevarul-si-integritatea-nu-trebuie-sanctionate-pestre-800-de-magistrati-au-semnat-scrisoarea-de-solidaritate-cu-judecatorii-laurentiu-besu-si-raluca-morosanu-numarul-semnatarilor/>



exist. Hate-motivated violence is often treated as ordinary crime, while serious hate speech is sometimes framed as protected opinion.

Despite the fact that Article 369 of the Criminal Code criminalises incitement to hatred, violence, and discrimination, and although Romania is monitored by the Committee of Ministers of the Council of Europe for failing to implement related ECtHR judgments,<sup>85</sup> national authorities are not taking concrete measures to combat hate speech. Key problems include the lack of a unified methodology for identifying and investigating bias motivation, the routine failure to examine hate indicators ex officio, and the systematic avoidance of applying aggravating circumstances related to hate speech. The situation is made worse by the absence of specialised victim support mechanisms.

A further critical deficiency concerns the lack of comprehensive and disaggregated data on hate speech and hate crime. The Council of Europe and OSCE/ODIHR<sup>86</sup> have repeatedly stressed that Romania lacks reliable statistics on reported incidents, investigations, prosecutions, convictions, and bias motivation. Without such data, it is impossible to assess trends, measure the effectiveness of legal responses or design evidence-based policies.

Romania has relatively narrowed civic space,<sup>87</sup> with a growing trend of intimidation targeting civic actors, especially organisations working in sensitive areas such as minority rights, environmental protection, and anti-corruption. However, no unauthorised interference with the privacy or communications of CSOs or associated individuals or cases of authorities breaking into CSO offices or accessing CSO documents without due judicial authorisation have been reported.

There is no permanent, dedicated national protection mechanism in Romania for HRDs or civic activists. HRDs and CSOs are treated as ordinary citizens or legal persons when facing threats, harassment, or violence, despite the specific risks associated with their public interest work. The institutional response is lengthy and often without concrete results. The lack of firm reactions and condemnation from the authorities could lead to an increasingly hostile and unpredictable environment for CSOs and HRDs.

The year 2025 was marked by heightened social polarisation, amplified by electoral campaigns and the populist rhetoric of certain political actors, which fuelled media and online campaigns against NGOs, journalists, and civic activists. In recent years, hostile rhetoric directed at CSOs has intensified, with organisations labelled in the public sphere as “foreign agents”, “ideological activists” or “organisations funded from external sources”. In 2025, several public lists were circulated online targeting NGO members, who were labelled as “Soros-funded”,<sup>88</sup> and which were produced and distributed by extremist groups.<sup>89</sup> These smear campaigns aimed to undermine public trust in civil society, and they intensified in the context of the 2025 electoral campaigns, when extremist political parties, as well as certain media actors and influencers promoted narratives meant to discredit civic activists and to cast doubt on Romania’s international commitment to democratic values.

Although the National Audiovisual Council (CNA) imposed sanctions for the broadcasting of hate-inciting messages and disinformation, the impact of these measures remains limited,

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<sup>85</sup> European Court of Human Rights, *M.C. and A.C. v. Romania* (Application no. 12060/12) and *ACCEPT and others v. Romania* (Application no. 19237/16).

<sup>86</sup> <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/romania>;  
<https://hatecrime.osce.org/reporting/romania/2024>

<sup>87</sup> <https://monitor.civics.org/country/romania/>

<sup>88</sup> <https://www.gandul.ro/actualitate/marile-surpriza-ale-retelei-soros-in-romania-pe-lista-se-afla-si-nicusor-dan-calin-georgescu-gabriel-liiceanu-lucian-mindruta-sau-victor-rebengiuc-20628119>; <https://activewatch.ro/publicatii/soros-ad-portas-again-freeex-digest-no-10/>

<sup>89</sup> Disinformation landscape in Romania, v2 Nov 2025, [https://www.disinfo.eu/wp-content/uploads/2025/11/20251103\\_Disinfo-landscape-in-Romania-V2.pdf](https://www.disinfo.eu/wp-content/uploads/2025/11/20251103_Disinfo-landscape-in-Romania-V2.pdf)



both because the fines are relatively small and because such violations are repeated; some media outlets have budgets specifically allocated for paying such penalties.<sup>90</sup>

Members of an NGO advocating for Roma rights received direct threats, including images of firearms and legionary symbols,<sup>91</sup> and several LGBTQI+ organisations were targeted with threats against their offices and members.<sup>92</sup> Although the Romanian police announced an investigation, there has been no publicly available information about the status or investigation into both cases.

