

THE STATE OF DEMOCRACY IN 2025



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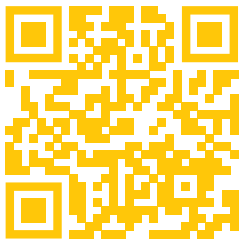
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You can download it at www.stareademocratiei.ro.

INTRODUCTION

2025 was not a good year for democracy. The rule of law and democratic institutions are going through a period of deep crisis, marked by institutional failures that followed the shock of the cancellation of the November 2024 presidential election. The State of Democracy 2025 report analyses the deterioration of democracy through the prism of the authorities' inability to ensure the security of electoral processes, the lack of transparency in the legislative process, and the systematic pressure exerted on critical voices in the public sphere.

The Integrity of the Electoral Process and Institutional Dysfunctions

The failure of the intelligence services to prevent hybrid attacks and disinformation during the cancelled 2024 elections remains an unresolved issue in 2025, in the absence of an official report explaining the vulnerabilities. Although assurances had previously been given that the institutions could thwart any attempt at interference, reality has proven otherwise. Civilian oversight of these structures is still lacking. The newly adopted National Defence Strategy completely ignores these weaknesses. The Permanent Electoral Authority (AEP) has operated under a prolonged interim leadership, and the new leadership appointed in November 2025 confirms the pattern of the institution's politicisation. Political funding remains opaque, with parties receiving subsidies of

hundreds of millions of lei, over half of which are allocated in a non-transparent manner to the '*press and propaganda*' budget line, seriously undermining the balance of political competition and editorial independence.

Transparency in Decision-Making and Access to Information of Public Interest

Access to information of public interest was targeted in 2025 by harmful legislative initiatives, such as bills proposing the creation of a vague category of '*information subject to special rules*' or the imposition of penalties on citizens deemed '*aggressive*' in their dealings with public institutions. Furthermore, attempts were reported to strictly control the information provided to the press by institutions such as the Ministry of Energy, the Ministry of Education or the Bucharest City Hall, actions which contravene the legislation on free access to information of public interest.

The legislation on open Government data remains unenforceable because the Government has refused, for more than three years, to adopt the implementing regulations.

Transparency in decision-making is undermined by the Government's practice of legislating through Emergency Ordinances (93 in 2025) and by invoking parliamentary responsibility, procedures which bypass public debate and lead to legislative errors requiring costly subsequent corrections. The Government's practice of using Emergency Ordinances and the assumption of responsibility as the rule rather than the exception

has undermined the role of Parliament. This ‘fast-track’ approach to law-making has led to the adoption of legislation with serious substantive flaws, requiring subsequent interventions to correct errors of drafting or legal logic.

Restriction of the Right to Freedom Of Assembly

Freedom of assembly was also affected in 2025 by a series of administrative barriers and disproportionate interventions by law enforcement agencies, which restricted citizens’ right to protest in public spaces. The report documents cases in which local councils repeatedly rejected protest notifications on bureaucratic pretexts or imposed restrictive perimeters that isolated protesters from their target audience. The report criticises interventions by the Gendarmerie during gatherings, where there were reports of abusive identity checks, fines or the monitoring of messages. These practices indicate a restrictive interpretation of the law on the right to freedom of assembly and a tendency to treat public gatherings more as a threat to public order than as a fundamental pillar of democratic expression. The draft law that would address these shortcomings remains stalled in Parliament.

Freedom of Expression and Pressure on Civil Society

The environment in which journalists and activists operate has become increasingly hostile, marked by physical assaults, insults from officials and smear campaigns. A case in point is that of Emilia Şercan, who was the target of an aggressive campaign of bullying and denigration following her revelations about the justice

minister’s plagiarism, whilst other investigations have brought to light the unjustified technical surveillance of journalists by the DNA.

The phenomenon of SLAPPs (strategic lawsuits against public participation) has intensified, being used to intimidate critical voices by seeking disproportionate damages. These lawsuits, brought by politicians, civil servants or companies with vast financial resources, do not necessarily aim to win the case, but rather to exhaust resources and discourage investigations in the public interest. The report mentions claims for disproportionate damages, as well as attempts to dissolve associations under bureaucratic pretexts. This form of judicial harassment is accompanied by hostile official rhetoric, in which political leaders use the public platform to discredit those who report irregularities or cases of corruption.

The Challenges of the Digital Space and Fundamental Rights

In the digital sphere, the implementation of the European Digital Services Act (DSA) has been marked by a lack of transparency on the part of national authorities, such as the NAC, which have been accused of using the fight against disinformation as a pretext for disproportionate measures to remove online content. The report highlights that social media platforms’ algorithms have continued to promote polarising messages, disregarding national legislation on electoral silence. It also notes a lack of expertise among public officials regarding the impact of Artificial Intelligence on human rights, with the risk that digitalisation may be implemented without adequate mechanisms to protect personal data and privacy.

Justice and the Rule of Law

In 2025, the justice system was characterised by fierce resistance to reform and tensions regarding the independence of the judiciary in relation to the other branches of Government. A key issue was the reform of special pensions, which was eventually adopted under public pressure and the threat of losing €231 million from the National Recovery and Resilience Plan (NRRP). It was a process marked by delays at the Constitutional Court, the blocking of court proceedings by magistrates, and a high level of hostility between the executive and the judiciary.

