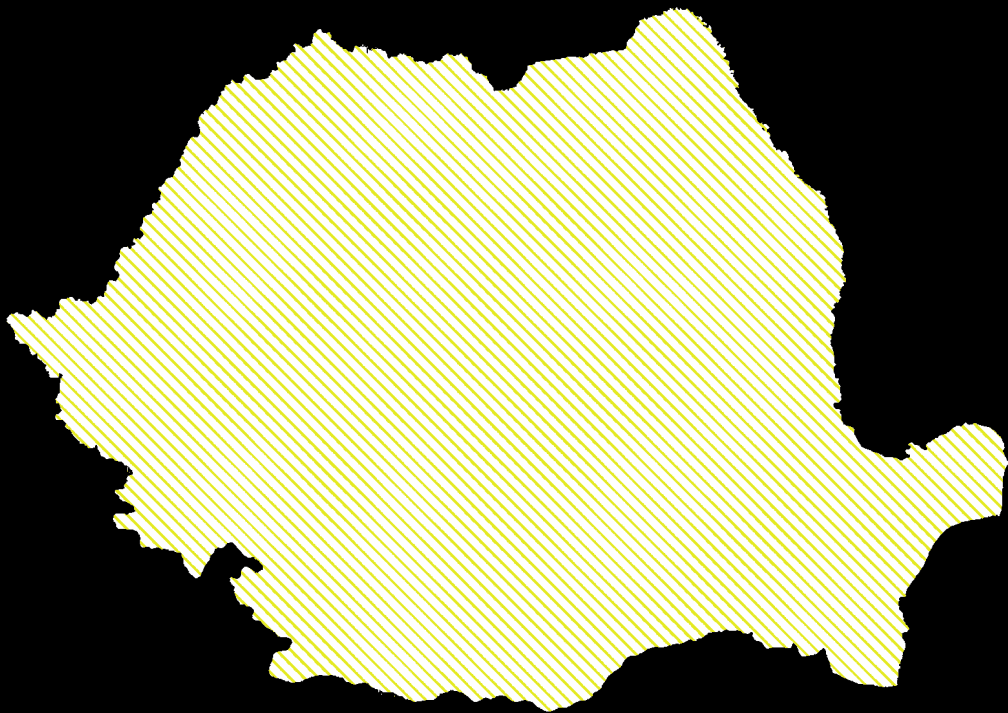
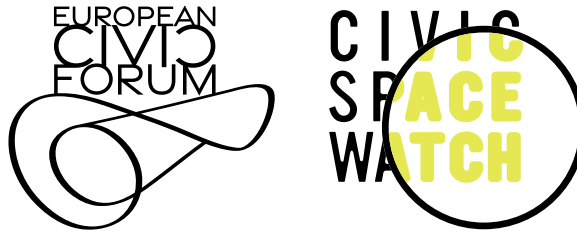


CIVIC SPACE REPORT 2025

Romania

By Civil Society Development Foundation (FDSC)





ABOUT THIS REPORT

This report was published by the European Civic Forum (ECF) in June 2025, with chapters written by its secretariat, member organisations, and partner organisations, including as part of the Net4Defenders project. Much of the content originally appeared as part of ECF's submission to the European Commission's Rule of Law consultation. Each chapter reflects the views and analysis of its respective author. For more information about the European Civic Forum, please visit www.civic-forum.eu.

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The Civil Society Development Foundation (FDSC) is an independent, non-governmental organisation set up in 1994 at the initiative of the European Commission. The FDSC promotes a strong and sustainable civil society that contributes to defending democratic values by supporting civil society actors, mobilising resources, fostering an enabling environment, and strengthening cooperation with other sectors. At the 30-year anniversary in December 2024, we counted 5,000+ CSOs assisted with funding and capacity-building support in more than 3000 projects.



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Key civic space trends

-  Vilification, smear campaigns and SLAPPs against journalists and CSOs remain an issue.
-  Increased instrumentalisation of transparency measures increase civil society's reporting and bureaucratic burden.
-  LGBTQI+ rights targeted during the election, with anti-LGBTQI+ legislative proposals initiated in the parliament.

Summary

In 2024, civic space in Romania was rated as “narrowed” by CIVICUS Monitor.¹ There is an urgent need to remove bureaucracy, effectively implement provisions on the right to participation and the freedoms of expression and peaceful assembly, and ensure adequate resources for civil society. The European Commission’s Rule of Law Report 2024 recommended that the Romanian government step up its efforts to ensure effective public consultations before the adoption of legislation. However, the government failed to implement this recommendation — structured civil dialogue in Romania did not improve in 2024, despite some isolated examples of well-conducted consultations.

2024 also saw several elections with dramatic events and outcomes, including Russian disinformation, attempts to influence the elections, and the lack of

clear electoral procedures and coherent legislation. The general societal atmosphere in Romania was characterised by increased extremism and high political polarisation, with minorities, such as LGBTQI+ people, increasingly targeted. An anti-LGBTQI+ legislative initiative submitted to parliament intends to ban any discussion about LGBTQI+ rights in public spaces and schools, in the media and at any public gathering.

Civil society organisations (CSOs) are not sufficiently resourced and have been publicly vilified as foreign agents or “Soros” agents. Smear campaigns, legal harassment, and SLAPPs against journalists and CSOs continue to harm civil society and hamper their work. Furthermore, under anti-money laundering and counter terrorism financing (AML/CT) legislation CSOs face derisking.