Moreover, discriminatory discourse is not limited to the online environment or extremist groups; representatives of the state also spread it. In 2025, deputy Nicolae Păun, a member of the Parliamentary Group of National Minorities, made discriminatory statements targeting the LGBTQI+ community and the NGOs promoting such rights, claiming that “in Roma communities, campaigns promoting homosexuality have been launched by Romanian NGOs funded by billionaire George Soros”.<sup>93</sup> Such rhetoric coming from a public official fuels intolerance and legitimises hate speech, threatening the space for CSOs to operate.

While the state tends to impose new constraints and transparency obligations on NGOs, the application of Law 544/2001 (FOIA law) remains insufficient, even in the case of political parties and public institutions. A relevant example is the persistent refusal of the National Liberal Party (PNL) to provide information about contracts and amounts spent on media services, culminating in October 2025 with an incident in which the vice-president abruptly ended a press conference in Parliament after a journalist questioned the PNL on the matter. The vice-president accused the reporter of being “obsessed”. This incident reflects the existing double standard in the authorities’ approach to transparency: NGOs face increasing legislative pressure, while public institutions and political parties continue to ignore their legal obligations to provide information.<sup>94</sup>

In case of journalists’ protection, Romania does not have a dedicated national protection mechanism (e.g., specialised prosecutors, rapid response units, hotlines, or risk-assessment protocols). Threats, harassment, and attacks against journalists are addressed only through general criminal law.

In 2025, multiple serious press freedom violations were documented. In the first six months of the year, Mapping Media Freedom recorded 24 press freedom violations affecting 46 media professionals or media-related entities, amidst the political turmoil following the controversial presidential election.<sup>95</sup>

Particularly relevant cases include:

- death threats against journalists;<sup>96</sup>

<sup>90</sup> [https://www.stiripesurse.ro/cna-a-amendat-romania-tv-si-realitatea-tv-soros-aventuri-amoroase-ale-lui-george-simion-usaid-si-scorul-psd-printre-temele-scandaloase-abordate\\_3617687.html](https://www.stiripesurse.ro/cna-a-amendat-romania-tv-si-realitatea-tv-soros-aventuri-amoroase-ale-lui-george-simion-usaid-si-scorul-psd-printre-temele-scandaloase-abordate_3617687.html)

<sup>91</sup> <https://www.digi24.ro/stiri/actualitate/ancheta-dupa-ce-membrii-unui-ong-pentru-drepturile-romilor-au-primit-amenintari-si-imagini-cu-arme-de-foc-si-simboluri-legionare-3036237>

<sup>92</sup> <https://buletin.de/bucuresti/asociatia-mozaiq-reclama-indemnuri-la-distrugerea-sediului-din-bucuresti-difuzate-online-proiect-de-lege-anti-lgbtq-depus-de-un-parlamentar-din-ilfov/>

<sup>93</sup> <https://ziare.com/nicolae-paun/deputat-reclamat-cncc-comentarii-ong-tineri-romi-1966966>

<sup>94</sup> <https://hotnews.ro/video-ciprian-ciucu-a-plecat-dintr-o-conferinta-de-presa-dupa-ce-a-fost-intrebat-repetat-despre-banii-dati-de-pnl-presei-2067991>

<sup>95</sup> <https://www.mappingmediafreedom.org/wp-content/uploads/2025/09/MFRR-Media-Freedom-Monitoring-Report-Jan-Jun-2025.pdf>