It was also a year of controversial judicial appointments. The report highlights a lack of transparency in the process of appointing the heads of major judicial institutions, such as the appointment of Lia Savonea as President of the High Court of Cassation and Justice (ICCJ) in a procedure lacking genuine competition, or controversial nominations to the Constitutional Court (CCR). At the same time, the trend towards undermining integrity by keeping the asset declarations of magistrates and judicial assistants confidential represents a step backwards in the monitoring of ethics within the judiciary. Public confidence in the justice system has reached an all-time low following the Recorder documentary *'Justice Captured'*, which has reignited debate on issues such as the excessive length of trials leading to the statute of limitations expiring, and suspicions regarding the failure to adhere to the random allocation of cases among panels of judges in key courts

The Right to a Healthy Environment and Public Participation

The environmental protection sector has suffered significant setbacks due to the marginalisation of environmental organisations in public consultation processes. The new Forestry Code has been criticised for provisions that facilitate the reduction of forested areas, whilst major infrastructure or logging projects have been promoted without due regard for biodiversity impact assessments. Environmental organisations, such as Greenpeace, have been forced to turn to international courts due to the exorbitant legal costs imposed at national level, which are used as a barrier to climate justice. However, the report also notes specific successes, such as the court-ordered cancellation of exemptions for neonicotinoid pesticides and the release of funds for energy communities, elements which offer a prospect of resilience in this area.

Progress and Reasons for Optimism

Despite the generally difficult context, the process of accession to the OECD and the commitments under the National Recovery and Resilience Plan (NRRP) have driven the adoption of necessary legislation, such as laws on lobbying and ethics management in public administration. Although their implementation is hampered by the lack of functional technical platforms or methodological guidelines, they represent steps towards a modern approach.

The progress made in legislation to combat gender-based violence and workplace harassment indicates a formal alignment with democratic values; however, the success of these measures depends on the political will to implement them in practice, rather than merely ticking off technical objectives.

1. THE ELECTIONS THAT DID NOT TAKE PLACE

By the end of 2024, democracy and the rule of law in Romania had suffered their most painful setback since the anti-communist revolution of 1989: the cancellation of the presidential elections. It came as a shock to the whole of society, as well as to Romania's international partners. More than a year on from that moment, we do not know exactly what happened; there is no public report, and we do not understand how we got to this point.

This section of the State of Democracy report should have outlined the steps we are taking to prevent a similar incident in the future. In the absence of such measures, we can only offer a brief overview of what did not happen.

The Intelligence Services Remain Wonderful

The annulment of the elections was a catastrophic failure on the part of the bodies responsible for safeguarding Romania's national security. As is evident from the Constitutional Court's decision to annul the elections, factors were taken into account relating, on the one hand, to the manipulation of electoral rules by certain political actors and, on the other hand, to the actions of external state actors

that could be considered part of a hybrid war. The Supreme Council for National Defence itself stated that “*there were cyber attacks aimed at influencing the fairness of the electoral process*” and that “*Romania [...] has become a priority for the hostile actions of certain state and non-state actors, in particular the Russian Federation*”.

More than a year before the elections, on 30 March 2023, General Anton Rog, director of the National Cyberint Centre, stated in a public podcast that the SRI was fully prepared for an event such as the one that occurred during the cancelled elections. Mr Rog explicitly stated that the SRI would repel any attacks, of any kind, against the electoral system in real time. Furthermore, he claimed that mechanisms were in place to stop, within an extremely short timeframe (*‘15 minutes’*), any form of disinformation that might affect the electoral process. When these threats materialised, leading subsequently to the elections being annulled, the SRI failed to act. In effect, Romania's intelligence services were completely overwhelmed by the threat to democracy. They were incapable of reacting, let alone preventing it.

A year on, they have not even been able to explain exactly what happened or pass on the information to other public authorities so that they could present these facts. We learnt about the security risks facing Romania from the intelligence services in France and Italy, through public reports and warnings. Journalistic investigations and reports from civil society think tanks have added pieces to the puzzle. We wrote about it last year too. We have heard nothing from the Romanian services. Needless to say, the general remains in the same position, heading the same institution.

Furthermore, one year on from the cancelled elections, none of the institutions responsible for the civilian oversight of the intelligence services – neither Parliament nor the Supreme Council for National Defence – have fulfilled their role of investigating what happened and informing the public about the measures taken to identify the problems and prevent a recurrence of the incident, as well as to identify those responsible for this massive failure in national defence.

When asked regularly by journalists when we will have a report on what happened, President Nicușor Dan invariably replies that it will be available “soon”. Sometimes he gives specific dates, such as “by the end of January” or “in two or three months”, which he never meets. None of these structural vulnerabilities are addressed in the draft National Defence Strategy, published by the President and approved by Parliament in November 2025, one year after the elections were cancelled. Although the document lists a long series of weaknesses in other parts of the public administration, it makes no mention whatsoever of the state of the intelligence services. Somehow, the Strategy implies that everything is wonderful with the intelligence services, that there are no vulnerabilities whatsoever in these state structures. Recent events starkly contradict this assumption. And this is not the first time.

Political Funding Remains Opaque

The second key reason cited by the Constitutional Court in its ruling to annul the elections relates to irregularities concerning the financing of the election campaign. In short, the candidate Călin

Georgescu is said to have run a strong, high-profile campaign online, yet declared zero income and zero expenditure.

It should be noted that the issue was initially raised by independent observers from the Vot Corect coalition, coordinated by Expert Forum. According to the procedures of the Permanent Electoral Authority (AEP), everything appeared to be in order. Indeed, in February 2025, the former president of the AEP, Mr Toni Greblă, said he did not understand why he had been removed from office, as he had nothing to reproach himself for. Apparently, everything would have gone perfectly, except for the small detail that the presidential elections had been cancelled.

