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2025 Rule of Law Report Country Chapter on the rule of law situation in Romania

Accompanying the document

**Communication from the Commission to the European Parliament, the Council, the
European Economic and Social Committee and the Committee of the Regions**

2025 Rule of Law Report The rule of law situation in the European Union

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ABSTRACT

Significant steps have been taken by Romania to complete the process initiated in view of taking into account the recommendations of the Venice Commission on the Justice Laws, which addressed concerns for the independence, quality and efficiency of the justice system. Legislative steps are explored to further strengthen safeguards pertaining to the independence of high-ranking prosecutors and the judicial police and an evaluation of the implementation of the Justice Laws will be considered by the Ministry of Justice after a sufficient period of time from their adoption, taking into account the need to maintain the stability of the legal framework. The transparency of case-law on disciplinary sanctions has improved, due to awareness raising efforts. The Ministry of Justice showed openness to adapt its reform of IT systems in courts to ensure that judicial independence is guaranteed. Some further efforts were made to ensure adequate human resources for the justice system, including with new recruitments, despite budgetary restrictions. Several initiatives have been taken to facilitate access to legal aid. The length of proceedings increased compared to previous years.

The implementation of the 2021-2025 Anti-Corruption Strategy remains on track and a new Strategy is under preparation, building on the *ex-post* evaluation of the current strategy. Authorities maintain a positive track record in combating corruption, including as regards high-level corruption cases. However, following rulings on the statute of limitations, national courts have closed many corruption cases and annulled convictions. There have been further steps taken in relation to the system for investigating and prosecuting criminal offences in the judiciary. The updating of the legislative framework on integrity is in discussion, with a draft law addressing revolving doors being elaborated. The National Integrity Agency maintained its record in managing conflicts of interest and asset declarations, however, a Constitutional Court ruling will require Romania to re-assess what was seen as a strong asset declaration system. Some initial steps have been taken to introduce rules on lobbying for Members of Parliament and legislation to improve the transparency of political party financing remains pending in Parliament. Corruption and fraud have been identified by the national authorities as risks in the public procurement process with some measures ongoing to address them.

There have been no steps to enhance the independent governance and editorial independence of public service media. The financing of private media by political parties and state authorities has led to an increase of untransparent political advertising. While the National Audiovisual Council would benefit from more human resources and a long-awaited new IT system, information on media ownership beyond the audiovisual sector is still insufficient. Media actors have yet to agree on self-regulation. Issues on transparency and access to information remain, pending discussions on a new Code of Administrative Procedures. Threats and instances of harassment of journalists remain an issue and political pressure on editorial independence affects journalists' work.

Some steps have been taken to improve public consultations, while a number of shortcomings remain in practice. Legislative unpredictability, the frequent use of Government Emergency Ordinances, problems with the quality of legislation and regulatory burden, remain primary concerns for businesses and civil society organisations. Presidential elections were repeated in 2025, following the Constitutional Court's decision to annul the first round of elections held in 2024. A final decision is still pending regarding the accreditation of National Human Rights Institutions. A Strategy for Open Government was adopted to address the increasing challenges for civil society organisations.

RECOMMENDATIONS

Overall, concerning the recommendations in the 2024 Rule of Law Report, Romania has made:

- Significant progress on completing the process initiated in view of taking into account the recommendations of the Venice Commission on the Justice Laws, including through consultations and evaluations in view of further improving the Justice Laws at a next opportunity.
- Some further progress on ensuring adequate human resources for the justice system, including for the prosecution services, taking into account European standards on resources for the justice system.
- Some further progress on taking measures, in particular at an operational level, to ensure efficient investigation and prosecution of criminal offences in the judiciary, including as regards corruption offences, taking into account European standards.
- No progress on introducing rules on lobbying for Members of Parliament.
- No progress on strengthening the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Some progress on ensuring effective public consultations before the adoption of legislation.
- No progress on taking forward the process for obtaining accreditation for two National Human Rights Institutions, taking into account the UN Paris Principles.

On this basis, and considering other developments that took place in the period of reference, in addition to recalling the relevant commitments made under the Recovery and Resilience Plan and the relevant country-specific recommendations under the European Semester, it is recommended to Romania to:

- Take forward legislative steps to strengthen safeguards to ensure the independence of high-ranking prosecutors and for the organisation and functioning of the judicial police.
- Take measures to ensure efficient investigation and prosecution of criminal offences in the judiciary, including as regards corruption offences.
- Introduce rules on lobbying for Members of Parliament and ensure the effectiveness of the asset declaration system.
- Step up efforts to strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Step up efforts to address the frequent use of government emergency ordinances and to ensure effective public consultations before the adoption of legislation.
- Take forward the process for obtaining accreditation for the National Human Rights Institutions, taking into account the UN Paris Principles.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in Romania continues to be average among both the general public and companies. Overall, 44% of the general population and 51% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025². The perceived judicial independence among the general public has significantly decreased in comparison with 2024 (52%) and 2021 (51%). The perceived judicial independence among companies has decreased in comparison with 2024 (56%) although it has increased in comparison with 2021 (45%).

Significant progress has been made to complete the process initiated in view of taking into account the recommendations of the Venice Commission on the Justice Laws³. The Ministry of Justice assessed the report of the panel of high-level experts which was set-up to look at adequate legislative solutions to follow up on the Venice Commission’s opinion on the Justice Laws⁴. Based on this assessment, the Government initiated steps to strengthen safeguards pertaining to the mandate of high-level prosecutors⁵. In agreement with the panel of experts, which had concluded that the safeguards already in place were sufficient and that the current system would allow to have a management team that cooperates effectively⁶, the Ministry of Justice did not consider it necessary to introduce a competitive selection for deputy managers of courts and prosecution offices. Based on the constitutional grounds of legality and hierarchical control, the Ministry of Justice chose to maintain the prerogative of the Prosecutor General to bypass the prosecutorial hierarchy when he or she finds that prosecutorial measures are unlawful or unfounded⁷. The entry into force of the Justice Laws in 2022⁸ addressed concerns for the independence, quality and efficiency of the justice system⁹. The Government’s assessment of the expert panels’ report completes the process launched in January 2023 to take into account the recommendations made by the Venice Commission to further improve the laws¹⁰, marking significant progress on the recommendation made in the 2024 Rule of Law Report.

Legislative steps are explored to strengthen safeguards pertaining to the independence of high-ranking prosecutors and the judicial police. Following the Ministry of Justice’s assessment of the panel of experts’ report, the Ministry of Justice elaborated a draft law to extend the mandate of high-ranking prosecutors for a non-renewable period from three to five

¹ An overview of the institutional framework for all four pillars can be [here](#).

² Figures 50 and 52, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

³ The 2024 Rule of Law Report recommended Romania to “Complete the process initiated in view of taking into account the recommendations of the Venice Commission on the Justice Laws, including through consultations and evaluations in view of further improving the Justice Laws at a next opportunity”.

⁴ 2024 Rule of Law Report, Romania, p. 4.

⁵ See following paragraph for more details.

⁶ Panel of high-level experts, para. 20-37.

⁷ Letter of 16 December 2024, reference Ares(2024)9046611.

⁸ Also a commitment under Romania’s Recovery and Resilience Plan (Milestone 423). The Commission will assess the fulfilment of the milestone when Romania submits the relevant payment request.

⁹ 2022 Rule of Law Report, Romania, p.5.