¹. <https://monitor.civicus.org/country/romania/>

Institutional, political, and socio-economic landscape

The year 2024 was marked by four rounds of elections in Romania: local, national, presidential, and European. One of the main challenges was the unpredictability of the electoral calendar, which was announced in haste, with no adequate public debate. Every election was governed by a separate legal framework, and the absence of coherent electoral legislation generated a lack of clarity of norms and procedures and serious challenges for the functioning of electoral bureaus. CSOs involved in monitoring electoral laws and election observation were significantly challenged. The NGO Funky Citizens reported that observers lacked access to some voting premises and that electoral officials and voters were unsure about the different rules and procedures, particularly in the case of the local and European elections, which were held at the same time.² In its election observation report following these simultaneous elections, the NGO Expert Forum warned that fast-track legislation (through emergency ordinances and numerous pieces of secondary legislation) should be avoided and that all meetings of electoral bureaus should be open to the public by law in future elections.³

The presidential and parliamentary elections in the autumn were even more challenging as they overlapped. Parliamentary elections took place in between the two rounds of the presidential election, under the same uncertainty and lack of clarity of some rules and procedures. The NGO Expert Forum highlighted the influence of increased Russian propaganda before the elections in their report.⁴ The report analysed disinformation in Romania, highlighting the influence of Kremlin-backed actors and narratives as a warning sign. Despite the alerts on the urgent need to fight structural online disinformation in Romania, no concrete measures were taken by the authorities. This resulted in dramatic and unprecedented consequences as the presidential elections were annulled in December 2024.

The presidential election campaign was particularly controversial, as it raised many doubts about campaign financing and the integrity of the public information promoted, especially via social media. In one controversial decision, the Constitutional Court barred a candidate from running for office, a move opposed by a group of NGOs.⁵

On 27 November 2024, the first round of presidential elections was held, with the two candidates that obtained the most votes qualifying for a second round of elections. However, the second round was subject to criticism and controversy due to a series of unprecedented events: On 28 November 2024, the results of the first round of the presidential elections were challenged at the Constitutional Court, which ordered a full recount of all votes.⁶ Electoral observers nominated by civil society were denied access to the vote recount by the electoral bureau, despite efforts by NGOs, including a fast-track judicial procedure, which succeeded at first but was overturned on appeal.⁷

On 28 November 2024, the Supreme Council for National Defence found that the extremist candidate violated electoral legislation and benefitted from massive exposure due to preferential treatment on the social media platform TikTok, allowing his content to overshadow that of other candidates.⁸ On 2 December 2024, the Constitutional Court confirmed the results of the first round of the presidential elections.⁹ On 4 December 2024, after the request of several CSOs to declassify and publish the reports on the presidential elections discussed in the Supreme Council for National Defence (CSAT), the reports were published by the president's office.¹⁰ The reports suggested that one of the electoral candidates benefitted from substantial support through a coordinated, complex communication campaign carried out mainly online in an untransparent manner.¹¹ On 6 December 2024, as voting in

2. <https://funky.org/raport-observare-alegeri-9-iunie-2024/>

3. <https://expertforum.ro/raport-final-observare-9-iunie/>

4. <https://expertforum.ro/en/report-elections-in-romania-and-moldova-kremlin-campaign-narratives/>

5. <https://www.stareademocratiei.ro/2024/10/08/eliminarea-arbitrara-din-competitia-electorala-a-unui-candidat-al-opozitiei-este-inacceptabila-intr-o-democratie/>

6. As explained in a press-release issued by the Romanian Constitutional Court on 28 November 2024, available at <https://www.ccr.ro/comunicat-de-presa-28-noiembrie-2024/>

7. <https://romania.europalibera.org/a/decizie-definitiva-observatorii-independenti-nu-pot-participa-la-renumararea-voturilor/33221584.html>

8. <https://www.rferl.org/a/tiktok-calin-georgescu-presidential-candidate-romania/33216735.html>; <https://www.politico.eu/article/cyberattacks-attempted-to-influence-romanian-presidential-election-national-defense-council-says/>

9. Romanian Constitutional Court Decision No 30 of December 2, 2024 on the request for annulment of the elections for the office of President of Romania of November 24, 2024, submitted by Mr. Cristian-Vasile Terheş available at <https://legislatie.just.ro/public/DetaliiDocument/292331>

10. According to a press-release issued by several NGOs on 4 December 2024, available at:

11. According to a press-release issued by the Presidency on 4 December 2024, available at <https://www.presidency.ro/ro/media/comunicate-de-presa/comunicat-de-presa1733327193>

the second round of presidential elections began for Romanian citizens abroad, the Constitutional Court annulled the results of the first round, stating that the newly disclosed CSAT reports showed that one candidate was unduly favoured and did not respect electoral legislation.¹²

Following these events, public polarisation and severe division in society grew. The Association for the Defence of Human Rights in Romania – the Helsinki Committee (APADOR-CH) summarised some of the main concerns¹³

The justice system

The justice system in Romania continues to be understaffed and overworked.¹⁴ The vacancy rate for prosecutors stood at 25% and 14% for judges as of September 2024.¹⁵ The Superior Council of Magistrates (SCM) includes two representatives of civil society, but the criteria for obtaining one of these positions do not include any specific requirements related

on the right to vote, including unjustifiably excluding a candidate, asking for a recount of the vote without substantive indications of any fraud, and then annulling the elections. The opacity of the authorities and the lack of public access to factual information were additional factors that contributed to the social tensions.