Mr Greblă’s statements, quoted above, seem to highlight the bureaucratic nature of the problem: “*I have received documents stating that they spent 0 lei and that they received 0 lei in revenue. In this situation, what sort of verification do you want the Permanent Electoral Authority to carry out?*”. In theory, the audit of campaign funding would take place somewhat later, when the Authority has the time, and would be based mainly on the paperwork submitted by the candidates.

In general, the regulation of political funding remains a hollow formality, whilst subsidies granted to political parties remain at high levels. In 2025, political parties received total subsidies of 284 million lei. This is less than the peak reached in the 2024 election year (382 million), but it still represents a significant state expenditure. Separately, national minority organisations (which also play an important political role) received subsidies of 267

million lei. For 2026, the state budget includes subsidies at a similar level: 209 million lei for political parties and 267 million lei for national minorities.

In addition, political candidates who secure at least 3% of the vote in an election are entitled to claim back their campaign expenses, up to a ceiling of approximately 45 million lei per candidate and election campaign (with variations depending on the type of election).

We do not know exactly how political parties spend their subsidy money, apart from the breakdown into a few general categories. For example, in the case of political parties, over half of these funds are allocated to the *'press and propaganda'* budget line. With over 200 million lei spent, political parties have become the most significant advertising client in the social and political sector. As we have shown in previous editions of the *State of Democracy report*, there are strong suspicions that these sums directly influence the editorial content of the main television channels and news websites, seriously distorting political competition.

In 2025, as in previous years, the member organisations of the *"NGOs for the Citizens" Coalition* highlighted the lack of transparency in political funding in Romania. Reports published by the Council of Europe, the European Commission and the OSCE Office for Democratic Institutions and Human Rights have shown that these high levels distort political life and affect the independence of the press, the Coalition emphasised. The issue was also addressed in the European Commission's Rule of Law Report, though it received

no response from the Romanian authorities. A draft law on party funding, which could shed some light on the matter, even if it's not revolutionary, it has been stuck in the Chamber of Deputies since 2023. The parties simply refuse to put it on the agenda.

The Permanent Electoral Authority Remains Ineffective

I mentioned above that in February 2025, Parliament dismissed the president of the PEA, Mr Toni Greblă. Three months had already passed since the elections were annulled, and the decision came only as a result of public pressure, including calls from the „NGOs for the Citizens” Coalition.

Despite calls from civil society, Parliament did not immediately appoint a new leadership for the Authority. Politicians opted instead for one of the vice-presidents to serve as interim head, ignoring the fact that the entire leadership team bears responsibility for the failure of the elections. This meant that the repeat presidential elections in May 2025 were organised by the old AEP team, with no real changes.

The interim period continued long after the elections, against a backdrop of disagreement among the parties in the governing coalition over the allocation of public offices. This is a problem in itself. A position such as that of president of the body responsible for organising elections imperatively requires a combination of neutrality and high professionalism. This was also the subject of the appeal by civil society in November 2025, which called on Parliament to choose the future president of the Permanent

Electoral Authority responsibly.

Unfortunately, political horse-trading has worked as usual. Parliament appointed Mr Adrian Țuțuianu as President of the Permanent Electoral Authority following a sham selection process with a single candidate. The law states that the President and Vice-Presidents of the Permanent Electoral Authority cannot be members of a political party. Mr Țuțuianu, with a 30-year history in the PSD (County Council President, MP, Minister, Secretary of State), resigned from the party a few days before taking part in the competition and quickly became an independent.

The previous two terms as President of the AEP were also held by two politicians who became independents overnight. Mr Mitulețu-Buică left with a proven record of plagiarism (confirmed in court), court rulings against unfair dismissals and cases pending with the National Anti-Corruption Directorate (DNA), but not before destroying what little professionalism remained in the institution, which he had filled with his cronies from the Dolj branch of the PSD. Then came Mr Greblă, under whose wise leadership we reached the catastrophic outcome of the cancellation of the presidential elections in December 2024. The warnings that Mr Greblă had a past and an entourage unsuitable for this role, which demands a high level of integrity, fell on deaf ears among politicians. It probably comes as no surprise to anyone that, following his resignation, Mr Greblă appears in a book about the cancelled elections alongside a group of ‘sovereignist’ propagandists, indirectly supporting Mr Călin Georgescu.

With obstinacy, the two aforementioned leaders of the institution have refused to be transparent, both regarding the organisation of elections and with regard to the oversight of political party funding. Under their leadership, the institution has gone through the motions of any attempt to shed light, in real time, on what the parties are doing with public money. Both the parties’ reports and the audit reports are well hidden, and the AEP refuses to make them public. With these examples in mind, expectations for Mr Țuțuianu’s term in office are low.

The Halting of the Illegal Social Media Campaign Remains a Mystery

The Constitutional Court’s third major argument for annulling the elections concerned the way in which the candidate Călin Georgescu exploited social media platforms, and TikTok in particular, to manipulate voters. We must acknowledge that, on this issue, the Romanian state at least attempted to take action. It introduced some new regulations for the May 2025 presidential elections, also adopted via emergency procedure, which led to problems of a different nature (see Chapter V), and discussed institutional arrangements to prevent similar incidents, which in reality have had limited effectiveness. At the same time, three criminal cases are currently pending regarding the alleged actions of those involved. Regarding the latter, we can say no more than that we are awaiting the results of the investigation. As for the administrative measures, we will analyse them in detail in the following sections of the report. Spoiler: do not expect miracles.

The Normalisation of Violence in Politics: From Verbal Aggression to the Dehumanisation of Opponents

In recent years, the rise in aggression in Romania's public and political sphere has become a major concern, manifesting itself in a shift from the debate of ideas to personal attacks, systematic insults and the use of media platforms to amplify hate speech. The year 2025 is no exception.