<sup>96</sup> <https://activewatch.ro/articole/jurnali%C8%99tii-pressone-amenin%C8%9Ba%C8%9Bi-cu-moartea/>



- searches and seizures of journalists' materials;<sup>97</sup>
- technical surveillance warrants targeting journalists, confirmed and maintained even after the authorities were aware of their professional status;<sup>98</sup>
- threats against NGOs in traditional media and on social media;<sup>99</sup>
- repeated police visits targeting an individual who published an online satirical text directed at a government minister.<sup>100</sup>

In some cases, intimidation of journalists and activists is conducted directly by state institutions. A significant example was reported in March 2025, about the National Anticorruption Directorate (DNA) in Iași, who previously placed two investigative journalists under surveillance.<sup>101</sup> after publishing an investigation into possible corruption. According to information released in the press, they were wiretapped for two months, physically followed, and extensively monitored, with no public information to date about the initiation of an internal investigation to verify whether the measures taken were legal and proportionate to their stated purpose. Although the surveillance took place in 2023, it was made known in 2025.

A severe institutional<sup>102</sup> backlash followed Recorder's investigative reporting on the justice system. Senior judicial figures publicly accused journalists of orchestrating campaigns against the judiciary.<sup>103</sup> The Superior Council of Magistracy reacted defensively, with actions perceived as intimidatory. In response, over 1,000 journalists, editors, and civil society representatives signed an open letter expressing solidarity with Recorder and warning that some of the gravest attacks on press freedom were coming from within the judicial authority itself.<sup>104</sup> In addition to the institutional attacks, part of the offensive against Recorder is also being carried out by the "same sources of falsehoods and disinformation" that the National Audiovisual Council (CNA) has been sanctioning for years. Consequently, the signatories call on the CNA to fulfil its role as a guarantor of the public interest and to act ex officio in cases of programmes containing disinformation that targeted journalists. CNA replied in a press release that it would analyse this possibility.<sup>105</sup>

<sup>97</sup> <https://activewatch.ro/articole/perchezi%C8%9Biile-jurnali%C8%99tilor-care-documenteaz%C4%83-subiecte-de-interes-public-reprezint%C4%83-o-limitare-abuziv%C4%83-a-libert%C4%83%C8%9Bii-presei/>

<sup>98</sup> <https://activewatch.ro/articole/scrisoare-deschis%C4%83-mandatele-de-supraveghere-care-vizeaz%C4%83-jurnali%C8%99ti-periculoase-pentru-democra%C8%9Bie/>

<sup>99</sup> <https://activewatch.ro/articole/suntem-solidari-cu-asocia%C8%9Biile-funky-citizens-%C8%99i-declic/>; <https://activewatch.ro/articole/organiza%C8%9Biile-vizate-de-postarea-lui-elon-musk-ong-urile-%C3%AEencearc%C4%83-s%C4%83-distrug%C4%83-democra%C8%9Bia-reac%C8%9Bioneaz%C4%83-public/>

<sup>100</sup> <https://activewatch.ro/articole/exces-de-zel-al-poli%C8%9Biei-pentru-o-postare-pamflet-cu-ministrul-de-interne/>  
<sup>101</sup> <https://hotnews.ro/doi-jurnalisti-de-investigatie-filati-de-dna-iasi-dupa-ce-au-investigat-un-caz-de-coruptie-un-abuz-ingrozitor-iar-cineva-ar-trebui-sa-raspunda-1926901>

<sup>102</sup> <https://www.digi24.ro/stiri/actualitate/justitie/csm-va-face-verificari-dupa-ancheta-recorder-institutia-acuza-amplificarea-campaniei-de-subminare-a-increderii-in-justitie-3541469>

<sup>103</sup> The President of the Bucharest Court of Appeal, during the press conference 11 December 2025, following the broadcast and publication of the Recorder documentary, mentioned the press investigation was part of a campaign to destabilise the judicial power, describing it as public incitement against the constitutional order. <https://agerpres.ro/2025/12/11/conducerea-cab-se-apara-in-fata-acuzatiilor-din-documentarul-recorder-asistam-la-o-campanie-de-linsa--1511074>