Policy-makers' focus on elections in 2024 weakened the legislative process, making it even more unpredictable and opaque. Populist measures dominated the public agenda, and planned reforms failed to materialise.

to previous experience and/or involvement in civil society. The selection procedure is initiated by the SCM, and the candidates are voted for in the senate. Under a legislative proposal currently under debate in parliament,¹⁶ these representatives would acquire the status of a magistrate.

Media

The media landscape remained under pressure, particularly during the elections. There were concerns about the financing of media outlets by political parties and the media's role in supporting specific candidates. Public interest media continued to struggle as advertising decisions were dominated by clickbait content, making it more difficult to be financially well-resourced.

The four rounds of elections increased the capture of media by political parties, which have seen their public subsidies increase 26 times in the last eight years.¹⁷ Almost 58% of the total expenses of political parties that received subsidies in 2024 was spent on media and propaganda.

The presidential elections exposed social media platforms' low standards and lack of enforcement tools to prevent unmarked political posting, verify accounts, and the spread of information through manipulative

means. According to the NGO Expert Forum, there were several instances of illegal practices, including using accounts that normally focus on apolitical content like sports, fashion, tourism, and sightseeing to promote political content, with no response from the state institutions.¹⁸ TikTok was particularly identified as knowingly allowing such practices. CSOs called on authorities to investigate any possible misuse of the platform and take action.¹⁹ At the same time, several politicians called for TikTok to be blocked, a move opposed by CSOs.²⁰ In the context of the annulment of the presidential elections, the European Commission opened formal proceedings against TikTok on election risks under the Digital Services Act.²¹

Threats to some journalists were observed shortly after the newly-elected parliament began its mandate in December 2024. Several reporters were threatened by far-right politicians and by a newly hired social media

12. https://www.ccr.ro/wp-content/uploads/2024/12/Hotarare_32_2024.pdf

13. <https://apador.org/drepturile-electorale-pot-dauna-grav-societatii/>

14. Burduja, Emaline Holland Gayk; Said, Agnes Cristiana; Guanlao, Luisita I. (2024) *Reflections on the Functional Review of the Romanian Justice Sector*, World Bank Group, available in English at: <http://documents.worldbank.org/curated/en/099556408052437462/IDU18f75663e160eb147991b847116e0f59952eb> page 14: the Romanian justice system is affected by the staffing shortages in judicial institutions, increasing workloads, growing backlogs, and declining case dispositions, persistent inefficiencies in caseload distribution among judges as well as limited availability of case processing data.

15. <https://www.news.ro/justitie/consiliul-superior-al-magistraturii-pestre-14-dintre-posturile-de-judecator-si-pestre-25-dintre-cele-de-procuror-vacante-la-finalul-lunii-septembrie-concursuri-de-admitere-la-inm-1922403626002024091321745717>

16. https://www.cdep.ro/pls/proiecte/docs/2024/pl352_cd352_24.pdf

17. <https://hotnews.ro/partidele-afacerea-cu-cea-mai-mare-crestere-din-romania-finantarea-lor-a-crescut-de-26-de-ori-in-opt-ani-si-a-ajuns-sa-costeaproape-380-de-milioane-de-lei-pe-an-ce-a-facut-recent-guvernul-1818761>

18. <https://expertforum.ro/tiktok-in-timp-de-criza-episodul-ii/>

19. According to a press-release signed by 20 NGOs from 26 November 2024 available at: <https://www.apti.ro/content/re%C8%9Beaua-tiktok-catalizator-al-opiniilor-extremiste-%C8%99i-al-nerespect%C4%83rii-regulilor-electorale>

20. According to a press-release signed by 20 NGOs from 28 November 2024 available at: <https://www.apti.ro/content/ancom-nu-blocheaza-si-nu-poate-bloca-tiktok>

21. According to a press-release issued by the European Commission on 17 December 2024 available at https://ec.europa.eu/commission/presscorner/detail/en/ip_24_6487

influencer.²² NGOs and media outlets reacted publicly, and the prosecutor general's office initiated a criminal investigation into the threats.²³

The regulatory environment for civic freedoms

Freedom of association

About 127,000 non-governmental organisations (NGOs) are registered in Romania. In 2022, NGOs counted a similar number of employees, roughly 127,000, and 21 billion lei (roughly €4.2 billion), about 1.51% of the GDP in income.²⁴ Members, employees, and volunteers of CSOs believe report that the main difficulties for organisations in implementing projects are insufficient budget (69%) and insufficient human resources (61%), followed by legal barriers (32%), excessive demands from funders (28%), fiscal and administrative difficulties (24%), difficulties in working with beneficiaries (19%), and a lack of trust from the public (17%).²⁵

The main law regulating the establishment, operations, rights, and obligations of associations and foundations is Government Ordinance no 26/2000.²⁶ A set of changes to the law initiated by the justice ministry in 2023²⁷ stalled in the Judicial Commission of the Chamber of Deputies. The draft was developed in consultation with CSOs and would bring several positive modifications to existing legislation, including simplifying bureaucracy and judicial procedures relating to the organisation of CSOs. It also includes the digitalisation

of existing procedures, including the National Register of Non-Profit Legal Entities, overseen by the justice ministry, and the unification of NGO registers. Despite efforts by CSOs to explain the necessity of adopting the draft law, it was not debated in 2024, after being rescheduled several times. There is an increasing concern that the increasing influence of the far-right in parliament will leave the draft dormant or bring new negative changes.