Aggression in Romania's political and media landscape has reached alarming levels, marked by a severe radicalisation of discourse both online and on so-called news channels.

In 2025 and early 2026, the National Audiovisual Council (NAC) imposed severe sanctions for abusive language and incitement to hatred, particularly against certain local political figures. The main targets were Prime Minister Ilie Bolojan, the USR party and independent voices in the media and civil society.

România TV has been fined a total of over 75,000 lei for programmes broadcast in December 2025. Most of the incidents penalised by the National Audiovisual Council (NAC) involved extremely aggressive remarks directed at the Prime Minister and the USR party. In the studio of the same television station, guest Dumitru Pelican made an extremely serious outburst against the USR party, saying that its members should shoot themselves. The presenter's failure to react was penalised with a fine by the NAC. The peaceful protests in December 2025, against abuses in the justice system, were portrayed by the same channel as

a paramilitary operation that should be stopped by any means necessary. A frequent guest in the television studio, the politician Victor Ponta has made numerous inflammatory remarks against his political opponents, mainly the USR party, going so far as to compare this party to "*a cancer that must be excised*".

The Realitatea Plus television channel has also been repeatedly sanctioned for the comments made by presenter Anca Alexandrescu, who used terms such as "servants" and "traitors" and publicly called for "*handcuffs*" for her political opponents, without providing any evidence or allowing them the right of reply. The presenter described the USR as "*a sect that has taken over Romania*" (Anca Alexandrescu briefly put her career as a TV presenter on hold to stand as an independent candidate for Mayor of Bucharest in the December 2025 elections, backed by the AUR).

The NAC sanctions are just the tip of the iceberg. Dehumanising rhetoric directed at the USR (and partly at Prime Minister Bolojan) is becoming increasingly widespread. "*They are antichrists*", "*hyenas that bite people*", says Victor Ponta himself. "*Human trash*", "*miserable scum*", labels politician Crin Antonescu. "*An inexplicable genetic error*", "*festering wounds*", declares journalist Patrick André de Hillerin in a Facebook post, accompanied by a short AI-generated video in which the party's logo transforms into satanic snakes.

"*Maggots*", "*scum*", "*subhumans*", rants influencer Dana Budeanu under the approving gaze of presenter Victor Ciutacu. "*Scum*", "*cancer*", "*cult*", echoes the entire discourse of former mayoral

candidate Anca Alexandrescu in a Facebook post with hundreds of shares and comments calling for the trial, conviction, elimination and eradication... of a political party.

This rise in aggression has a direct impact on the health of democracy. In the long term, it contributes to the erosion of trust in democratic institutions, as citizens perceive politics as a ‘circus’, which leads to disengagement. Even more serious are the immediate consequences.

The dehumanisation of the opponent is a classic tactic of fascist-style movements. Through the use of pejorative labels, the opponent is no longer a dialogue partner, but an ‘enemy’ who must be eliminated. Opponents are no longer dialogue partners, but ‘enemies’ who are labelled in ways intended to exclude them from the moral community: ‘anti-Christians’, ‘sell-outs to foreign powers’, ‘Sorosists’, etc.

The next step is the normalisation of violence. Aggressive language on television and social media often translates into aggression in real life, particularly online. Comment sections become battlegrounds where death threats are commonplace. Moderate citizens or experts censor themselves and avoid getting involved in public life for fear of becoming the targets of smear campaigns.

We see this reflected in political aggression and gender-based violence, in a country where cases of femicide have become a systemic problem. Women in politics are the prime targets of attacks focusing on their physical appearance, personal lives or

origins. Clotilde Armand, former mayor of District 1, was the target of smear campaigns marked by xenophobia and crude insults. Maia Sandu, although she is the President of the Republic of Moldova, is frequently attacked in the Romanian media by ‘sovereignist’ voices using misogynistic and degrading language. The USR ministers, Diana Buzoianu and Oana Țoiu, have also become constant targets of media campaigns (often sanctioned by the NAC), using the same crude language.

Aggression and verbal abuse have become the standard language of the AUR and the ‘sovereignist’ parties. Their politicians, including the most prominent leaders, have introduced a new standard of aggression, based on physical confrontation and live social media broadcasts designed to humiliate their opponents. Their aggression is often physical, involving raids on offices or the disruption of press conferences. Terms such as “thieves”, “criminals” or “traitors to the nation” are frequently used against the entire political class. In particular, all the invective and threats directed at the USR are repeated in a huge political echo chamber.

This upward spiral of violence is nothing new in history. It is the path followed by the fascist regimes of the interwar period. History teaches us that, in the absence of concrete measures to curb the phenomenon, it is only a short step from verbal to physical violence. Romania has already gone through periods when verbal and physical violence were considered legitimate tools. We should have the wisdom not to return to that.

2. ACCESS TO PUBLIC INFORMATION AND TRANSPARENCY IN DECISION-MAKING

The legal framework governing access to public information and transparency in decision-making has not evolved during 2025. This is rather bad news, as the current legislation allows public institutions to avoid transparency whenever they wish. In 2025, we recorded several instances of abuse and bad faith.

2.1. ATTEMPTS TO RESTRICT ACCESS TO INFORMATION OF PUBLIC INTEREST

New Harmful Legislative Proposals

There are several bills on Parliament's agenda aimed at amending Law 544/2001 on free access to information of public interest. One of them, PL-x No. 529/2020, initiated by PSD and USR MPs, would resolve some of the issues with the current law: clarifications regarding requests made by electronic means, the anonymisation

of personal data, the register of communications, and penalties for non-compliance with the law. For unclear reasons, the bill has been blocked in the Chamber of Deputies' Leaders' Committee since November 2022, after appearing on the Chamber of Deputies' plenary agenda three times.