¹⁰ Venice Commission (2022).

years¹¹, in line with the recommendations made by the Venice Commission. Consultations are continuing with the institutions of the judicial system in order to reach a broad consensus. The Ministry of Justice also agreed with the panel's conclusions that a future law regulating the organisation and functioning of the judicial police, should provide that judicial police officers are not obliged to report on their activity to the Minister of Interior. Such legislation is important to further improve the safeguards provided for in the Justice Laws. Taking into account the need to maintain the stability of the legal framework, the government indicated that an evaluation of the implementation of the Justice Laws will be considered after a sufficient period of time since their adoption. The Ministry of Justice considers that at least a five-year-period would be the most appropriate to evaluate the implementation of the Justice Laws¹², but for now, no framework has been set-up for that purpose¹³. Stakeholders¹⁴, including from outside the justice system, have stressed the importance of looking in particular into the promotion of judges, pointing to the fact that individual applications considered by the Superior Council of the Magistracy (SCM) are not anonymised¹⁵. A key concern is the level of transparency in the promotion of judges to the High Court of Cassation and Justice (HCCJ), which rests on an evaluation of their judgments and an interview with the SCM section of judges. The Venice Commission had reiterated the principle of broad and fair representation of all levels and types of courts in judicial councils¹⁶. Some associations of magistrates have called for a more balanced representation of the lower courts in the SCMs judges' section¹⁷. Under the Justice Laws, an audit on the allocation of files within the Judicial Inspection is to be performed within the two years of their implementation¹⁸, however no steps have yet been taken to carry that out.

The transparency of case-law on disciplinary sanctions has improved, yet magistrates still consider that they face undue pressure from within the judiciary. To disseminate the case-law developed on disciplinary liability and increase awareness, the HCCJ published on its website a summary of judgments rendered in disciplinary matters for the period 2021-2024 and annual bulletins on main decisions taken. The SCM is also developing an IT application to publicise the case-law in disciplinary matters, which will soon be available to judges and prosecutors on the Rejust application. Some magistrates continue to express concerns about undue pressure they face from within the judiciary¹⁹, echoed by stakeholders²⁰. The SCM also

¹¹ The draft provides for transitional measures under which high ranking prosecutors in their first term of office could, at the end of their three-year mandate, be reconducted for a five-year term.

¹² The Justice Laws were adopted in October 2022.

¹³ Country visit Romania, Ministry of Justice.

¹⁴ Civil Liberties' Union for Europe (2025). Expert Forum (2025), written input, p. 7. Country visit Romania, Magistrates' associations (Asociația 'Inițiativa pentru Justiție', Asociația Forumul Judecătorilor din România, Asociația Miscarea pentru Apărarea Statutului Procurorilor).

¹⁵ Civil Liberties' Union for Europe (2025) and country visit to Romania, Magistrates' associations (Asociația 'Inițiativa pentru Justiție', Asociația Forumul Judecătorilor din România, Asociația Miscarea pentru Apărarea Statutului Procurorilor) and NGOs (Civic Radauti Association, Expert Forum and Centrul de Resurse Juridice).

¹⁶ Venice Commission, CDL-AD(2023)015, CDL-PI(2022)005 and CDLAD(2021)043.

¹⁷ Country visit Romania, Magistrates' associations (Asociația 'Inițiativa pentru Justiție', Asociația Forumul Judecătorilor din România, Asociația Miscarea pentru Apărarea Statutului Procurorilor) and NGOs (Civic Radauti Association, Expert Forum and Centrul de Resurse Juridice).

¹⁸ Country visit Romania, Judicial Inspection.

¹⁹ Country visit Romania, Magistrates' associations (Asociația 'Inițiativa pentru Justiție', Asociația Forumul Judecătorilor din România, Asociația Miscarea pentru Apărarea Statutului Procurorilor) and NGOs (Civic Radauti Association, Expert Forum and Centrul de Resurse Juridice).

²⁰ Expert Forum (2025), written contribution, p. 7.

spoke out against public pressure on judges, citing instances of political leaders making disparaging comments about magistrates, notably in the wake of specific rulings²¹.

The Ministry of Justice showed openness to consider guarantees to preserve the independence of the judiciary with regard to the reform of the IT system. The Ministry of Justice is working on a centralised system that would host digitalised case files, allowing parties and their legal representatives to access, in a consolidated form, all documents of pending cases. Under the proposed reform, judicial databases would be hosted and administered centrally under the Ministry of Justice²². The SCM²³, the European Network of Councils of the Judiciary's executive board and other stakeholders²⁴ expressed concerns on the absence of guarantees in this reform to ensure that the Ministry of Justice does not have access to the centralised system with all documents of the pending cases including those linked to specific cases, as well as any data stored on the computer of judges and court staff. Concerns include the absence of the possibility to identify if and when any such access had taken place. The Ministry of Justice indicated its openness to look into this matter to ensure that the independence of the judiciary²⁵ is preserved.

Quality

Some further progress was made on the recommendation to ensure adequate human resources for the justice system, including with new recruitments²⁶, despite budgetary restrictions. As a result of recruitments in 2024²⁷, at the beginning of 2025, the occupancy rate was of 83% for judges' positions at the national level (5% more than in the previous year) and of 74% for prosecutors' positions²⁸. However, the SCM considers vacancies in the judiciary a "continuous concern"²⁹, as many courts are still understaffed and have a very high workload, in particular at second instance and in the prosecutors' offices³⁰. However, with regard to the recruitments made and the increase achieved in the occupancy rate, some further progress was made to ensure adequate human resources for the justice system.

Several initiatives have been taken to facilitate access to legal aid. New rules allow non-profit legal persons to benefit from legal aid when they defend persons in special situations or

²¹ Civil Liberties' Union for Europe (2025). Romanian Government (2025), written input, p.14.

²² Another solution has been chosen with regard to prosecution services, where data was also centralised but hosted in a separate domain, where the data administrator is an entity in the judicial system. SCM (2025), national contribution, p. 24.

²³ SCM(2025).

²⁴ ENCJ (2025), written input, pp. 4 and 39. The Consultative Council of European Judges also discussed this issue at its 25th plenary meeting of the Consultative Council of European Judges (CCJE) on 4-6 December 2024. See also Konrad Adenauer Stiftung (2025) written input, p. 9.

²⁵ Country visit Romania, Ministry of Justice and SCM website.

²⁶ The 2024 Rule of Law Report recommended Romania to "continue efforts to ensure adequate human resources for the justice system, including for the prosecution services, taking into account European standards on resources for the justice system".

²⁷ Competitions for admission to the National Institute of the Magistracy, July 2024 - April 2025 and for admission to the magistracy, July 2024 - March 2025.

²⁸ Country visit Romania, the Government, and website of the SCM. Civil Liberties' Union for Europe (2025).

²⁹ Country visit Romania, SCM.

³⁰ Country visit Romania, magistrates' associations (Uniunea Nationala a Judecatorilor din Romania (UNJR), Asociația Magistraților din România (AMR), Romanian Prosecutors' Association (Asociația Procurorilor din România) (APR), Association of Judges for the Defense of Human Rights) and HCCJ. Civil Liberties' Union for Europe (2025). Medel (2025), written input, p. 7. European Civic Forum (2025), written input, p. 5. World Bank Group (2024) *Reflections on the Functional Review of the Romanian Justice Sector*.

protect a group or general interest³¹. Legal aid can also be granted to persons when costs of proceedings limit their effective access to justice. Judges are also under the obligation to inform the parties about the possibility and conditions for applying for public legal aid. The amount of court stamp duties has been reduced in some areas, in particular in family litigation. According to the Ministry of Justice, almost 30 000 persons benefited from legal aid in 2024, and the budget for 2025 slightly increased. However, stakeholders regret the absence of publicly available data on the number of beneficiaries, their profile and the amounts received³².

Efficiency

The length of proceedings increased compared to previous years. The time needed to resolve civil, commercial, administrative and other cases continued to increase from 160 days in 2021, 171 days in 2022 to 228 days in 2023, while the clearance rate of civil, commercial, administrative and other cases decreased from 102% in 2021, 96% in 2022 to 87% in 2023. The workload of the courts has increased compared to the previous Rule of Law Report, notably the number of new and pending cases³³. The length of proceedings is seen in some cases as a barrier for access to justice, including with regard to requests for access to documents of public interest³⁴.

II. ANTI-CORRUPTION FRAMEWORK

The perception among experts, citizens and business executives is that the level of corruption in the public sector remains high. In the 2024 Corruption Perceptions Index by Transparency International, Romania scores 46/100 and ranks 24th in the European Union and 65th globally³⁵. This perception has been relatively stable over the past five years³⁶. The 2025 Special Eurobarometer on Corruption shows that 75% of respondents consider corruption widespread in their country (EU average 69%) and 60% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 90% of companies consider that corruption is widespread (EU average 63%) and 72% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 51% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while 34% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)³⁷.