<sup>104</sup> <https://pressone.ro/peste-1-000-de-jurnalisti-si-persoane-din-societatea-civila-solidari-cu-recorder-situatia-este-cu-ata-mai-ingrijoratoare-cu-cat-unele-dintre-cele-mai-grave-atacuri-vin-chiar-din-interiorul>

<sup>105</sup> <https://cna.ro/a-comunicat-de-presa-17122025-h1ez7yu8cjf7g9q2fombip98/>





## SLAPPs

Under EU law, strategic lawsuits against public participation (SLAPPs) are narrowly defined as abusive civil court proceedings with cross-border implications, while broader European standards such as those of the Council of Europe<sup>106</sup> also recognise threats of litigation and abusive criminal or administrative actions as SLAPPs when they are used to intimidate or silence public participation. All EU countries are bound to transpose the Anti-SLAPP Directive (EU) 2024/1069.<sup>107</sup> However, the definition used by the EU Anti-SLAPP Recommendation 2022/758<sup>108</sup> is better aligned with the state of reality for CSOs and HRDs.

The SLAPP phenomenon, understood in its broader sense rather than the restrictive definition contained in the EU Directive, appears to be on the rise in Romania.<sup>109</sup> However, at present there is no comprehensive inventory of cases that could meet the criteria for classification as SLAPPs, whether under the narrow or the broader definition. Such an inventory would ensure that Romania's mandatory transposition of the Anti-SLAPP Directive is conducted not only to comply with EU requirements, but also in response to concrete needs on the ground in Romania.

Although the Directive establishes only a minimum standard of protection, limited to civil and commercial proceedings with a cross-border element, nothing prevents Member States from extending these protections to criminal and administrative proceedings, as well as to purely domestic cases without a cross-border element, including situations in which the NGO, activist or journalist is also the party bringing the claim in response to a power imbalance.

A group of CSOs, including journalists, supports the need for this broader approach in the drafting of the national legislation transposing the Directive. Despite calls from civil society<sup>110</sup> to extend the scope of the transposition law to domestic civil cases as well as to the administrative and criminal fields, the Ministry of Justice has refused to adopt the full extension requested by CSOs and agreed only to extend the scope of the Directive to national civil cases. At the time of drafting this report, neither the final version of the draft law nor a clear adoption timeline had been published.

The Romanian Institute for Human Rights (IRDO) has been designated as the national SLAPP focal point since 2023 and is supposed to conduct research, awareness-raising, and coordination on SLAPP issues. However, its capacity is constrained by limited resources and institutional gaps, and it does not currently function as a dedicated protective mechanism with enforcement authority. IRDO is not accredited as an independent National Human Rights Institution (NHRI) under the UN Paris Principles. Without NHRI-level independence, IRDO is structurally ill-equipped to confront SLAPPs that involve state or politically connected plaintiffs. Moreover, According to ENNHRI, the Romanian Institute for Human Rights reported a staff deficit of approximately 60% in 2023, caused by low salaries and the

<sup>106</sup> Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs): <https://rm.coe.int/0900001680af2805>

<sup>107</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L\\_202401069](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401069)

<sup>108</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022H0758>

<sup>109</sup> According to information collected thorough information received by the report author and during the interviews with experts.

<sup>110</sup> <https://activewatch.ro/articole/proiectul-de-lege-anti-slapp-scrisoare-c%C4%83tre-ministerul-justi%C8%9Biei/>  
<https://apador.org/ministerul-justitiei-promite-o-protectie-mai-buna-a-vocilor-incomode-din-societate-prin-viitoarea-lege-anti-slapp/>; more legal analysis for the draft law <https://baciupartners.ro/wp-content/uploads/2025/05/Articol-SLAPP-02.05.2025.pdf.pdf>



loss of personnel, and warned that additional tasks would further strain its limited capacity.<sup>111</sup> According to the latest information available in 2025 on ENNHRI website, IRDO “does not have adequate resources to carry out the full breath of its mandate”<sup>112</sup> and the EC 2025 Rule of Law Report mentions that “there is a real risk that the RIRH<sup>113</sup> ceases its functioning in the coming months”.