A few other bills propose minor improvements, but there have also been two legislative initiatives which the authors of this report consider dangerous.

One of these, if adopted, would introduce a category of 'information subject to special treatment', to be determined at the discretion of the heads of public institutions, based on vague criteria. Such information would be exempt from disclosure. Beyond the actual content of the draft law, the Explanatory Memorandum betrays a profound contempt for citizens and disregards the fundamental nature of the right to information. Thus, the initiators, PNL MPs, claim that legislative intervention is needed to protect public institutions from citizens who, acting in bad faith, might use the instrument of access to information of public interest to harass institutions or to use the information received for personal gain. Cynically, the proposers consider that this information belongs to the institutions, as it was obtained through the work of their employees. After civil society drew attention to the problems with the legislative proposal, a significant number of the proposers withdrew their signatures. In March 2026, the bill was rejected by the Senate and sent to the Chamber of Deputies for debate.

The second legislative proposal, which, if adopted, could lead to

serious abuses, is currently under debate in Parliament and has received a [favourable opinion](#) from the Romanian Government. This involves amending both Law 544/2001 and Law No. 61/1991 on the punishment of offences against social coexistence, public order and peace, and introduces a series of penalties and restrictions for citizens who behave aggressively or in an uncivilised manner in their dealings with public institutions, including the rejection of requests for access to information. You can read more details about the draft law in the APADOR-CH [press release](#).

Code of Administrative Procedure

Meanwhile, [the draft Administrative Procedure Code](#) – initiated by the Government in 2023 – is currently undergoing inter-ministerial consultation. Among other things, it is set to incorporate regulations concerning access to information of public interest, transparency in decision-making and the petitioning process. One of the most significant and controversial changes introduced by the draft Code is the inclusion of non-governmental organisations (ambiguously referred to as ‘*organisations acting in the public interest*’) amongst the entities to which the law applies, with obligations identical to those of state institutions. The draft was published for public consultation in accordance with the law; however, as with almost all similar consultations, the Government has taken on board only marginal aspects of the recommendations made by civil society organisations. The formalistic nature of the consultations is also indicated by the fact that the contact method specified by the General Secretariat of the Government in the public consultation notice was fax.

Although the bill is in its final stages and is due to be debated in parliament in February 2026, a POT senator has taken one of the older versions of the Code, adapted it, and submitted it as his own [legislative initiative](#) to the Senate. You can read more about the absurdity of this situation in this [article](#).

Attempts to Control Access to Information of Public Interest

Beyond the legal framework, the administration’s desire to control access to information of public interest is evident. One example is the practice that the Minister for Energy, Bogdan Ivan, sought to introduce. According to [a letter published by Hotnews](#), he requested that companies and organisations under the administration or authority of the Ministry submit in advance, for validation, any information intended for the press, European institutions or the public.

The communications that the Ministry wishes to monitor relate to:

- major investment projects, including those financed by European funds or through the National Recovery and Resilience Plan (PNRR);
- matters relating to national energy security and emergency situations;
- announcements with the potential for significant public impact;

- international strategic partnerships, such as memoranda, cooperation agreements or other arrangements with geostrategic implications in the energy sector.

Law 544/2001 on free access to information of public interest does not require responses to requests for information to be approved by a higher authority. Under the Law, every institution falling within its scope, including companies or entities managed by or subordinate to the state, must have a person or department responsible for implementing the Law. Furthermore, the Minister's request also contravenes Law 187/2013 on corporate governance, which prohibits interference in the day-to-day management of state-owned companies.

Education Minister Daniel David found himself in a situation similar to that of the Energy Minister, having censored a response drafted by the Institute of Educational Sciences to a request for information sent by the publication Edupedu.ro. The situation was reported in July 2025 by Edupedu, which had also received the uncensored response from the Institute of Educational Sciences via its sources. Edupedu pointed out that the response reworded by Minister David blatantly altered the Institute's original text. Minister David justified his intervention on the grounds that the Institute is subordinate to the Ministry of Education. The situation was heavily criticised, and the minister was accused of censorship, as a political decision-maker (the minister) had intervened in the technical response drafted by education experts, thereby depriving the public of access to independent, politically unmanipulated information.

A similar situation has been reported at Bucharest City Hall. Shortly after becoming mayor, Ciprian Ciucu issued a memo seeking to strictly control the information provided to city councillors by the institution's staff, including information of public interest.

In general, access to information at local council level is poor. Almost 10% of the municipalities from which journalists from the Dela0 platform requested information at the end of 2025, under the law on access to information of public interest, did not respond. Among these 10% were major urban centres such as Bucharest and most of the capital's districts. On the other hand, many of the municipalities that did respond failed to provide complete information, supplied scanned documents that were impossible to search, and, in a few cases, responded with handwritten documents.

2.2. TRANSPARENCY IN DECISION-MAKING: WHEN URGENCY BECOMES THE NORM, RATHER THAN THE EXCEPTION

In 2025, the Government adopted 116 ordinances (93 emergency ordinances and 23 ordinary ordinances). Many of these are so-called 'omnibus' ordinances, meaning they cover several topics in a single piece of legislation. During this time, Parliament passed 248 laws, of which about a third were for the approval of Government ordinances and another third for minor issues with no major impact. In the second half of last year, the Government

assumed responsibility for three high-impact legislative packages relating to the fiscal and institutional framework.

