

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

Resource Center for Public Participation & Coalition NGOs for Citizens

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism and Freedom
- ☒ Checks and Balances
- ☒ Other

If "Other", please specify

civic space for NGOs and citizens

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

www.cere.org; www.stareademocratiei.ro

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☒ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Oana

Surname

Preda

Email Address of the organisation

oana@cere.org

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark

- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☒ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

An independent media investigation (<https://www.youtube.com/watch?v=TpUDm4ay-B8>) published in December 2025 shows that judicial independence in Romania has been severely undermined, with high-level corruption cases being systematically buried. The documentary reveals several tactics that result in acquittals on appeal or excessive delays leading to the statute of limitations. Among these tactics, the journalists, based on testimonies of magistrates, highlight the appointment and arbitrary transfer of judges, as well as frequent changes in the composition of judicial panels, pointing to an alliance between political actors and a narrow group of magistrates. Following the publication of the investigation, additional voices from within the judiciary confirmed the findings, testifying to pressure on judges to favor defendants in major corruption cases, manipulation of random case allocation, and the marginalization or removal of magistrates who resist. Although the documentary's release generated significant public unrest, clear remedial measures have yet to be announced.

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e. g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

Not only were there no legislative improvements to Romania's anti-corruption framework in 2025 (lobbying remains unregulated), but existing rules for prevention and early detection of corruption were actively weakened, as illustrated below.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

- In May 2025, the Constitutional Court of Romania has ruled that asset and interest disclosure of public officials will no longer be published, nor do they include information about spouses' and children's assets, which were previously accessible for public scrutiny. Such declarations were an essential tool for tracing unjustified wealth and potential corruption. The change significantly weaken transparency and anti-corruption oversight, as officials are now able, for example, to register assets in a spouse's name without this being publicly verifiable, making it much harder for integrity agencies and the public to detect discrepancies between declared income and real wealth. <https://www.stareademocratiei.ro/2025/05/29/aparati-integritatea-publica/>
- While lobby remains unregulated, the transparency further declined at the level of Prime Minister of Romania with his agenda no longer being published.

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Not only there's no preoccupation to ensure journalists' safety and to investigate attacks, but in at least one instance, journalists were abused by gendarmes during a public gathering. During Bucharest Pride 2025, three women journalists were detained for carrying pepper spray for their own protection: <https://pressone.ro/avem->

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

With the Administrative Procedure Code still in the making, the law 544/2001, which regulates free access to public information, requires adjustments. Practice and case law have revealed several ambiguities and issues, including:

- The scope of institutions subject to the law;
- The types of information and documents that should be proactively published;
- The extent of institutions' obligations to process data to fulfill requests;
- Compatibility with Data Protection Regulations;
- The misuse and overextension of exceptions to transparency.

A bill that would bring some improvement (PL-x no 529/2020 - https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?nr=529&an=2020) was initiated in 2020. However, five years later, it remains stalled in Parliament.

Moreover, every now and again, MPs from various political parties introduce new draft laws that would further undermine the already flawed Law 544/2001 on access to public information. One such proposal, tabled by a group of PNL MPs, sought to create a new category of "special" information that would be exempt from public disclosure, on the grounds that some citizens allegedly abuse access to information to harass institutions or use the data obtained for personal purposes. In a strikingly cynical justification, the initiators argued that such information belongs to public institutions because it is produced through the work of their employees, effectively denying the principle that public information is a public good. The bill was ultimately withdrawn following public pressure. (<https://www.stareademocratiei.ro/2025/11/19/propunerea-legislativa-pentru-modificarea-si-completarea-legii-privind-liberul-acces-la-informatiile-de-interes-public-tradeaza-dispret-profund-fata-de-cetateni-si-nesocoteste-caracterul-fundamental-a/>)

Another bill (still in parliamentary debate), proposed by UDMR (https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?nr=531&an=2025), would allow public institutions to evict from their premises any citizen who verbally requests public information while displaying a behavior that might affect the activity of the staff. This proposal introduces a vague and easily abused standard that could be used to intimidate or remove critical citizens or journalists instead of facilitating their right of access to information of public interest.