The adoption of the new law could also have beneficial consequences on the practices of banks. CSOs are currently facing derisking²⁸ due to excessive bureaucratic and time-consuming burdens under anti-money laundering and counter-terrorism financing (AML/CT) legislation. This practice has led to the arbitrary closure of accounts, the seizure of money, and demands for excessive documentation and data that are impossible for CSOs to provide at short notice, if at all.²⁹ Most often, CSOs are asked to provide documents on their legal status issued by the court, as the public registers on NGOs held by the justice ministry are not up-to-date, and thus the publicly available data is not reliable.

Attacks on NGOs

According to press reports, prosecutors from the Directorate for Investigating Organised Crime and Terrorism (DIICOT) have opened a criminal case against Greenpeace and other environmental organisations and activists. This came after the energy minister allegedly filed a complaint against several environmental

organisations that opposed high-risk energy projects, such as the extraction of natural gas, and accused them of working under Russian influence and against the Romanian national interest.³⁰ Several organisations accused the minister of trying to scapegoat, silence, and threaten CSOs.³¹

22. <https://www.antena3.ro/politica/sefa-partidului-lui-calin-georgescu-reactie-violenta-in-fata-jurnalistilor-in-prima-zi-in-parlament-731232.html>; <https://hotnews.ro/video-scandal-cu-diana-sosoaca-si-makaveli-pe-holurile-parlamentului-au-strigat-dupa-o-jurnalista-de-la-antena-3-voi-mai-scapati-au-spus-ei-jurnalistilor-de-la-euronews-1866257>; <https://hotnews.ro/diana-sosoaca-iesire-oribila-la-adresa-lui-mihai-gadea-si-a-familiei-sale-blestemat-sa-fii-20-de-generatii-1866400>.

23. <https://www.stareademocratiei.ro/2024/12/20/primele-masuri-ale-extremistilor-in-parlament-hartuirea-jurnalistilor-si-instigare-la-ura/>

24. https://www.fdsc.ro/wp-content/uploads/2024/06/Romania-2024_EN.pdf

25. <https://www.fdsc.ro/cum-arata-sectorul-ong-din-romania/>

26. <https://legislatie.just.ro/Public/DetaliuDocument/20740>

27. https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?cam=2&idp=21379

28. <https://learningcenter.ecnl.org/learning-package/access-financial-services-challenge-bank-derisking#derisking-explained>

29. <https://apador.org/cine-ne-apara-de-autointitulatii-procurori-fiscali-bancile/>

30. According to a press article published by G4Media on 4 October 2024, available at: <https://www.g4media.ro/surse-dosar-penal-la-diicot-dupa-o-plangere-a-ministrului-energiei-fata-de-organizatii-care-se-opun-unor-proiecte-energetice-plangerea-vizeaza-mai-multi-activisti-de-mediu-inclusiv-green-peace-upda.html>

31. According to a press-release published by several NGOs on 10 December 2024, available at: <https://www.greenpeace.org/romania/comunicat-pre-sa/10120/ministrul-energiei-sebastian-burduja-ataca-organizatiile-de-mediu-si-justitia-din-romania/>

Journalists from the not-for-profit media outlet, Agerpres, with the legal status of an association) published an article detailing the unauthorised work taking place at the Bucharest municipality's culture department. The publication prompted the head of the department to threaten both the journalists who wrote the article and the CSO with a police raid and prosecution, as well as a false claim that something illegal was bound to be found on the premises of the organisation.³²

The worrying trend of Strategic Lawsuits Against Public Participation (SLAPPs) continued in 2024, with real estate developers seeking to incapacitate CSOs by

demanding huge legal fees or even their dissolution. In one case, settled on appeal in December 2024, four NGOs challenged the planning permission for a property developed by One Properties United. The company claimed €1 million in damages for delayed works and damage to the company's reputation caused by the NGOs' legal action. Both at first instance and on appeal, it was decided that the developer had no just cause of action against the NGOs.³³ In March 2024, a real estate developer launched a new case demanding the closure of the Salvati Bucureștiul Association, which works to preserve the architecture of Romania's capital and protect green spaces.³⁴

Freedom of peaceful assembly

The legal framework for the freedom of peaceful assembly is outdated in Romania, as the law on assemblies was adopted in 1991. Despite a legislative initiative submitted by MPs in 2021 and a consensus to renew the law, no progress has been made.

In 2024, in line with increased populist tendencies, a bill was introduced to toughen criminal penalties for "serious offences against personal dignity, and disturbing public order and peace". While the proposal was rejected, the intention to restrict peaceful assembly remains on the agenda.

In January 2024, an activist was detained and subjected to a body search at the police station after publishing a Facebook post³⁵ criticising the forceful

police intervention at a transport workers protest. According to the activist, the police came to arrest her at a different address than her official residence, which raised concerns about possible illegal surveillance. Several NGOs criticised the police.³⁶

In August 2024, in Oradea, for the second year, LGBTQ+ groups were denied permission to organise a Pride event in any of the city's parks on the basis that there were other events already planned by a church.³⁷ Some civil society groups reported in 2024 that people who participated or expressed their intention to participate in Palestine solidarity protests were intimidated or pressured by police, who discouraged them from exercising their right to peaceful protest.³⁸

Freedom of expression and the right to privacy

The law on free access to public interest information (FOIA) was adopted in 2001. Several attempts have been made to change it, but no significant amendments have been adopted. It was announced in 2024 that its revision will be made in the context of the drafting of the Administrative Procedural Code.³⁹ However, the public consultation in 2024 revealed that substantial revision is still needed, which will resume in 2025.