These two procedures – the emergency ordinance and the assumption of responsibility – are extraordinary forms of law-making. They are provided for in the Constitution for exceptional cases where legislation must be enacted swiftly, without going through the usual parliamentary procedures. As can be seen, in Romania urgency has become the rule, rather than the exception. Issues of great importance and impact are regulated through exceptional channels. The Government is thus usurping Parliament's legislative authority.

This situation is not unique to this Government, but recurs every year, regardless of who is in power. Over the past five years, between half and two-thirds of Romania's laws have been adopted by decree. Governments enjoy the advantage of a faster route without having to worry about parliamentary procedures.

A significant part of the problem, however, lies within Parliament itself. On 1 January 2025, at the start of the new term, MPs found no fewer than 2,415 draft bills in the drawers of the standing committees, at various stages of the parliamentary procedure. Of these, 510 were initiated by the Government, and the rest by MPs. The oldest date back to the year 2000, meaning they are no less than 26 years old. This is a huge legislative burden that complicates the law-making process. The Government rightly fears that if it submits a bill today, there is no telling when and how the legislative process will conclude. So

it prefers to regulate by means of ordinances.

The problem is that this overuse of emergency ordinances comes with major shortcomings. All too often, things go wrong. Emergency ordinances bypass not only parliamentary procedure but also the preparatory stages of drafting legislation. Ministries skip impact assessments and no longer hold public consultations (or do so merely as a formality). The text itself is also rushed through. Then they rush the inter-institutional approval process, under the same pretext of urgency. So they once again miss the opportunity to be told what might go wrong. This is how all sorts of errors slip through the net, from the logic of the text to the disregard of side effects. A recent example is the new tax framework, for which the Government has taken responsibility, which led to increased taxes even for vulnerable groups, such as people with disabilities. Another emergency ordinance was needed to correct the error. Local authorities first had to calculate taxes according to the new rule, and then recalculate them. All of this generates additional costs. And caught in the middle are the citizens, people with disabilities, who do not yet know how they will pay or how they will get their money back if they have already paid.

Legitimate interests are overlooked in the legislative process, and corruption may arise. Laws always affect certain economic and social actors, sometimes positively, sometimes negatively. The laborious legislative process is deliberately designed to allow all those who might be affected to voice their opinions and attempt to negotiate. When the Government shortens or

skips stages altogether, those who have no direct links to the initiating ministry are unable to defend their interests.

For example, at the end of 2025, the Government announced its intention to regulate the import of labour. Instead of a law, it opted for an emergency ordinance. There were no analyses or impact assessments, and, in the initial stage, only those within the Ministry of the Interior were consulted. Unsurprisingly, the first draft of the regulation had a high potential to lead to an oligopoly in the recruitment market, specifically benefiting firms linked to former immigration police officers. Following public pressure, a debate ensued, and some aspects were amended. However, the human rights perspective is still largely absent, as those representing it lack sufficient influence. But they might have been heard in Parliament had the Government not resorted to the emergency procedure.

Last but not least, legislation enacted by emergency ordinances is not, in fact, subject to constitutional review. In principle, it is unconstitutional to legislate via emergency ordinances by fabricating a state of urgency. There are several decisions by the Constitutional Court which have struck down ordinances precisely because the initiator failed to demonstrate a state of urgency. Only that the legislation is such that these are merely exceptions; the majority of ordinances are never actually discussed by the Constitutional Court. Unlike draft laws, only the Ombudsman can refer ordinances to the Constitutional Court. Not the opposition, nor other institutions. Furthermore, in the case of a priori review – that is, before the law is

promulgated – the procedure is expedited so as not to delay the legislative process. In all other cases, including referrals by the Ombudsman, the deadlines are much more lenient. The Ombudsman is reluctant to challenge emergency ordinances and does so rarely. And when it does happen, it takes a very long time.

The issue of poor regulation, with a particular focus on excessive ‘emergency’ legislation, is also highlighted annually in the European Commission’s Rule of Law Report. Neither the Government nor Parliament is making any effort to find solutions.

2.3. LESS TRANSPARENCY REGARDING DECLARATIONS OF ASSETS

In May 2025, the Constitutional Court of Romania ruled that the legal provisions requiring the online publication of declarations of assets and interests, as well as the disclosure of spouses’ and family members’ income, were unconstitutional, on the grounds that they infringed the right to privacy. The decision does not apply to previous declarations, but applies prospectively.

The Court ruled that the obligation to publish declarations of assets on the websites of public institutions or on the ANI portal is unconstitutional, as it infringes the right to privacy. Declarations of assets will still be submitted, but will no longer be published. The requirement to include detailed information

on the income of spouses and children has been declared unconstitutional, in order to protect the personal data of family members. This information will no longer be included in future declarations.

The Constitutional Court's decision to narrow the scope of asset declarations is a step backwards for public integrity. The immediate effect is to restrict public access – including that of journalists – to information that is essential for assessing the conduct of public officials. The National Integrity Agency has pointed out that the public interest will be affected, and that the decision contradicts previous case law. The same view has been expressed by civil society organisations, which have called for public integrity to be safeguarded.

Parliament has the opportunity to amend the law, in accordance with the Constitutional Court's ruling, so that personal data is protected without undermining its primary function of public oversight. A necessary balance between data protection and transparency can and must be found. Although all the leaders of the parliamentary political parties initially stated that they would act in this regard, almost a year after the Constitutional Court's decision, no such bill has been tabled.

The effects of the Constitutional Court's ruling will become fully apparent in June 2026, when the annual declarations of assets and interests are submitted. Unless the law is amended, the new declarations will no longer be made public.