Beyond the flaws in the legal framework, state institutions or other subjects of the law frequently disregard established procedures and deny access to public information or display a general lack of transparency. For example,

- PNL refuses to inform the media about public money spent with the electoral campaign: <https://www.stareademocratiei.ro/2025/09/19/partide-deasupra-legii-lipsa-de-transparenta-totala-despre-cheltuirea-banilor-publici-si-contractele-cu-presa/>

The same party refuses to obey a court order and released public information requested by an activist: <https://ovoicu.substack.com/p/cand-partidul-e-deasupra-legii>

- A Mayor require a journalist to prove he is a journalist before the City Hall discloses the information he requested <https://www.stareademocratiei.ro/2025/02/13/abuz-primarul-de-slatina-conditioneaza-accesul->

- The Prime Minister constantly refuses to make public declarations on major events and in one instance the journalists trying to obtain such a declaration were kept aside and even physically pushed: <https://www.stareademocratiei.ro/2025/12/09/cabinetul-bolojan-opac-si-agresiv-in-relatia-cu-presa-scrisoare-deschisa-adresata-prim-ministrului-romaniei/> ; <https://www.facebook.com/reel/1547711013228270> His agenda is no longer public, and the journalists do not have access anymore at the Government Meetings (previously, they could participate during the opening sessions).

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

Impact assessment and evidence based policy-making

Poor substantiation of draft legislation is a common issue, particularly for bills initiated by Members of Parliament. Even at the government level, impact assessments for proposed legislation are often missing or are inadequately presented. Despite legal requirements, the potential impact of proposed legislation on human rights is rarely, if ever, addressed.

Public consultations and transparent participation of civil society

Law No. 52/2010, which governs transparency in decision-making processes at local and central levels, requires improvements to enhance its effectiveness. Key areas for improvement include

- Providing stronger justifications when public participation is restricted or when exceptions are raised.
- Offering clearer definitions of normative acts and exemplifications of acts that must undergo public consultation.
- Including explicit consequences for non-compliance to ensure accountability.
- Better integration of the digital technologies.

Currently, the implementation of this legislation often appears to be a mere formality. Feedback on submitted recommendations is frequently lacking, despite legal requirements for such responses. Local and public administrations can easily bypass or ignore established procedures.

In March 2022, the Government adopted an emergency ordinance to modify the Transparency Law (52/2003), introducing broader exceptions to the standard transparency procedure. The ordinance has been challenged in the Constitutional Court by the Ombudsman, at the request of civil society, but 4 years later, the Court has not yet analyzed the case. <https://www.stareademocratiei.ro/2023/10/06/amicus-curiaepentru-modificarile-aduse-legii-transparenteii/>

The Parliament refuses to debate the draft law to adopt or reject the ordinance, while public authorities use it without restraint.

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

A government-initiated draft law (PL-x nr. 763/2023), developed after extensive consultations with Civil Society Organizations, seeks to streamline regulations for Romania's non-governmental sector by addressing longstanding bureaucratic obstacles and ambiguities that impede civil society operations. Approved by the Senate in 2024, the bill currently remains stalled in the Chamber of Deputies, delaying potential improvements to the operational environment for NGOs.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

There are no protective measures for the safety of CSOs and human rights defenders.

An increased number and severity of SLAPPs have been detected in the last years, affecting specific NGOs and citizens while creating a chilling effect on civic engagement. SLAPPs are being used against activists and NGOs who can endanger corporate profits or state interests. Intimidation actions consist of claims for damages, the incurring and subsequent recovery of huge legal costs, demands for the dissolution or even requests for criminal prosecution. The former Ministry of Energy had multiple public statements to encourage companies to use SLAPP against opponents of their projects, and he orchestrated such a lawsuit by the state owned gas company. Recent examples of SLAPPs against NGOs and activists:

- <https://www.stareademocratiei.ro/2025/05/16/greenpeace-romania-tinta-intr-un-proces-slapp-orchestrat-de-ministerul-energiei/>

- <https://www.stareademocratiei.ro/2025/03/25/75-de-organizatii-ale-societatii-civile-cer-demiterea-ministrului-energiei-sebastian-burduja/>