Following discussions between a group of CSOs and the Ombudsman, the Ombudsman expressed its intention to be designated as a focal point under the Directive, responsible for the centralisation of information, publication of final court decisions, dissemination of available resources, and the provision of guarantees for potential SLAPP targets. However, it must be noted that the Ombudsman is facing legitimacy issues, as the mandate expired in June 2024 and Parliament had not begun the procedure to appoint a new Ombudsman, despite concerns raised by civil society on this matter.<sup>114</sup>

Meanwhile, lawsuits with potential to intimidate activists and journalists continue. A relevant example is the case filed by the state-owned company Romgaz against Greenpeace Romania, an organisation publicly opposing the Black Sea gas extraction project (Neptun Deep).<sup>115</sup> Romgaz requested the dissolution of Greenpeace Romania based on unfounded allegations of insolvency, an action perceived by civil society as a SLAPP type attempt. Although the Minister of Energy at the time supported the Romgaz request, the company later withdrew its complaint and was ordered to pay legal costs to Greenpeace.

<sup>111</sup> [https://ennhri.org/wp-content/uploads/2023/08/Romania\\_Country-Report\\_Rule-of-Law-2023.pdf](https://ennhri.org/wp-content/uploads/2023/08/Romania_Country-Report_Rule-of-Law-2023.pdf)

<sup>112</sup> <https://rule-of-law.ennhri.org/?country%5B0%5D=42&year%5B0%5D=2025&>

<sup>113</sup> RIRH – Romanian Institute for Human Rights i.e. IRDO

<sup>114</sup> [https://www.stareademocratiei.ro/2024/12/11/viitorul-avocat-al-poporului-trebuie-sa-fie-un-garant-real-al-protejarii-drepturilor-fundamentale/?fbclid=IwY2xjawPJ8s9leHRuA2FlbQlXMAbIcmIkETBGS0c1ZzRJSUNaUHYzRjFmc3J0YwZhcHBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHq8T8S0XXY2uIJzOZLEjB\\_OCXWl1SYKNrWpKjm8DFaJBS8R75T3QqnJ1\\_7IA\\_aem\\_CDkUF9PZaESuMCleQ\\_NctWwv;https://www.facebook.com/stiri.ong/posts/pfbid02SyUzZ9vcxmrmV9JDwyojTZ3GiLUnQXJ56m94F6Kbenq2epIErHwC7kTgW31trjMVI](https://www.stareademocratiei.ro/2024/12/11/viitorul-avocat-al-poporului-trebuie-sa-fie-un-garant-real-al-protejarii-drepturilor-fundamentale/?fbclid=IwY2xjawPJ8s9leHRuA2FlbQlXMAbIcmIkETBGS0c1ZzRJSUNaUHYzRjFmc3J0YwZhcHBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHq8T8S0XXY2uIJzOZLEjB_OCXWl1SYKNrWpKjm8DFaJBS8R75T3QqnJ1_7IA_aem_CDkUF9PZaESuMCleQ_NctWwv;https://www.facebook.com/stiri.ong/posts/pfbid02SyUzZ9vcxmrmV9JDwyojTZ3GiLUnQXJ56m94F6Kbenq2epIErHwC7kTgW31trjMVI)

<sup>115</sup> <https://www.greenpeace.org/romania/articol/10798/romgaz-bahamas-renunta-la-dizolvarea-greenpeace-si-au-dat-seama-ca-pierd/>