3. FREEDOM OF EXPRESSION. MEDIA FREEDOM

3.1. ACTIVISTS ASSAULTED OR THREATENED

In recent years, monitoring activities that have an impact on the environment has become a source of risk for activists and organisations involved in environmental protection.

The President of the Greenfield Federation Threatens Journalists and Assaults Members of the Public

The president of the Greenfield Federation, Cătălin Diaconescu, has been responsible for a number of acts of intimidation against journalists and citizens/civic activists who have documented and reported on the state of the roads in Pădurea Băneasa. In the chapter “*Environmental protection: between private interests and community interests*”, we provide further details on the environmental conflict caused by the access road to the Greenfield Estate.

In early September, Alina Mihai, a journalist with G4Media, reported on her Facebook page that she had received threats of legal action from Cătălin

Diaconescu, president of the Greenfield Federation. The journalist had published several articles about the roads in Pădurea Băneasa made available to Greenfield residents by Romsilva.

In the same environmental dispute, in February 2026, Cătălin Diaconescu detained and threatened a member of the public who was filming on one of the forest tracks in Băneasa Forest – a public space where filming is permitted for any member of the public. Diaconescu told the person filming that he was not allowed to film because he was allegedly on a private road and threatened him with violence: “*You’re not allowed to film, to send it to the NGOs, to ruin us!... Say thank you that I’m not trampling you underfoot.*” The president of the Greenfield Federation also demanded to see the footage and said he would detain him on the spot until the police arrived and would only allow him to leave if he deleted the footage.

Environmental Organisation Faces Criminal Complaints From the Operator of the Vidra Landfill

Eco Sud S.A., the operator of the Vidra Integrated Waste Sorting, Mechanical-Biological Treatment and Disposal Centre (CMID Vidra), located in Sintești, Ilfov County, sent a notice in July 2025 to the environmental organisation Ecopolis, demanding, under threat of criminal complaints, that it cease photographing, filming and publishing images and data monitoring gas emissions from CMID Vidra.

On July 14, 2025 Ecopolis [announced on its Facebook page](#) that a team of the organisation had visited the Vidra landfill site to measure methane emissions, an initiative carried out in collaboration with representatives of other environmental organisations and certain authorities.

Eco Sud complained that representatives of Ecopolis had photographed and filmed a private site “*without prior notice and without the company’s consent*” at the Vidra landfill, arguing that this action had caused “*significant adverse consequences*” by infringing the company’s image rights and privacy. The company also requested that the monitoring of gas emissions from CMID and the publication of the results without the operator’s consent be ceased, that all images and data already published be deleted, and that a retraction notice be published on Ecopolis’s social media accounts.

On July 17, Ecopolis [published](#) a response letter to Eco Sud, describing the notice as abusive and characterising it as a SLAPP suit, intended to intimidate and discourage the monitoring of an activity in the public interest. The organisation emphasised that its actions concern a matter of public interest and that information relating to pollution is in the public domain, calling on Eco Sud to cease all actions aimed at “*intimidation, harassment or denigration*” of its activities. [Ecopolis’s initiative](#) was supported by several dozen other organisations.

At the time of writing this report, Eco Sud had not made any public response and had not taken any further action.

“Keep your mouth shut” at Râmnicu Vâlcea Town Hall

An activist and co-founder of the publication Zi-ne de Vâlcea [spoke](#) about her first time attending a Local Council meeting. In December 2025, Loredana Dumitrescu, an activist and co-founder of the publication Zi-ne de Vâlcea, decided to attend the Râmnicu Vâlcea Local Council meeting to express her opinion on the draft Local Council regulation proposing the merger of the ‘Ariel’ Municipal Theatre with the ‘Ion Dumitrescu’ Philharmonic. It was her first time attending a Local Council meeting. The activist published a recording revealing that, when the issue of poor management and lack of transparency was raised, the Mayor became rude and aggressive towards her: “*I’m asking you to leave! Please! Keep your mouth shut, keep your mouth shut! (...) Don’t come here and lecture me on how to run the Council.*”

3.2. ASSAULTS AND ABUSE AGAINST JOURNALISTS

The New Government’s Hostile Attitude Towards the Media

The attitude towards access to information of the new Chancellory, instated in July, has caused discontent amongst the media, particularly amongst correspondents accredited to Victoria Palace. Journalists have criticised the Prime Minister’s office for a lack of communication, citing various issues: from restricting access for photographers and cameramen to Government meetings, to the delayed or incomplete release of

the Prime Minister's daily schedule and meetings.

The most serious incident occurred in November, when a press officer shoved several journalists who were trying to ask Prime Minister Ilie Bolojan questions in the corridors of Parliament. The Chancellery launched an investigation, following which the press officer was penalised with a 5% reduction in salary for one month. At the same time, the Chancellery stated that the Prime Minister only gives statements in organised settings, a response which was interpreted as confirmation that the incident involving the press officer was the result of the Prime Minister's hostile attitude towards communication with the media.

Journalist Assaulted and Forced to Delete Footage Filmed in a Public Space

On February 6th 2026, Narcis Daju, a journalist from Gorj working for the online publication frontul.ro, was attacked whilst attempting to film a construction site.

The journalist was verbally abused, threatened, pushed and forced to delete the video footage he had recorded whilst documenting, from a public area, the construction site of a social housing complex being built by a private firm under a contract with Târgu Jiu Town Hall. The journalist managed to film the incident with another body camera he was carrying, which went unnoticed by the assailant. The assailant, Silviu Mototolea, is a representative of the construction company and was previously an executive member of the PNL.