The implementation of the 2021-2025 Anti-Corruption Strategy (NAS) remains on track and a new Strategy is under preparation. This new Strategy will be drafted after the *ex-post* evaluation of the previous strategy, which will be carried out in the first trimester of 2026. The 2024 NAS Monitoring Report has already been drafted in the first trimester of 2025. The Ministry of Justice is preparing the procurement for an external audit of the NAS, a target under

³¹ Law No 268/2024 amending and supplementing Government Emergency Ordinance (GEO) No 80/2013 on judicial stamp duties and GEO No 51/2008 on public aid in civil matters.

³² Country visit Romania, CSOs (Expert Forum, Freedom House, FDSC, Centre for Public Innovation).

³³ 2025 EU Justice Scoreboard, Figures 2, 5, 10, and 13.

³⁴ Centre for Public Innovation (2025). Country visit Romania, CSOs (Expert Forum, Freedom House, FDSC, Centre for Public Innovation).

³⁵ The level of perceived corruption is categorised as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

³⁶ Romania has the same score and rankings as last year. The score in 2019 was 44, so 2 points lower. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

³⁷ Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025). See also European Semester, Country Report Romania, p. 62.

Romania's National Recovery and Resilience Plan. It also started preparing a post-2025 NAS, which will ensure that anti-corruption measures are targeted towards high-risk sectors and adapted to the latest trends in corruption typologies. A new priority will be to promote education and awareness on corruption-related issues among youth and from an early stage of professional development, to foster a culture of integrity and social responsibility.

Authorities maintain a positive track record in combating corruption, including as regards high-level corruption cases. The General Prosecution Service continued to issue many indictments in corruption cases and courts delivered many final judgments³⁸. The National Anti-Corruption Directorate (DNA), responsible for the prosecution of high-level corruption, achieved similar results as last year with 391 convictions and 147 acquittals³⁹. It is also addressing its backlog, although the overall workload remains substantial considering the number of new complaints⁴⁰. Despite many vacancies in the prosecution services, DNA's occupancy rate (above 85%), has remained stable in the past two years⁴¹. DNA received equipment to facilitate investigations and prosecutions, such as surveillance, secure communication and data analysis tools⁴². DNA advocates for a legislative change that would allow, in duly justified cases, undercover investigations for corruption offences beyond the one year maximum currently provided for in the law, as is the case for some other complex offences such as money laundering⁴³. A law of December 2024 strengthened the criminalisation of foreign bribery and made DNA exclusively competent for this crime⁴⁴. During 2024, the EPPO investigated 44 corruption cases, which accounts for 5% of the total number of EPPO cases in Romania⁴⁵. Magistrates consider that corruption has become more sophisticated than simple bribery as perpetrators engage in more complex forms of abuse of office and misappropriation in the interest of people in their network, making it harder to establish criminal liability⁴⁶.

Following rulings by the High Court of Cassation and Justice on the statute of limitations, courts have closed many corruption cases and annulled convictions. Despite the overall positive track record, several criminal cases are being discontinued as a result of the ruling of the Constitutional Court of Romania (CCR) published on 25 June 2018, which found that the interruption of the limitation period under Article 155(1) of the Criminal Code was unconstitutional, with the legal void being filled only with the adoption of a Government Emergency Ordinance on 30 May 2022. In view of the principle that offences and penalties

³⁸ During 2024, a total of 1 702 (1 843 in 2023, 1 662 in 2022) cases involving corruption offences were solved, of which 209 (259 in 2023, 266 in 2022) indictments and plea agreements were issued, by which 369 (328 in 2023, 327 in 2022) defendants were sent to trial. There were 164 (159 in 2023, 203 in 2022) final judgments, by which 179 (154 in 2023, 184 in 2022) individuals were convicted, see input from Romania for the 2025 Rule of Law Report, Annex 13, and 2024 Rule of Law Report, Country Chapter on the rule of law situation in Romania, p. 12.

³⁹ DNA (2025), written input p. 49; 400 defendants were convicted and 175 acquitted in 2023.

⁴⁰ Ibid, p. 48-49. The number of pending cases was 5 443, compared to 6 085 in 2023. DNA considers that the reduction of about 10% is a good result, because in 2023 and 2024 they received around 2500 new complaints. During 2024, a total of 131 (132 in 2023, 404 in 2022) cases concerning 683 (651 in 2023, 779 in 2022) defendants were sent to trial. Of these, 445 (481 in 2023, 565 in 2022) were prosecuted by indictment and 238 (214 in 2022, 165 in 2021) by plea agreement. The number of files older than 5 years from the date of notification has decreased (129 compared to 177 in 2023, 263 in 2022 and 323 in 2021).

⁴¹ Input from Romania to the 2025 Rule of Law report, p. 8, and country visit Romania, DNA. On 31 December 2024, DNA had 170 occupied positions filled out of the 195 prosecutor positions provided for in the staffing scheme.

⁴² Country visit Romania, DNA.

⁴³ DNA (2025), written input, p 51.

⁴⁴ Ibid, p 48.

⁴⁵ EPPO (2025), Annual Report 2024, p. 51.

⁴⁶ Information received from Magistrates' Associations in the context of the January mission to Bucharest.

must be defined by law, the Court of Justice of the EU in the *Lin* case⁴⁷ interpreted EU law as not precluding limitation periods to be expired in cases where procedural acts had intervened in the period between 25 June 2018 and 30 May 2022, but considered that the principle of the more lenient criminal law (*lex mitior*) does not allow Romanian courts to call into question the interruption of the limitation period by procedural acts which occurred before 25 June 2018. However, in June 2024, the High Court of Cassation and Justice (HCCJ) held⁴⁸ that the retroactive application of the principle of *lex mitior* precludes the interruption of limitation periods also by procedural acts which occurred *before* the finding of invalidity by the CCR in its decision published in June 2018. In addition, in its decision 16/2024 of 16 September 2024, the HCCJ extended the interpretation of the *lex mitior* principle, for offences committed before 30 May 2022, as also preventing the interruption of limitation periods by procedural acts which occurred after 30 May 2022. This case law of the HCCJ has since been largely followed by Romanian courts⁴⁹ extending the neutralisation of the interrupting effect of procedural acts beyond the 2018-2022 period, thereby exacerbating the systemic risk that a considerable number of criminal cases escape criminal penalty. The combined effects of this case-law make it difficult to achieve a final decision in many cases of corruption occurring before 30 May 2022⁵⁰ and may raise certain questions under EU law. During 2024, the courts discontinued criminal proceedings against 307 defendants on the grounds that the statute of limitations had expired (compared to 364 in 2023). By comparison, before the adoption of the HCCJ decisions, in 2022, the discontinuation of criminal proceedings in such cases occurred for 129 defendants⁵¹. In April 2025, the HCCJ sought further clarification on the requirements of EU law through a reference to the Court of Justice of the European Union⁵².

There has been some further progress on the recommendation on the system for investigating and prosecuting criminal offences in the judiciary⁵³. Since the new system for investigating and prosecuting corruption offences in the judiciary was established in March 2022, designated prosecutors have managed to reduce the significant backlog⁵⁴. Six indictments were issued in 2024, although some note that this remains low⁵⁵. The occupancy rate has stabilised since the last Rule of Law Report was published⁵⁶, but part of the Superior Council of Magistracy (SCM) and magistrates' organisations consider that resources and the level of specialisation of prosecutors are insufficient to address corruption cases within the judiciary efficiently⁵⁷. The Prosecutor General of the Prosecutor's Office attached to the HCCJ made use of his prerogative⁵⁸ to appoint designated prosecutors *ex officio* and put forward four

⁴⁷ Judgment of the CJEU, case C-107/23, *Lin*.

⁴⁸ Decision 37/2024 of 17 June 2024.

⁴⁹ Country visit Romania, Magistrates' associations.

⁵⁰ DNA (2025), written input, p. 50. Country visit Romania, Magistrates' associations.

⁵¹ DNA (2025), written input, p. 51

⁵² Case C-280/25, *Lin II*, pending.