# Recommendations

- **Prioritise institutional functioning, integrity, and trust over legislative expansion and prioritise restoring confidence in public institutions.**
- **Ensure the effective rights-based functioning of existing frameworks rather than introducing additional legislation or expanding regulatory mandates.**
- Safeguard an enabling legal framework for CSOs by adopting the draft law amending the Government Ordinance 26/2000, while ensuring that parliamentary processes do not introduce new restrictions that undermine the intended facilitation measures. Advance reforms that simplify NGO operations.
- Reform Law No. 60/1991 to reflect contemporary assembly practices and international standards, including explicit protection for spontaneous assemblies and clear regulation of flash-mobs, counter-protests, and hybrid/online elements when relevant.
- Adopt national legislation implementing the European Media Freedom Act with explicit safeguards on editorial independence, transparency of public media funding, and protection against political influence.
- Reinforce access to public-interest information by abandoning the relevant provisions in pending legislative initiatives (including the draft law on the Administrative Procedures Code) that impose disproportionate transparency obligations on civil society or restrict FOIA rights.
- Improve enforcement against hate speech and hate-motivated threats, including consistent identification of bias motives and effective investigation into intimidation targeting civic actors.
- Adopt a comprehensive and transparent transposition law of the Anti-SLAPP Directive, extending the scope of protection beyond the minimum EU requirements to include domestic civil cases as well as criminal and administrative proceedings, and establish a credible and well-resourced national SLAPP focal point.

# Methodology

The Monitoring Action for Civic Space (MACS) methodology is designed to assess the state of civic space in EU countries with a focus on identifying both progress and deterioration in selected countries. The European Center for Not-for-Profit Law, European Civic Forum, Bulgarian Center for Not-for-Profit Law, Nyt Europa, Le Mouvement associatif, Hungarian Environmental Partnership Foundation, Netherlands Helsinki Committee, National Federation of Polish NGOs and the Civil Society Development Foundation joined forces to create MACS, using our collective expertise in the monitoring field. MACS consists of two complementary tools: the country reports and the Early Warning and Alert System.

The methodology monitors the following dimensions:

- Freedom of Association;
- Access to Funding;
- Freedom to Peaceful Assembly;
- Freedom of Expression;
- Participation in Decision-Making;
- Safe Space.

Each dimension is evaluated against a set of standards that capture the state's commitment under international and European human rights law. Each standard is assessed using qualitative indicators. For further details, download the [full methodology](#).

Throughout the reports, the red highlighted sections mark any developments that are directly falling or could potentially fall under the [sphere of competence of the European Union](#). This is to better understand where the EU has the legal authority to act, as opposed to developments that remain under Member State control.

2025 was the testing phase of the methodology by national partners. While some partners monitored all six dimensions, others focused on the three core civic space dimensions (association, peaceful assembly and expression) and selected one additional dimension aligned with national priorities.

## Country process

The report on Romania covers four of those dimensions and their respective standards, namely: Freedom of association, peaceful assembly, expression, and safe space.

The “Key developments” section should be read as the author’s concise analysis of all the factual information and opinions presented in the report. The references in this section should be supplemented with all relevant references from the body of the report.



The data collection included the following:

**Desk research with a focus on:**

- Relevant regulatory framework, including draft legislation and amendments, at both national and EU level (where relevant);
- Relevant reports, articles, public positions and similar by state and non-state actors, national and international; and
- Review of relevant case law both at national level and of the European Courts (ECtHR).

**Interviews:** Eight interviews were conducted with CSOs representatives from the following areas: good governance, public participation, election integrity, human rights protection, democracy and rule of law, anticorruption, women and LGBTQI+ rights, watchdog groups, active citizenship, and community development initiatives.

**Group meeting to validate first draft and collect feedback and scoring per each dimension/standard:** 17 participants are representatives of the member organisations of *Coaliția ONG-uri pentru Cetățean* (Coalition of the NGOs for the Citizen).<sup>116</sup>

The data collected is relevant for the period between January 2025 and December 2025; however, some references are to previous year, as the author considers it important for a better understanding of the context and trends.

Following the drafting, each standard is scored by the country researcher on a 1-4 scale, where 1 indicates severe restriction and 4 indicates full compliance with international standards.

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<sup>116</sup> <https://www.stareademocratiei.ro/about/>



Monitoring Action  
for Civic Space