Some revisions are necessary to correct the lack of precision regarding the types of information and documents public authorities and institutions should make available *ex officio*. There should also be an obligation to make information that would require further processing publicly available in the institution and there should be liability in case a request is not answered. Currently, public institutions gather various data they do not use (e.g. penalties applied to or collected from citizens and the geographical distribution thereof). This data is not processed internally, which

32. According to an article from Buletin de Bucuresti from 10 January 2025: <https://buletin.de/bucuresti/seful-directiei-pentru-cultura-din-capitala-dragos-frasineanu-catre-reporterul-buletin-de-bucuresti-maine-sunt-la-voi-la-usa-cu-politie-si-procuratura-nu-e-cazul-sa-ti-distruji-viata/>

33. Case 17119/3/2022 before the Bucharest Court of Appeal https://portal.just.ro/2/SitePages/Dosar.aspx?id_dosar=300000001024226&id_inst=2

34. Case no 8144/3/2024, before the Bucharest Tribunal, can be followed at https://portal.just.ro/3/SitePages/Dosar.aspx?id_dosar=300000001116991&id_inst=3

35. <https://www.stareademocratiei.ro/2024/01/15/abuz-al-politiei-perchezitie-corporala-la-sectie-pentru-o-postare-pe-facebook/>

36. According to a press-release signed by 70 civil society groups and activists on 30 January 2024, available at <https://activewatch.ro/articole/grav-atentat-la-adresa-libertatii-de-exprimare-a-unui-activist-civic-cazul-angi-serban/>

37. <https://www.facebook.com/asociatia.accept/posts/pfbid024hWaZY7EMxk5ZURcJLyEaKcn6FanWxyHXjtvKeWNd5Asht1hZkwp5DiZwBgq6l?r-did=JURcLH32cDynNoMY#>

38. According to a press-release issued by ActiveWatch on 22 May 2024, available at <https://activewatch.ro/articole/fantomele-militiei-si-securitatii-ban-tuie-politia-si-jandarmeria/>

39. <https://sgg.gov.ro/1/wp-content/uploads/2023/10/ANEXA-10.pdf>

makes monitoring and assessing the enforcement of laws or initiating new legislation difficult. Authorities often refrain from disclosing it or aggregating the results when requested, without any form of accountability, despite the FOIA law, which requires them make this information public on request.

The FOIA is extensively used by NGOs and journalists, including NGO-based media. At least two cases reported in 2024 demonstrated that there is limited enforcement of the FOIA, particularly when the other party is politically involved or holds a position of power. The Center for Public Innovation (Centrul pentru Inovare Publica) reported on the failure to execute a final court decision in 2022 that stated that one of the political parties in the ruling coalition must provide information on its expenses from public subsidies.⁴⁰ The party simply ignored the court decision and remained silent. In December 2024, a new court procedure was initiated by the NGO to request a daily penalty in case of persistent noncompliance. In the second case, the NGO-based media outlet, Recorder, revealed that the Presidential Office refused to release information on the president's travel expenses during his mandate,⁴¹ claiming it was classified information. Following the Recorder's investigation, an MP filed a lawsuit to clarify

whether the president's travel costs are exempted from the public information regime. The court ruled in favour of the plaintiff.⁴²

Other cases in 2024 show that the intimidation of journalists and abuse of power are present in Romania. In one example, the director of the National Library publicly revealed the topic of an investigation being carried out by a well-known journalist at the library, undermining her work.⁴³ Several NGOs asked for his dismissal.⁴⁴ He was charged with disclosing secret data.⁴⁵ The same journalist was a victim of a smear campaign, which the prosecution failed to investigate despite the evidence. The journalist appealed the decision, and in 2024, the court decided that the prosecution should continue. A group of NGOs supported the journalists' request and publicly asked the prosecution to be resumed.⁴⁶

Furthermore, a group of NGOs promoting independent media, press freedom, and good governance protested against the DIICOT prosecutor's decision requiring investigative journalists to reveal their sources. The decision was eventually renounced by the prosecutors as the result of public pressure.⁴⁷

Safe space

SLAPPs

In 2024, several CSOs⁴⁸ called on the justice ministry to extend the safeguards of the Anti-SLAPP Directive by ensuring that it covers national cases and criminal proceedings. A consultative working group was established within the ministry, which announced that its position on the directive will be communicated when the new government is fully operational, likely in 2025.⁴⁹

In addition to a wider protection of journalists and rights defenders in the implementation of the EU Anti-SLAPP Directive, several CSOs have asked for changes to the existing national legislation related to legal challenges, for example on the environment, urban planning, and the access to information, so that each party bears its own legal expenses. This would ensure that the parties

40. https://www.presshub.ro/ovidiu-voicu-director-executiv-al-centrului-pentru-inovare-publica-pnl-este-deasupra-legii-si-a-justitiei-357099/?fbclid=IwY2xjawhWxtleHRuA2FlbQlxMQABHiW9Cp0-RPfbzmjgCmAUVxRfNiO2XesV57gwsNtidRPLUpiTHO9DhRvKOzNd_aem_v3vuBJwuR7T0MKPOKXgiDA

41. <https://recorder.ro/din-absurdul-epocii-iohannis-sah-mat-cu-propriile-secrete/>