⁵³ 2024 Rule of Law Report, Romania, p. 2. In the 2024 Rule of Law Report, the Commission recommended to Romania to: 'take measures, in particular at an operational level, to ensure efficient investigation and prosecution of criminal offences in the judiciary, including as regards corruption offences, taking into account European standards'.

⁵⁴ Office of the Prosecutor General (2025), written input, Annex 3. On 1 January 2024, there were 3309 cases open and on 23 December 2024, the total number of cases pending was reduced to 2431. The number of cases at "central" level has grown from 674 to 827, but this is also due to the large number of new complaints (391).

⁵⁵ Country visit Romania, Associations of Magistrates' and Expert Forum (CSO).

⁵⁶ There are still four prosecutors appointed out of the 14 posts available at "central" level (there were eight at the end of 2022) and 37 out of 45 prosecutors appointed at the local prosecution offices (34 in 2023 and 42 at the end of 2022). Country visit Romania, Ministry of Justice, PG and SCM.

⁵⁷ Country visit Romania, SCM. The VP/prosecutorial part of the SCM submitted that the structure does not work for these reasons contradicted by the judicial part. Also country visit Romania, Magistrates associations.

⁵⁸ 2024 Rule of Law Report, Romania.

candidates, from which the SCM only accepted one⁵⁹. Though the system still has to show its ability to deal efficiently with corruption cases within the judiciary, overall, there has been some further progress on efficient investigation and prosecution of criminal offences in the judiciary.

The updating of the legislative framework on integrity is still in discussion, and a draft law addressing revolving doors is being elaborated and submitted to consultations. The Ministry of Justice considered that the amendments to the existing integrity laws suggested by the National Integrity Agency (ANI)⁶⁰ would expand the latter's mandate and would not respect the State's institutional architecture. However, it agreed with ANI to establish a joint working group to coordinate the legislative revision process⁶¹. In parallel, Parliament adopted a law in March 2025 that regulates conflicts of interest and includes rules on gifts. Following OECD recommendations⁶², a subcommittee was set up in March 2025 to develop a legislative approach on pre- and post-employment prohibitions, as well as a monitoring and sanctioning system⁶³. Rules on revolving doors are currently reflected in different laws and remain limited in scope⁶⁴.

ANI maintains its results in managing conflicts of interest and asset declarations, including with the support of technological tools. Low salaries in ANI, compared to similar functions in public administration, remain an obstacle to attract and keep competent staff. Several employees left ANI in 2024⁶⁵. Given ANI's increasing workload, this situation could seriously impact its ability to deliver⁶⁶. ANI also lacks the legal basis to request and receive information from the Financial Intelligence Unit⁶⁷. The Constitutional Court held on 29 May 2025⁶⁸ that the rules requiring that officials declare their spouses' and children's assets are unconstitutional on grounds that such declaration of assets, being a declaration under oath, entails the criminal liability of the declarant and can only be made in one's own name. The Court also confirmed that it would be a disproportionate interference with the right to privacy to require all declarations to be published online and that it is sufficient that declarations be

⁵⁹ Country visit Romania, PG and SCM (2025), written input, who submit that such appointments should only happen in the exceptional circumstance where not enough prosecutors submit their candidacy and that in each case they have to assess that the candidate has irreproachable moral conduct and sufficient professional experience.

⁶⁰ Milestone no. 431 of Romania's RRP states: 'Consolidated laws on integrity shall enter into force. The update of the integrity legislation shall be realised based on a prior evaluation and analysis of the integrity laws, together with an initial clustering of the normative acts. Within the second phase of the project, the existing laws shall either be unified and updated, or new normative acts shall be proposed.' Milestone no. 431 will be assessed under the 6th payment request, expected in 2025.

⁶¹ Country visit Romania, Ministry of Justice and ANI (2025), written input. After the completion of the draft by the Ministry of Justice and ANI, the draft will be sent to the advisory institutions, submitted for approval to the Government, and subsequently submitted for adoption to the Parliament.

⁶² OECD (2025), Strengthening the framework on pre- and post-public employment in Romania.

⁶³ Country visit Romania, Ministry of Justice. The committee was set up by Decision of the Prime Minister no. 87 of 3 March 2025.

⁶⁴ 2024 Rule of Law Report, Romania. In November 2024, a code of ethics on post-employment restrictions for presidential advisers has been approved.

⁶⁵ External Audit of the Management of National Integrity Agency for 2023 (2024), Factual Findings Report, p. 36 and ANI (2025), written input. In March 2025, ANI operated with 102 out of the 160 foreseen staff, mostly missing integrity inspectors. The government would increase the salaries after the presidential elections in 2024 which were however postponed to May 2025.

⁶⁶ ANI (2025), written input, p. 32.

⁶⁷ Country visit Romania, ANI.

⁶⁸ Constitutional Court, Decision No 297 of 29 May 2025.

submitted to ANI⁶⁹, whereas for elected or politically appointed officials, a review by the public is justified. ANI and stakeholders expressed concern that this would weaken transparency and accountability⁷⁰. The Ministry of Justice set up a working group together with ANI in order to analyse the Constitutional Court Decision of 29 May 2025. The first meeting took place on 18 June 2025. The v-DAI platform became operational in 2024 and it enables to scrutinise disclosures and identify those that are more at risk of an integrity incident. More than 1 000 cases have been identified so far for which over 5 000 asset and interest disclosures need to be analysed by ANI⁷¹.

ANI performs the role of main external whistleblower channel and takes measures to promote awareness of the whistleblower law. Throughout the reporting period, ANI received reports on breaches of law, offered counselling and established relations with relevant stakeholders. Five integrity inspectors became operational during 2024, of the 15 required by law for the Whistleblowing Directorate⁷². Awareness raising was carried out among the private sector to facilitate the application of the whistleblower protection legislation⁷³. In 2024, ANI did not receive any reports on corruption. The Court of Accounts received many whistleblowing reports and identified two cases of corruption in public procurement, which it notified to law enforcement. The Court noted the absence of clear guidance and training on the handling of violations of ethics, which reportedly negatively impacts whistleblowers' protection by public bodies and limits the role of the internal ethics counsellor⁷⁴.

There has been no progress on the recommendation to introduce rules on lobbying for Members of Parliament⁷⁵. The law amending the Administrative Code sets out new obligations on lobbying regarding high-level executives, such as the mandatory registration by certain public officials of official meetings with third parties at least two days prior to their occurrence⁷⁶. However, this does not apply to members of Parliament and their engagement with lobbyists is still not regulated. The same law also lays down specific rules as regards the receipt of gifts, their permissible value and assessment, as well as a list of prohibited gifts, as therefore there are also still no clear rules on gifts, hospitality, favours and other benefits for members of Parliament⁷⁷. In January 2025, the Minister of Justice asked Parliament to follow up on the GRECO's recommendations, including on lobbying. However, the Senate's

⁶⁹ Constitutional Court, Decision No 297 of 29 May 2025 press release of 29 May 2025.

⁷⁰ ANI, press release of 29 May 2025 "regarding the impact of the CCR decision regarding the unconstitutionality of some provisions of the ANI Law"; communication of the Association for Cooperation and Sustainable Development (ACDD) with 16 CSOs, including the Center for Public Innovation, the Expert Forum, Freedom House, ActiveWatch.

⁷¹ ANI (2025), written input, p. 38-39 and Annex 11. Over 2024, integrity inspectors issued 19 integrity warnings, amounting to almost EUR 80 million.

⁷² Due to general austerity measures, competitions for the remaining 10 posts can currently not be organised. Replacements can however be sought for the existing 5 posts, should they become vacant.

⁷³ Information received from ANI in the context of the country visit to Romania.

⁷⁴ Country visit Romania, Court of Accounts.

⁷⁵ 2024 Rule of Law Report, Romania, p. 2. In the 2024 Rule of Law Report, the Commission concluded that Romania made no progress on introducing rules on lobbying for Members of Parliament.