- [https://hotnews.ro/mi-as-dori-sa-transmiti-duhoarea-asta-cititorilor-o-mana-de-localnici-din-ciulnita-se-lupta-cu-un-gigant-european-al-deseurilor-de-animale-compania-le-cere-despagubiri-de-20-milio-2145326?](https://hotnews.ro/mi-as-dori-sa-transmiti-duhoarea-asta-cititorilor-o-mana-de-localnici-din-ciulnita-se-lupta-cu-un-gigant-european-al-deseurilor-de-animale-compania-le-cere-despagubiri-de-20-milio-2145326?fbclid=IwY2xjawPcLwpleHRuA2FlbQlxMABicmlkETF0bmtLTkttVY0OFBBR1pUc3J0YwZhchBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHro71jJtmUul1Jh8-fayngucKQCqkL8EnXPdRCRcIKz7ZW04u5eSmpn0ybZVB_aem_qnivr7UhPmmKOhEmwgntpA)

- https://www.ecolegal.ro/comunicate-de-pres%C4%83emisii-de-metan-%C8%99i-intimidare-organiza%C8%9Biile-de-mediu-semnaleaz%C4%83-presiuni-abuzive-din-partea-operatorului-gropii-de-gunoi-de-la-vidra?fbclid=IwY2xjawPcLwpleHRuA2FlbQlxMABicmlkETF0bmtLTkttVY0OFBBR1pUc3J0YwZhchBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHro71jJtmUul1Jh8-fayngucKQCqkL8EnXPdRCRcIKz7ZW04u5eSmpn0ybZVB_aem_qnivr7UhPmmKOhEmwgntpA

A draft law to transpose the EU Directive Anti-SLAPP is being developed by the Ministry of Justice. The Ministry incorporated very few of the recommendations made by NGOs and journalists while the bill excludes numerous cases that exhibit SLAPP characteristics but fall outside its formal definition. This gap leaves activists, and NGOs vulnerable to strategic harassment in civil, administrative, or other proceedings not explicitly covered.

Other forms of verbal abuse proliferated, especially following the electoral cycle, with numerous politicians

engaging in “Anti-Soros” propaganda that delegitimizes CSOs and contributes to a broader hostile climate:

- <https://www.stareademocratiei.ro/2025/05/09/we-stand-in-solidarity-with-funky-citizens-and-declic/>
- <https://hotnews.ro/video-lucian-romascanu-despre-listele-de-sorosisti-distribuite-in-online-suntem-victimele-a-ceea-ce-a-inteles-domnul-soros-sa-faca-din-europa-si-din-romania-1908826>

The law governing the right to public assemblies is outdated and urgently requires reform. It contains numerous unreasonable and ambiguous restrictions, imposes disproportionate penalties, and fails to account for current technologies and trends in activism. A bill to improve this legislation, submitted to Parliament in 2021, remains stalled in the Chamber of Deputies.

Attempts to restrict public assemblies continue to occur:

- Authorities in Oradea repeatedly banned an LGBTQ+ Pride march, citing ongoing public works and prior authorizations for other events on all 11 alternative routes proposed by organizers: <https://tinyurl.com/mvxx9rpw>
- MozaiQ Association was refused the permit to organize a march on a similar pretense, without being invited to discuss the route. Only after the Association sent multiple requests for 17 other dates and routes, the request was approved.
- During Bucharest Pride, 3 women journalists were detained by gendarmes because they were carrying self-defence pepper spray. The incident highlights the disproportionate in which law enforcement intervened against peaceful participants instead of focusing on genuine risks. <https://tinyurl.com/ytfc9et7>
- In October 2025, during a commemorative vigil marking 10 years since the Colectiv nightclub fire that killed 65 people, the gendarmes fined one of the organizers for exceeding the event's scheduled end time while 25 participants still held a candlelit watch. <https://tinyurl.com/4zs3c78m>

Disproportionate responses to citizens exercising online freedom of expression also continue to emerge. For example, police agents made 3 visits to a citizen's home over a satirical Facebook post deemed insulting to Minister of Interior: <https://tinyurl.com/4e8v2khc>

In a similar disproportionate manner, during the 2025 electoral campaign, Romania's Central Electoral Bureau fell into the extreme of limiting the freedom of expression. The Bureau adopted an overly restrictive interpretation of the EU DSA, leading to abuse. Examples of such measures are collected in this statement of the Coalition NGOs for Citizens: <https://tinyurl.com/ybv8f8nc>

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

rule-of-law-network@ec.europa.eu