42. <https://hotnews.ro/un-parlamentar-usr-a-castigat-un-proces-impotriva-lui-klaus-iohannis-nu-s-a-oprit-din-calatoriile-cu-aeronave-de-lux-inchiate-din-banii-dumneavoastra-1833817>

43. As explained in a Facebook post made by journalist Emilia Sercan on 1 March 2024, available at: <https://www.facebook.com/emilia.sercan/posts/pfbid0tLAViUjFpTYbx5uEKbyxfg4KKeSKvdNizjNtR6rbkGn5ojifqmX2RzZa4arB5Xrl>

44. As explained in a press-release from 1 March 2024, available at: <https://activewatch.ro/articole/solicitam-demiterea-lui-adrian-cioroiu-din-functia-de-director-al-bibliotecii-nationale-a-romaniei/>

45. <https://hotnews.ro/adrian-cioroiu-nuculpat-in-dosarul-deschis-dupa-ce-a-dezvaluit-public-ca-emilia-sercan-analizeaza-doctoratul-lui-mircea-geoana-1819342>

46. According to a press-release issued by several organizations on 16 September 2024, available at: <https://activewatch.ro/articole/solicita%C4%83m-anchet%C4%83-independent%C4%83-%C3%AEn-cazul-emilia-%C8%99sercan/>

47. According to a press-release issued by several organizations on 18 July 2024, available at: <https://activewatch.ro/articole/diicot-continu%C4%83-h%C4%83r%C8%9Buirea-jurnal%C8%99tilor/>

48. Petition signed by 30 NGOs on 5 November 2024 available in Romanian at: <https://apador.org/scrisoare-deschisa-impotriva-actiunilor-de-intimidar-privind-libertatea-de-exprimare/>

49. <https://www.facebook.com/APADOR.CH/posts/pfbid02NTvmLXTU9WwiiQtq2oyqe6XUzM9g59YRaocKNdMx3NrVh8riGeKBVzRqmd7jYPGNI>

cannot be obliged to cover high legal costs if they lose a case.⁵⁰ However, no measures or legislative procedures were initiated by the government following this request.

However, two parliamentary initiatives are currently being discussed in the parliament which would have direct effects on the capacity of civil society to pursue public interest litigation. The first is a proposed law on CSOs' and natural persons' legal eligibility PLX 528/2024.⁵¹ Rejected by the senate, it is currently before the Chamber of Deputies. The proposal introduces a provision where a judge will determine which party bears legal costs based on whether the litigation aims to promote causes of public interest. In all cases, the courts shall ensure that CSOs or individuals do not bear disproportionate costs likely to affect their activities.

Other threats

Civil society actors are consistently portrayed negatively by some elements of the mainstream media, which have a significant reach. Online mis- and disinformation is very hard to contain, at least in the short and medium term, and civil society actors are often labelled as "Sorosists" (referring to the philanthropist George Soros) and foreign agents and accused of acting against Romania's interests. In one recent example, in a TV debate show the guests and moderator made serious allegations against the sector, accusing NGOs of being controlled by the Romanian secret services. They went on to claim that the reason that state institutions and politicians do not take action against NGOs' alleged activities under foreign control and lack of transparency was because of they fear NGOs' power and that they are "protected".⁵⁴ While the media regulating body, the National Audiovisual Council of Romania, reacted in this case, the normalisation, frequency, and intensity of these sorts of vilification campaigns and narratives result in serious challenges for civil society's capacity and resources to respond to them.

The public vilification of human rights defenders and civil society organisations is an increasing trend in Romania. For example, the former mayor of Timisoara launched a public invitation to contribute to a list of "villains" promoting a foreign agenda or for being

Civil society supported the proposal and asked that it include provisions for individuals who initiate legal actions in the public interest.⁵²

The second initiative is the law PLX 788/2023,⁵³ on removing the power of the judge(s) *ex officio* to assess the amount of legal costs claimed by each litigant. Currently, judges have the power to put a cap on the level of court expenses claimed by companies. If the draft law is adopted, it will open the door for companies to ask for as much as they like, and judges would not have the possibility to assess if the demand is proportionate and reasonable. Past cases show that the increasing costs from SLAPP cases are cited as a reason for dissolving a CSO. The law has been approved by both chambers of parliament, but the High Court of Cassation and Justice challenged it before the Constitutional Court in April 2024.

"Soros" agents.⁵⁵ Similar lists were produced and circulated on social media without a clear author but fed the polarisation and extremism in Romanian society.

Promoting and organising fascism, hate crimes, and incitement to hatred or discrimination are criminal acts in Romania. However, there is no publicly available data to assess the effectiveness of the authorities in responding to these cases. The general perception is that the prosecution of these acts is very low, although this may change due to the significant increase in deeds in 2024, particularly on social media and in the context of the elections. At the end of December 2024, the prosecutor general publicly announced⁵⁶ that several changes to the current legislation will be initiated to make it more effective, with a special focus on addressing online criminal acts inciting to violence.