⁷⁶ Ministry of Justice (2025), written input. Law 49 of 14 April 2025. The published data must include the names or titles of participants, the date and location of the meeting, as well as a description of its purpose. Following the meeting, within a maximum of five working days, the initial information must be supplemented with details regarding the main topics discussed and the conclusions drawn, where applicable. There is no information available on the implementation of these rules and they do not cover the Prime Minister. Romania also set up an Interministerial Commission to implement, among others, the OECD recommendation to improve rules on lobbying of public officials and an initial meeting took place on 6 March 2025. Country visit Romania, Ministry of Justice and Decision of the Prime Minister no. 87 of 3 March 2025.

⁷⁷ 2024 Rule of Law Report, Romania, pp. 17-18.

Committee on Legal Affairs, Appointments, Disciplinary Matters, Immunities and Validations did not propose to adopt lobbying rules⁷⁸, and the Chamber of Deputies has not replied. In May 2025, Members of Parliament held preliminary discussions on the Unified Register of Transparency of Interests in the Joint Special Committee of the Chamber of Deputies and the Senate. However, no concrete legislative steps have been taken to follow up, and therefore, there has been no progress yet on introducing lobbying rules for Members of Parliament.

Legislation to improve the transparency of political party financing is still pending in Parliament. Draft legislation from the Permanent Electoral Authority to improve the transparency of political party financing and the enforcement of related rules has been with the Chamber of Deputies since October 2023, with no foreseen date of adoption. The Court of Accounts submitted that the current legislation does not sufficiently regulate issues such as maximum expenditure limits, salaries, travel expenses or what should happen with the funds that are not (fully) used⁷⁹. Concerns related to transparency of political party financing raised in previous Rule of Law Reports remain particularly as regards the lack of thorough auditing, investigation and enforcement of the rules and low penalties for non-compliance⁸⁰. The Constitutional Court's decision to annul the first round of Presidential elections of November 2024 also referred to the financing of the election campaign from undeclared sources, including online, in breach of electoral legislation⁸¹.

Corruption and fraud have been identified by the national authorities as risks in the public procurement process, with some measures ongoing to address them. The Flash Eurobarometer on businesses' attitudes towards corruption in the EU shows that 37% of companies in Romania (EU average 35%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years⁸². Procurement remains a sector with a high risk of corruption⁸³. 45% of businesses perceive the level of independence of the public procurement review body (The National Appeals Settlement Council) as very or fairly good⁸⁴. The Single Market and Competitiveness Scoreboard on access to public procurement in Romania reports 45% of single bids for 2023 (EU average 29%). Out of the total investigations into potential cartel agreements initiated by the Competition Council in 2024, 75% concern public procurement procedures⁸⁵. The Court of Accounts submits that most corruption cases, alongside bid-rigging and overpricing, seem to take place mostly at local level. It pleads in favour of more training on ethics for local officials, in particular mayors⁸⁶. The number of integrity warnings issued by the electronic system to prevent conflicts of interests in public procurement continued to be stable⁸⁷. As part of the Romanian Recovery and Resilience Plan work is ongoing to digitalise the public procurement process. Electronic submission forms have been introduced and the Electronic Public

⁷⁸ Country visit Romania, Ministry of Justice; letters to Senate and Chamber of Deputies 23 January 2025, Senate letter of 5 March 2025 with annexed opinion of its Committee on Legal Affairs, Appointments, Disciplinary Matters, Immunities and Validations of 25 February 2025.

⁷⁹ Country visit Romania, Court of accounts.

⁸⁰ Ibid and 2024 Rule of Law Report, Romania, p.18-19.

⁸¹ Decision 32 of 6 December 2024.

⁸² Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024). This is 8 percentage points above the EU average.

⁸³ Court of Accounts (2025), written input p. 45 and country visit Romania, Court of Accounts.

⁸⁴ Figure 59, 2025 EU Justice Scoreboard.

⁸⁵ Input from Romania to the 2025 Rule of Law report.

⁸⁶ Country visit Romania, Court of Accounts.

⁸⁷ There were 19 integrity warnings in 2024, in comparison to 21 in 2023 and 22 in 2022. Written input from Romania for the 2024 Rule of Law Report, p. 41.

Procurement System is now interconnected with other registers⁸⁸. With the support of the EU's Technical Support Instrument, Romania has identified fraud and corruption risks in all stages of the public procurement process⁸⁹.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The National Audiovisual Council (CNA) would benefit from more human resources and a long-awaited new IT system. The CNA carried out its activities with an average number of staff of 118, for 153 approved positions⁹⁰. According to some stakeholders, even though the CNA was more reactive in 2024 in its monitoring of audiovisual media content, it does not have the resources it needs to fulfil its mission effectively⁹¹. Increased tasks included implementing the Digital Services Act by monitoring media content on social platforms, based on users' complaints, and issuing removal decisions in case of detected violations⁹². Some stakeholders also argue that the CNA's practice of applying a single sanction for multiple and repeated infringements by a broadcaster undermines the deterrent effect of the sanctions⁹³. The long-awaited⁹⁴ decision by the Government to replace the CNA's outdated⁹⁵ IT system is expected in 2025. A new draft Audiovisual Law⁹⁶ is being discussed in the relevant standing committees of the Senate. Civil society organisations question the fact that the draft law would include ordinary users of video-sharing platforms in its scope and that it would impose a licensing obligation also for audiovisual media service providers that broadcast exclusively via the Internet. On 5 March 2025, the CNA launched a public consultation on extending the scope of the Code governing audiovisual content to video-sharing platforms⁹⁷. The 2025 Media Pluralism Monitor (MPM) reports a medium-low risk (37%) for the independence and effectiveness of the media authorities⁹⁸, up from low level (32%) in 2024.

Media actors have yet to agree on self-regulation. The current Audiovisual Law encourages self and co-regulation. However, currently, there are no representative media councils or ethics codes in the Romanian media environment⁹⁹ and various initiatives failed to gather enough support among journalists. Despite some talks between journalists and media players, journalists' representatives are pessimistic about the chances of agreeing on self-regulation, arguing that the main media holdings are not willing to engage¹⁰⁰.

⁸⁸ Court of Accounts (2025), written input, p. 45-47.

⁸⁹ Information received from the Ministry of Justice in the context of the country visit to Romania. This risk mapping tool systematically identifies fraud and corruption risks within Romania's public procurement processes. It includes both general risks applicable to all stages of the procurement process and specific risks identified based on contract typologies or the actors involved.

⁹⁰ CNA (2023) annual report, p. 129.

⁹¹ Country visit Romania, civil society organisations; Reporters Without Borders and Active Watch Romania (2025), written input, p. 11

⁹² Country visit Romania, CNA and journalists' associations. One such Decision was issued on 5 March 2025.

⁹³ Reporters Without Borders and Active Watch Romania (2025), written input, p. 11.

⁹⁴ 2024 Rule of Law Report, Romania p.20.

⁹⁵ Country visit Romania, CNA.

⁹⁶ Draft audiovisual law L292/2024.

⁹⁷ Country visit Romania, CNA.

⁹⁸ 2025 Media Pluralism Monitor, country report for Romania, p. 11.

⁹⁹ Reporters Without Borders and Active Watch Romania (2025), written input, p. 12; Center for Independent Journalism: The state of Romanian media in the 2024 super-electoral year, April 2024, page 29.

¹⁰⁰ Country visit Romania, journalists' associations.

There has been no progress on the recommendation to enhance the independent governance and editorial independence of public service media¹⁰¹. There have not been any concrete developments so far to improve the framework for the effective governance and editorial independence of public service media¹⁰². The bill of June 2021 to reform the law on public broadcasting and radio companies remains without progress in the Senate¹⁰³. The Government however intends to set up an interministerial group to identify the legislation that needs to be amended to implement the European Media Freedom Act (EMFA) [TBU]¹⁰⁴. While TV continues being the main source of information for the Romanian public¹⁰⁵, audience rates of the public national TV remain insignificant (1.4%)¹⁰⁶. This contrasts with the situation of the public radio service SRR, which keeps its top position in audience rates at national level, including on news content and information on political affairs¹⁰⁷. Overall, no progress has been made to enhance the independent governance and editorial independence of public service media.

Information on media ownership beyond the audiovisual sector is still insufficient¹⁰⁸. Information on media companies' ownership can be found in the National Commercial Registry database against payment. Stakeholders report however some difficulties in searching information in the Registry¹⁰⁹, pointing that the information contained in this Registry is limited since it does not include some online news sites, often funded through opaque sources¹¹⁰. The government points to the possibility to obtain additional information from inquiring the Real Beneficial Register. An interinstitutional group, of which the CNA will be a member, will be set up to identify the legislation that needs to be amended and adopted to implement the EMFA, including on transparency of media ownership. According to the Media Pluralism Monitor, transparency of media ownership remains at high risk (72%)¹¹¹.

The financing of private media by political parties and state authorities has led to an increase of untransparent political advertising. Except for a few new independent outlets, national and local media heavily depend on state advertising and direct financial support from political parties. State advertising is often allocated in a non-transparent manner, without clear

¹⁰¹ The 2024 Rule of Law Report recommended to Romania to 'strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account the European standards on public service media.

¹⁰² 2025 Media Pluralism Monitor, country report for Romania, p. 7.

¹⁰³ Legislative proposal to amend Law no. 41/1994 of 17 June 1994, on the organisation and functioning of the Romanian Broadcasting Company and the Romanian Television Company, Pl-x. nr. 262/2021.

¹⁰⁴ Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act)

¹⁰⁵ Center for Independent Journalism: The state of Romanian media in the 2024 super-electoral year, April 2024, page 4.

¹⁰⁶ Paginademedia.ro, AUDIENȚE, 23 January 2025.

¹⁰⁷ Country visit Romania, SRR.

¹⁰⁸ 2025 Media Pluralism Monitor, Romania, p. 35.

¹⁰⁹ International Press Institute and Media and Journalism Research Centre: Media capture monitoring report: Romania, October 2024, page 24.

¹¹⁰ Reporters Without Borders and Active Watch Romania (2025), written input, p. 14

¹¹¹ 2025 Media Pluralism Monitor, Romania, p. 18.

criteria¹¹². This affects the quality and independence of their news content¹¹³, as well as Romanian society's trust in the press¹¹⁴. Following an increasing trend since 2015¹¹⁵, political parties spent around EUR 24.5 million in 2023 on media¹¹⁶, double the budget spent in 2021. A substantial part of these amounts was paid through advertising agencies to TV and online news websites, which repeatedly presented statements by politicians as journalistic content and not as paid-for advertisement¹¹⁷. This occurred also during the campaign for the elections to the European Parliament, with major political parties in Romania financing political advertising such as paid-for interviews and debates conducted by journalists in programmes with an editorial appearance¹¹⁸. The 'electoral promotion' tag was displayed only in a limited number of cases and was not always done in a clear manner. An important element surrounding the Presidential election was the use of the information space for political campaigning which escaped the scrutiny to which political advertising is normally subject. On 25 February 2025, following the cancellation of the first round of the Presidential election of November 2024, the CNA adopted a decision detailing the types of programmes in which candidates can present their political programmes, opinions and messages in the context of a Presidential election¹¹⁹. The CNA decision also prohibits the sponsoring of news and political news programmes and sets obligations for broadcasters, political parties and candidates to prevent misconduct during the election campaign.

Issues on transparency and access to information remain, pending discussions on a new Code of Administrative Procedures. The legal framework on access to documents has not been changed yet. The Government is working on a Code of Administrative Procedures consolidating norms that regulate public institutions' activities, including a law on access to public information and a transparency law. The Code will also replace the draft bill¹²⁰ intended to update the freedom of information act. The Code aims to facilitate access to information instead of access to documents, which is the main justification used by public bodies. While journalists welcome this new approach, they and civil society organisations (CSOs) are concerned about plans to include the latter in the Code's scope, subjecting them to the same obligations as public authorities in terms of access to information¹²¹. This is likely to give rise

¹¹² International Press Institute IPI and the Media and Journalism Research Centre, 2023, Media Capture Monitoring Report: Romania, page 5.

¹¹³ Center for Independent Journalism: The state of Romanian media in the 2024 super-electoral year, April 2024, pages 17 to 21.

¹¹⁴ *Ibidem*, page 19. Public trust in the press has plummeted from 80% in the 1990s to 32% in 2023.

¹¹⁵ Reporters Without Borders and Active Watch Romania (2025), written input, p. 13

¹¹⁶ Center for Independent Journalism: The state of Romanian media in the 2024 super-electoral year, April 2024, page 4.

¹¹⁷ *Ibidem*.

¹¹⁸ Active Watch (2024), 'Time is money', page 1; Liberties (2025) Rule of Law Report, page 68. Amounts spent reach EUR 9 million.

¹¹⁹ Decision no. 86 of 25 February 2025, on the rules for conducting the electoral campaign for the election of the President of Romania in 2025. This follows the emergency ordinance adopted by the government on 16 January 2025 aiming to ensure the objectivity, transparency, fairness and integrity of the electoral process. On the same day the Government also adopted an emergency ordinance which provides sanctions, including a turnover tax of up to 5%, for social media companies that fail to mark campaign advertisements.

¹²⁰ Draft Law for the transparency of information of public interest and the ease of access for citizens by amending and supplementing Law no. 544/2001 on free access to information of public interest, PL-x 529/2020.

¹²¹ The Government rejected the CSOs proposals to avoid assimilating them to public authorities when it comes to access to information.

to a high administrative burden that would hamper the work of investigative journalists and small media outlets, which are very often set up as CSOs in Romania¹²².

Threats and instances of harassment of journalists remain an issue and political pressure on editorial independence affects journalists' work. Since the publication of the 2024 Rule of Law Report, three new alerts have been recorded for Romania in the Council of Europe's Platform to Promote the Protection of Journalism and Safety of Journalists¹²³, relating to harassment and intimidation, attacks on physical safety and integrity of journalists, and other acts having chilling effects on media freedom¹²⁴. That platform registers fourteen active alerts in total¹²⁵, and the Media Freedom Rapid Response platform has recorded 28 incidents¹²⁶ since 1 June 2024. Strategic lawsuits against public participation (SLAPPs) remain an issue¹²⁷. Stakeholders estimate that over 90% of SLAPPs do not have a cross-border element and therefore the protections under the anti-SLAPP directive would need to be extended also to domestic cases and criminal proceedings, in light of the EU Recommendation on anti-SLAPPs¹²⁸. The draft Law transposing the anti-SLAPP Directive has undergone the transparency checks and public consultations have been organised. It extends the protection and the procedural guarantees contained in the Directive to domestic cases. In 2024, following protests from media and human rights organisations, the General Prosecutor's office cancelled a request by prosecutors from DIICOT asking investigative journalists to hand over information gathered for a series of articles¹²⁹. In March 2025, several media freedom organisations raised concerns about the physical surveillance and wiretapping of an investigative journalist by a local branch of the National Anticorruption Directorate (DNA)¹³⁰, which confirmed however that the surveillance measures were approved by a court¹³¹.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Some progress has been made to implement the recommendation on effective public consultations, while a number of shortcomings remain in practice¹³². The Secretariat-General of the Government organised training sessions on best practices for transparency and consultation in law making for public officials from central and local authorities¹³³. It also organised a meeting with stakeholders, including NGOs, to improve knowledge about e-consultare, a platform centralising all public consultations on draft legislation. The functionality of the portal is to be expanded in 2025¹³⁴ through a project funded by the EU

¹²² Country visit Romania, journalists and civil society organizations. Romania has not signed the Council of Europe Convention on access to official documents, Tromsø, 18.VI.2009.

¹²³ Council of Europe, Platform to promote the protection of journalism and safety of journalists, Romania.

¹²⁴ Romania has replied to all three alerts.

¹²⁵ Council of Europe, Platform to promote the protection of journalism and safety of journalists, Romania.

¹²⁶ <https://www.mfrr.eu/monitor/>

¹²⁷ Member States are required to transpose the Directive into their national law by May 2026.