In one example of intimidation, supporters of a presidential candidate launched threats against journalists who published an investigation about Russian influence in the Romanian elections. The supporters announced that they have a database of journalists' personal information and that their work was being monitored and told them to stop "while they still have the chance". The police are investigating these threats.⁵⁷

⁵⁰. <https://www.stareademocratiei.ro/2024/02/23/mai-multe-ong-uri-solicita-o-intalnire-cu-premierul-pe-tema-ruletei-rusesti-din-justitie/>

⁵¹. https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?cam=2&idp=21993

⁵². Press-release issued by APADOR-CH on 16 May 2024: <https://apador.org/o-solutie-pentru-protejarea-cetatenilor-care-dau-statul-in- judecata/>

⁵³. https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?nr=788&an=2023

⁵⁴. According to a press release from 3 December 2024 available at: <https://activewatch.ro/articole/sesizare-cna-derapaje-anti-ong-uri-la-realitatea-tv/>

⁵⁵. According to a news article from 6 January 2025 available at <https://www.g4media.ro/nicolae-robu-pnl-vrea-sa-faca-un-recensamant-al-celor-mai-importanti-sorosisti-din-romania.html>

⁵⁶. https://www.mpublic.ro/ro/content/c_19-12-2024-15-12

⁵⁷. According to a press release issued by ActiveWatch on 4 December 2024 available at: <https://activewatch.ro/articole/sus%C8%9Bin%C4%83tori-ai-candidatului-c%C4%83lin-georgescu-amenin%C8%9B%C4%83ri-mafiote-la-adresa-jurnali%C8%99tilor-snoop/>

Roma for Democracy Romania reported that their activists have received online death threats on their personal accounts from anonymous individuals. They received threats such as “Heil Hitler. Jews and Gypsies must be eliminated. And all impure races”, and “bullets in your jaw!”.⁵⁸ Criminal proceedings were initiated in these cases.

Threats and incitement to violence have been reported by LGBTQI+ people. For instance, the LGBTQI+ association MozaiQ filed a criminal complaint after online posts called for the destruction of its office, with its address made public.⁵⁹ LGBTQI+ rights have

been targeted by both politicians and in the public discourse in the context of the elections, with some introducing new legislation. A new initiative submitted to parliament in September 2024 intends to ban any discussion about LGBTQI+ rights in public spaces and schools, in the media, and at any public gathering, including protests and Pride events.⁶⁰ The same MP who initiated the law submitted a similar proposal two months later to amend several laws to limit the visibility of LGBTQI+ rights and groups in public spaces by prohibiting LGBTQI+ content “in environments accessible to minors”.⁶¹

Funding for civil society

In late 2024, a broad NGO coalition working non-profit funding received information from various sources that the government intended to remove or reduce some of the tax benefits for CSOs, despite its previous commitments to keep them. In October 2024, the coalition filed an official request for information on the plans and clarification on the provisions of the Medium-term Structural Budgetary Plan 2025-2031. A public petition in opposition to the alleged plans was launched in December 2024, garnering almost 48,000 signatures.⁶²

The wider bureaucratisation, excessive reporting, and transparency obligations on CSOs have also created obstacles to their work. The misunderstanding of the roles and responsibilities of civil society in transparency and accountability, and how they differ from those of public authorities, has the potential to restrict CSOs’ watchdog and participatory role in policymaking processes. CSOs’ excessive reporting and disclosure requirements contribute to restrictions on the freedom of association. It is expected that the upcoming European Civil Society Strategy could prevent and eliminate unjustified and disproportionate reporting and disclosure requirements imposed on civil society. The strategy could also contribute to a well-resourced civil society that is able to fulfil its role in protecting democracy, the rule of law and human rights.

Civil dialogue and the right to participation

Despite well-conducted consultation processes that ensure effective public consultation (such as the consultation process on amending the GO 26/2000 on associations and foundations), the overall level of civil dialogue in Romania deteriorated in 2024. This was the result of an abundance of Government Emergency

Ordinances (156 in 2024 compared to 131 in 2023), the lack of predictability in policymaking and the fact that draft legislation was leaked in media instead of first being substantially discussed with citizens and relevant stakeholders. An illustrative example is GEO 112/2024, which amended several laws with consistent

⁵⁸. According to a Facebook post by Roma for Democracy Romania on 5 December 2024, available at: https://www.facebook.com/story.php?story_fbid=1022959396510838&id=100063903606828&rdid=f4rIOimRXhu4OqNi

⁵⁹. According to a press article from 26 November 2024 available at: <https://www.g4media.ro/o-asociatie-care-reprezinta-minoritatile-sexuale-a-depus-plangere-penala-dupa-ce-in-mediul-online-au-apatut-mesaje-care-indeamna-la-distrugerea-sediului-asociatiei-iar-adresa-acesteia-a-fost-facuta-p.html>

⁶⁰. According to a press release issued by Mozaiq association on 19 September 2024, available at: <https://www.mozaiqlgbt.ro/2024/09/inca-o-initiativa-legislativa-anti-lgbt-in-romania/>

⁶¹. According to a press release issued by the Center for Legal Resources on 28 November 2024, available at: <https://www.crj.ro/un-nou-atac-asupra-drepturilor-fundamentale/>

⁶². The petition is available in Romanian at: https://campaniamea.declor.ro/petitions/nu-furati-craciunul-a-milioane-de-romani-1?fbclid=IwZXh0bgNhZW0CMTAAAR2nDGv4lRRVZQYvw1ltMi1pFZ5LS_JWPzkoAeSyf0Y4o9WI4OCLAU1QTW_aem_2JhCHU8ihmKsXMPNi8Aj3Q

budgetary impact. It was passed with a completely different text than was announced initially.⁶³ Despite the provision in art. 4 of the Fiscal Code, which states that any changes would enter into force six months after their publication in the Official Gazette, rushed changes have repeatedly been made, and in some cases with significant impact on economic actors. This was the case with GEO 156/2024 on fiscal measures, which was published for consultation by the finance ministry on 29 December 2024, adopted the next day and published in the Official Gazette on 31 December 2024.⁶⁴

In March, the government published a “Guide on the assessment of the impact of regulations on human rights” drafted by members of the technical secretariat of the Advisory Council for the Assessment of the Impact of Regulatory Acts (Secretariatului tehnic al Consiliului Consultativ pentru Evaluarea Impactului Actelor Normative), representatives of NGOs, and experts from the Romanian Institute for Human Rights (IRDO).⁶⁵ The guide presents the main legal instruments and types of human rights impact assessments and human rights indicators and proposes a questionnaire to access fundamental rights impacts. It is not clear to what extent the guide will be enforced or whether it will only remain a recommendation.