¹²⁸ Liberties Rule of Law Report 2025, page 840 and petition signed by 30 NGOs on 30.11.2024 <https://apador.org/scrisoare-deschisa-impotriva-actiunilor-deintimidare-privind-libertatea-de-exprimare/>.

¹²⁹ Reporters Without Borders and Active Watch Romania, Fundatia pentru Dezvoltarea Societatii Civile (2025), written inputs, p. 16 and 13 respectively.

¹³⁰ Romania: Answers needed over surveillance of investigative journalist. Signed by International Press Institute (IPI), Committee to Protect Journalists (CPJ), European Federation of Journalists (EFJ), Free Press Unlimited (FPU), Osservatorio Balcani Caucaso Transeuropa (OBCT) and Reporters Without Borders (RSF).

¹³¹ DNA (2025), Press release following information circulated in the media, according to which an investigative journalist was wiretapped and intercepted by the DNA.

¹³² The 2024 Rule of Law Report recommended to Romania to "step up efforts to ensure effective public consultations before the adoption of legislation".

¹³³ Romanian Government (2025), written input, p. 55.

¹³⁴ Romanian Government (2025), written input, p. 56.

under Romania's Recovery and Resilience Plan. CSOs and businesses however consider that public consultation often remains a 'box-ticking' exercise, with very tight deadlines, despite legal requirements¹³⁵. CSOs also report that legislation impacting fundamental rights rarely undergoes the specific consultation required by law¹³⁶. Furthermore, CSOs¹³⁷ are increasingly worried about the wide application of an exception to the general transparency obligations in case of "emergency situations", provided for in the Government Decision on procedures for policy and law making¹³⁸. At CSO's request, the Ombudsman¹³⁹ challenged this provision before the Constitutional Court¹⁴⁰. Overall, however, some progress was made to ensure effective public consultations before the adoption of legislation.

Legislative unpredictability, the frequent use of Government Emergency Ordinances, problems with the quality of legislation and regulatory burden remain primary concerns for businesses and CSOs. According to the Romanian Foreign Investment Council Business Sentiment Index (BSI) of September 2024¹⁴¹, and to the Romanian Employers' Organisation Concordia¹⁴², legislative unpredictability remains an important concern for investors and businesses. Stakeholders also report that legislation is not always sufficiently substantiated, and that impact assessments are often missing or inadequate¹⁴³. The frequent use of GEOs, in particular in the fiscal area, is seen as adding to the unpredictability of legislation¹⁴⁴. In 2024, the Government adopted 199 ordinances (out of which 156 GEOs), an increase compared to 2023 (131 GEOs)¹⁴⁵. These GEOs covered various topics, including changes to electoral legislation or to the fiscal code, and accounted for a large part of new legislation¹⁴⁶. GEOs can be challenged before the Constitutional Court but according to stakeholders this rarely happens despite requests from CSOs¹⁴⁷.

Over half of the companies surveyed in Romania express confidence in the effectiveness of investment protection. 58% of companies are very or fairly confident that investments are protected by law and courts¹⁴⁸. As regards authorities relevant for economic operators, 49%

¹³⁵ Resource Center for Public Participation & Coalition NGOs for Citizens (2025), written input, p. 14. Country visit Romania, Concordia and Foreign Investment Council. See also European Semester, Country Report Romania, p. 46.

¹³⁶ Country visit Romania, CSOs (Expert Forum, Freedom House, FDSC, Centre for Public Innovation). FDSC (2025) written input, p. 16.

¹³⁷ Coalition NGOs for Citizen (2022), FRA (2025). Country visit Romania, CSOs (Expert Forum, Freedom House, FDSC, Centre for Public Innovation).

¹³⁸ Government Decision 1173/2022 of 21 September 2022, Chapter 1.2.

¹³⁹ Supported by NGOs through an *amicus curiae*, see 2024 Rule of Law Report, Romania, pp. 25-26.

¹⁴⁰ 2024 Rule of Law Report, Romania, p. 26. Centre for Public Innovation (2025), written input, p.17ff.

¹⁴¹ Romanian Foreign Investment Council (2025), written input. 67% of the respondents to the BSI believe the legislative environment has worsened, with 80% facing challenges related to legislative uncertainties. 64% consider the regulatory burden as a major competitive drawback. See also European Semester, Country Report Romania, pp. 46-47 and p. 60.

¹⁴² Concordia (2025), written input.

¹⁴³ Resource Center for Public Participation & Coalition NGOs for Citizens (2025), written input, p. 14.

¹⁴⁴ See e.g. GEO 156 of 30.12.2024 on some fiscal-budgetary measures in the field of public expenditure, severely criticised by businesses, notably for decreasing the revenue threshold for classification as a micro-enterprise from EUR 500 000 to EUR 250 000 in 2025, and further to EUR 100 000 in 2026. See also European Semester, Country Report Romania, p. 60.

¹⁴⁵ The Government considers that this increase could also be justified by the fact that the Parliament was less active due to the parliamentary elections of December 2024.

¹⁴⁶ Centre for Public Innovation (2025), written input.

¹⁴⁷ Country visit Romania, CSOs (Expert Forum, Freedom House, FDSC, Centre for Public Innovation).

¹⁴⁸ Figure 54, 2025 EU Justice Scoreboard. As main reasons for lack of confidence, businesses mention unpredictable, non-transparent administrative conduct, and difficulty to challenge administrative decisions in

perceive the level of independence of the national competition authority (the Competition Council) as very or fairly good¹⁴⁹. A number of judicial mechanisms are in place at the level of the High Court of Cassation and Justice to ensure the implementation of administrative court judgments, which include disciplinary actions against the responsible officials. However, these mechanisms do not include the possibility to quash administrative decisions for continued non-compliance with court's instructions, to issue binding orders to the administration to perform or refrain from administrative acts, or to award direct or consequential damages or compensation¹⁵⁰.

On 1 January 2025, Romania had 111 leading judgments of the European Court of Human Rights pending implementation, a decrease of 4 compared to the previous year¹⁵¹. At that time, Romania's rate of leading judgments from the past 10 years that had been implemented was at 40% (compared to 41% in 2024; 60% remained pending), and the average time that the judgments had been pending implementation was 6 years and 3 months (compared to 5 years and 5 months in 2024)¹⁵². The oldest leading judgment, pending implementation for close to 20 years, concerns structural deficiencies in the mechanisms set up to afford restitution of or compensation for properties nationalised during the communist period¹⁵³. As regards the respect of payment deadlines, on 31 December 2024 there were 99 cases in total awaiting confirmation of payments (compared to 176 in 2023)¹⁵⁴. On 16 June 2025, the number of leading judgments pending implementation had decreased to 101¹⁵⁵.

In December 2024, the Constitutional Court cancelled the first round of the Presidential election. In its decision of 6 December¹⁵⁶, the Romanian Constitutional Court concluded that the electoral process had been tampered with, due to multiple irregularities and violations of the electoral law, which distorted equal opportunities and the freedom to vote and affected the transparency of the campaign process. On this basis, Presidential elections were repeated in May 2025. The Venice Commission published a report on the conditions and legal standards whereby a Constitutional Court could invalidate an election *ex officio*¹⁵⁷.

A final decision is still pending regarding the accreditation of National Human Rights Institutions¹⁵⁸. In June 2024, the Government issued a proposal to support the accreditation by GANHRI¹⁵⁹ of two national institutions: the Romanian Institute for Human Rights (RIHR) and the People's Advocate¹⁶⁰. The accreditation process was however paused following

court (32%); frequent changes in legislation or concerns about quality of the law-making process (38%); difficulty to obtain a fair compensation/ to protect property when something goes wrong (32%).

¹⁴⁹ The Competition Council is an autonomous administrative body aimed at protecting and stimulating competition in order to ensure a normal competitive environment. Figure 60, 2025 EU Justice Scoreboard.

¹⁵⁰ Figure 49, 2025 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

¹⁵¹ For an explanation of the supervision process, see the [website](#) of the Council of Europe. On 12 June 2025, Romania had closed 240 cases out of 341 leading cases (70%).

¹⁵² All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2025. EIN (2025), written input, p. 7-8.

¹⁵³ Judgment of the ECtHR, 557001/00, *Strain and Others v. Romania*, pending implementation since 2005.

¹⁵⁴ Council of Europe (2025), p. 157.

¹⁵⁵ Data according to the online database of the Council of Europe (HUDOC).

¹⁵⁶ Decision 32 of 6 December 2024.

¹⁵⁷ The report followed a request from the President of the parliamentary Assembly of the Council of Europe.

¹⁵⁸ The 2024 Rule of Law Report recommended to Romania to "take forward the process for obtaining accreditation for two National Human Rights Institutions, taking into account the UN Paris Principles".

¹⁵⁹ Global Alliance of National Human Rights Institutions.

¹⁶⁰ 2024 Rule of Law Report, Romania, p. 28.

questions from GANHRI's Sub-committee on Accreditation (SCA) pertaining to the accreditation of more than one NHRI from one United Nations member state, with the same geographical scope¹⁶¹. In addition, the SCA identified non-compliance issues for both institutions, particularly regarding the involvement of state authorities¹⁶². ENNHRI¹⁶³ and UN bodies¹⁶⁴ have recommended changes to the statute of the RIHR¹⁶⁵ for it to comply with the Paris Principles¹⁶⁶, as well as more resources¹⁶⁷. The vacancy rate for expert staff is at 70%, and the budget was cut by 50% for 2025, despite the RIHR's new responsibility as Romania's Anti-SLAPP Focal Point¹⁶⁸. The RIHR also lacks the resources to move to new premises, which is necessary for security reasons¹⁶⁹. Under these conditions, there is a real risk that the RIHR ceases its functioning in the coming months. Conversely, successive amendments to the legislation on the organisation and operation of the People's Advocate led to the consolidation and development of its mandate¹⁷⁰. The People's Advocate mandate ended in June 2024, but the Parliament has not yet selected a new one and no procedure in this respect was launched. The CSOs have called for a fair and transparent process¹⁷¹. Therefore, there has been no further progress on the accreditation of NHRIs.

A Strategy for Open Government was adopted to address the increasing challenges for civil society organisations. Civil society space continues to be considered narrowed¹⁷². In April 2025, a Strategy for Open Government in Romania 2025-2030 was adopted by the government¹⁷³, in line with its obligations as OECD accession candidate¹⁷⁴, the OECD *Civic Space Review of Romania*¹⁷⁵ and a preparatory document adopted by the Secretariat General of the Government¹⁷⁶. The latter took stock of the increasing challenges for CSOs, describing the sector as precarious and struggling to access funds and premises, with higher administrative barriers than in other EU countries¹⁷⁷. Despite progress in the sector's development overall,

¹⁶¹ The GANHRI, at its meeting on 26-28 November 2024, requested the SCA, in consultation with SCA members and observers, to provide a background note on the issue of the co-existence of multiple NHRIs/ NHRIs from the same UN Member State.

¹⁶² RIHR (2025), written contribution, included in the national contribution, p. 63.

¹⁶³ 2024 Rule of Law Report, Romania, p. 29 and ENNHRI (2024), Rule of Law Report, p. 425.

¹⁶⁴ Notably the UN Committees on Economic, Social and Cultural Rights, on the Elimination of All Forms of Discrimination against Women, on Human Rights.

¹⁶⁵ Law no. 9/1991.

¹⁶⁶ The Paris Principles set out the main criteria that NHRIs are required to meet: establishment under primary law or the Constitution, a broad mandate to promote and protect human rights, formal and functional independence, pluralism, representing all aspects of society, adequate resources and financial autonomy, freedom to address any human rights issue arising, annual reporting on the national human rights situation, cooperation with national and international actors, including civil society.

¹⁶⁷ ENNHRI (2025), written contribution, p. 3 and 5-6. Country visit, Romania, RIHR.

¹⁶⁸ "Anti-SLAPP" Recommendation (EU) 2022/758.

¹⁶⁹ Country visit Romania, RIHR.

¹⁷⁰ People's Advocate (2025), written contribution, p. 62 of the national contribution.

¹⁷¹ <https://www.stareademocratiei.ro/2024/12/11/viitorul-avocat-al-poporului-trebuie-sa-fie-un-garant-real-al-protejariidrepturilor-fundamentale>. Centre of Public Innovation (2025), written contribution, p. 19. FDSC (2025) written input, p. 15.

¹⁷² Rating by CIVICUS; ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

¹⁷³ by Government Decision 358/ April 9, 2025.

¹⁷⁴ OECD, Romania.

¹⁷⁵ OECD; *Civic Space Review of Romania*, July 2023.

¹⁷⁶ Public consultation by the General Secretariat of the Government (2024), *Empowering citizens, strengthening democracy: insights on open government and civic space in Romania*.

¹⁷⁷ Referring to World Bank (2020): Individual and company donations are the main funding sources for CSOs, followed by EU and international foundations, whereas public funding plays a minor role. ENNHRI (2025), written contribution, p. 7. Civil Liberties' Union for Europe (2025).

many organisations struggle to make their voices heard in public debates and decision-making processes¹⁷⁸. The Strategy makes a number of recommendations to address these different issues, including through legislation. Meanwhile, CSOs continue to report attacks, also from the government¹⁷⁹. Environmental CSOs feel particularly targeted by SLAPP cases¹⁸⁰ and 75 of them signed an open letter to the Prime Minister, detailing what they perceive as systematic challenges to their advocacy work. CSOs criticise the fact that draft legislation, which would simplify certain procedures for them¹⁸¹, has not been debated in Parliament¹⁸². Despite broad consensus, a draft law to amend the law governing the right to peaceful assembly is stalled in the Parliament since 2021¹⁸³.

¹⁷⁸ Referring to OECD (2022). The European Coordination for Civil Society Organisations (2025), *Joint Civil Society Contribution on Civic Space to the 2025 Rule of Law Report*.

¹⁷⁹ Civil Liberties' Union for Europe (2025). The European Coordination for Civil Society Organisations (2025), *Joint Civil Society Contribution on Civic Space to the 2025 Rule of Law Report*.

¹⁸⁰ Resource Center for Public Participation & Coalition NGOs for Citizens (2025), written input, p. 17.

¹⁸¹ 2024 Rule of Law Report, Romania, p.29.

¹⁸² FDSC(2025) and Centre for Public Innovation (2025) written contributions, resp. p. 17 and p. 20.

¹⁸³ Law 60/1991. Resource Center for Public Participation & Coalition NGOs for Citizens (2025), written input, p. 17.

Annex I: List of sources in alphabetical order*

* *The list of contributions received in the context of the consultation for the 2024 Rule of Law report can be found at https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en.*

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Annex II: Country visit to Romania

The Commission services held virtual meetings in March 2025 with:

- Active Watch
- Agentia Nationala pentru Achizitii Publice (ANAP)
- ANABI
- Asociația Forumului Judecătorilor din România
- Asociația „Inițiativa pentru justiție”
- Asociația Judecătorilor pentru Apărarea Drepturilor Omului
- Asociația Magistraților din România
- Asociația Mișcarea pentru apărarea statutului procurorilor
- Asociația Procurorilor din România
- Centrul de Resurse Juridice
- Center for Public Innovation
- Civic Radauti Association
- Consiliul National al Audiovizualului
- Court of Accounts
- Expert Forum
- Freedom House
- Fundația pentru Dezvoltarea Societății Civile
- Funky Citizens
- G4Media
- High Court of Cassation and Justice (HCCJ)
- IRDO (Romanian Institute for Human Rights)
- Judicial Inspection
- Legislative Council
- Ministry of Justice
- National Bar Association (UNBR)
- National Directorate against Corruption (DNA)
- National Institute of the Magistracy
- National Integrity Agency
- National Radio (RRA)
- National TV (TVR)
- Ombudsperson
- Prosecutor General attached to the HCCJ
- Romanian Business Leaders
- Secretariat General of the Government
- Superior Council of the Magistracy
- Uniunea Nationala a Judecatorilor din Romania (UNJR)

* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International
- Araminta

- Civil Liberties Union for Europe
- Civil Society Europe
- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe
- Philea – Philanthropy Europe Association.
- Transparency International