Civil society resilience

The dramatic political events of 2024, ending with the annulment of the presidential elections, posed serious threats to democracy, the rule of law, and human rights in Romania. The first round of the latest elections, which took place on 4 May 2025, were dominated by political disputes and a highly polarised climate. There is high dissatisfaction with the current system and the traditional political parties. The alternatives being proposed are anti-European political parties and groups that appeal to traditional values and the protection of self-determination, as well as hostility against minorities, especially women and LGBTQI+ people.

Despite the increasing fatigue and hostile environment, the CSO sector has mobilised in essential moments related to the election calendar, proving responsibility and promoting social cohesion.

The Romanian national human rights institutions were neither trusted nor considered as solid and potential allies of civil society in cases of threats to civic space. It was recently revealed that the Romanian Institute of Human Rights, an organisation nominated by the state to be the focal point on SLAPP cases, had politicians as members of its governance (General Council) who have

no expertise in SLAPPs and/or have criminal records.⁶⁶ The mandate of the Ombudsperson expired on 26 June 2024, but parliament failed to appoint a new one. Civil society asked the parliament to carry out a transparent appointment procedure to identify a new ombudsperson who is free from political affiliation, independent, qualified, and with a high moral and professional standing.⁶⁷

Civil society has successfully implemented a self-regulation mechanism initiated by five NGOs in 2020 for the selection of its representatives in various governmental bodies. The designation of civil society representatives in the Economic and Social Council was made in 2024 using the platform [Vot.ong](https://vot.ong.ro), where more than 1,000 NGOs voted for their preferred representative.⁶⁸ The government acted as an observer in the process, including participating in all meetings of the Selection Committee and thereafter acknowledged and validated the results. The system can be easily replicated for any similar selection process, such as the selection of civil society representatives in the Superior Council of Magistrates, as long as the public authority in charge of the designation agrees to acknowledge the procedure and its results.

⁶³. <https://www.stareademocratiei.ro/2024/09/30/oug112-liber-la-iresponsabilitate-fiscala/>

⁶⁴. <https://romania.europalibera.org/a/mediul-de-afaceri-luat-prin-surprindere-de-noile-taxe-la-o-zi-dupa-discutiile-de-la-guvern-deficitul-bugetar-de-9-nu-ni-se-datoreaza/33257058.html>

⁶⁵. Ghid privind evaluarea impactului reglementarilor asupra drepturilor omului-8.pdf

⁶⁶. <https://context.ro/lupii-paznici-la-oi-cine-sunt-cei-care-trebuie-sa-apere-jurnalistii-de-procese-abuzive-prietenii-baronilor-baluta-si-badalau-si-un-deputat-care-si-a-inscenat-rapirea/>

⁶⁷. <https://www.stareademocratiei.ro/2024/12/11/viitorul-avocat-al-poporului-trebuie-sa-fie-un-garant-real-al-protejarii-drepturilor-fundamentale/>

⁶⁸. <https://votong.ro/ro/blog/castigatori-ces-2024>

Recommendations

TARGETED RECOMMENDATION:

- ➔ **Publicly denounce and actively discourage public vilification, hostile discourse towards against CSOs by politicians, public figures, and authorities.**
- ➔ Introduce concrete and robust protection instruments for civic actors and journalists in the national implementation of the EU Anti-SLAPP Directive.
- ➔ Introduce self-designation mechanisms for representatives of civil society in state bodies such as the Superior Council of Magistrates and the Economic and Social Council.
- ➔ Reduce bureaucratic obstacles for civil society by, for instance, adopting the amendments to the GO 26/ 2000 law and the setup of NGO registries.
- ➔ Publicly denounce and actively discourage public vilification, hostile discourse towards CSOs by politicians, public figures, and authorities.
- ➔ Provide training and awareness raising for civil servants about civil society and its fundamental role in a democratic society.
- ➔ Execute the decisions by the European Court of Human Rights (ECtHR) and the Court of Justice of the EU (CJEU) and implement a human rights-based approach in government decisions and the work of the judicial system.
- ➔ The upcoming European Civil Society Strategy should prevent and eliminate unjustified and disproportionate reporting and disclosure requirements imposed on civil society.

CIVIC SPACE REPORT 2025



About European Civic Forum

European Civic Forum (ECF) is a pan-European network of nearly 100 associations and NGOs across 29 European countries. Founded in 2005 by our member organisations, we have spent nearly two decades working to protect civic space, enable civic participation and build civil dialogue for more equality, solidarity and democracy in Europe.

civic-forum.eu



About Civic Space Watch

CivicSpace Watch is an online platform that gathers data and reports on developments in civic space at the national and EU level and analyses national and European trends in civic space. Powered by the European Civic Forum, it collects findings through regular contact and interviews with a strong network of members and partners on the ground, as well as ongoing media and social media monitoring.

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