Daju filed a complaint with the local police, but also applied to the local court for a restraining order. On 11 February 2026, Jiu Magistrates' Court issued a two-month restraining order against the perpetrator. A criminal case was opened against Mototolea for making threats, tampering with computer data and unlawful detention.

The Mayor of Constanța Insults Local Journalists

At the press conference on September 25th 2025, the mayor of Constanța, Vergil Chițac, behaved disrespectfully towards members of the media, making offensive remarks and adopting an aggressive tone.

During the event, he avoided answering several questions of public interest. When journalists pressed him for clarification, he responded with insults and accusations directed at the press, which he described as responsible for a “toxic” atmosphere. A question posed by a female journalist was labelled “stupid”, and local journalist Emil Tatu was called a “loafer” and “obsessed” in the context of a question regarding the mayor's legal residence. Mayor Chițac also told Tatu: “If you like, I'll come on your programme again and walk all over you once more”, a statement that could be interpreted as intimidating.

Attacks on Journalists Instigated by Magistrates

The Recorder documentary “*Captured Justice*”, which examined problems within Romania's justice system, was followed by an

aggressive campaign to discredit its authors, often containing inflammatory elements. The targets were the Recorder editorial team and the journalists who produced the documentary, but not only them.

The campaign was preceded by an attack on journalists by individuals targeted by the investigation. On December 10th 2025, Liana Arsenie, president of the Bucharest Court of Appeal, criticised the broadcast by the public national television of the investigative documentary produced by Recorder, claiming that it constituted “public incitement against the constitutional order”. Arsenie made the statement during a press conference organised in response to the investigation, describing the documentary as *“a highly artistic film masquerading as a documentary”* and suggesting that its broadcast constituted an *“institutionalised political attack”*. The Judges’ Section of the Superior Council of Magistracy also joined in these attacks.

Thousands of people (journalists, members of the public, experts), newsrooms and organisations have shown their support for the Recorder editorial team and conemned the attack of journalists.

Emilia Șercan, the Target of a Bullying Campaign Following Revelations Regarding the Justice Minister’s Plagiarism

In January 2026, journalist Emilia Șercan published a new investigation of a case of plagiarism involving a high official. This time, the subject was the current Minister of Justice, Radu

Marinescu (PSD), who was given the opportunity to present his side of the story prior to the article’s publication. The publication of the article was followed by a new smear campaign against the journalist, originating from both the political sphere and the mainstream media. The main drivers of this campaign were PSD politicians, the Romania TV and a number of public figures with close ties to the PSD (journalists, analysts, influencers).

Shortly after the publication of the journalistic investigation into the justice minister’s plagiarism, the PSD issued a press release expressing its support for him and describing the plagiarism allegation as a *“despicable ploy”* and a *“political attack”*, insinuating that the publication of the report was linked to the process of appointing new heads of public prosecutor’s offices. In its statement, the PSD also accused Șercan of being an *“impostor”* who had plagiarised her undergraduate thesis.

The same messages were taken up and amplified by public figures close to the PSD, turning into a veritable smear campaign against the journalist. An avalanche of insults, harassment, hate speech, including explicit threats of violence and death against the journalist, was circulated in the mainstream media and on social media.

On the 15th of January 2026, a highly defamatory and violent video, containing insults and false accusations against the investigative journalist Emilia Șercan, was posted on the social media platform TikTok. The video was shared by Cristian Rizea,

a former politician and former member of the Social Democratic Party (PSD), who was convicted in 2019 of influence peddling, money laundering and related offences, and released on parole from prison in July 2025. Şercan has reported the TikTok video to the National Audiovisual Council and announced his intention to take legal action against Rizea for defamation.

Şercan pointed out that Rizea had also been involved in the 2022 smear campaign against her, during which private materials and evidence leaked from within the Romanian police were made public in an attempt to discredit her. The authorities' failure to fully investigate and punish those responsible for the 2022 case allowed the attacks to resume and fuelled a sense of impunity. The journalist also reported that the criminal proceedings relating to the 2022 smear campaign – closed in 2023, reopened in 2024 by the higher courts and currently under the jurisdiction of the General Prosecutor's Office – had shown no visible progress in the investigations since May 2025. She added that, despite submitting several official requests, she had been denied access to this criminal case file, which had prevented her from effectively defending her rights.

The bullying incident targeting Emilia Şercan in January 2026 drew the attention of national and international organisations defending journalists' rights, including the OSCE Representative on Freedom of the Media, who called on Romanian officials to refrain from behaviour that could incite hostility towards the media.

Threats, Attacks and Smear Campaigns by Far-right Parties against Journalists and Activists

The series of attacks on journalists, launched after the 2024 elections by politicians and supporters of far-right parties, continued in the period that followed. The leaders of the Alliance for the Union of Romanians (AUR) and the Young People's Party (POT) were among the main perpetrators and instigators of these excesses, and their rhetoric clearly contributed to fostering a hostile attitude towards the press among their supporters. This hostility manifested itself in a wide range of aggressive behaviours, ranging from insults, threats, harassment and intimidation online, to incidents of physical aggression at public events.

On May 5, 2025 the President of the POT party, MP Anamaria Gavrilă, threatened journalists accredited to Parliament who were asking her questions, telling them that they were an endangered species and that she could not wait to see them “gone”.

On May 13, 2025 during the campaign for the May presidential elections, AUR candidate George Simion secretly recorded and published a conversation he had with representatives of Digi24 regarding his participation in the debate organised by the channel between the two presidential candidates. The video footage shows Simion displaying an arrogant, intimidating attitude, with the aim of discrediting and humiliating the journalists labelled by the AUR leader as “*the system's media*”.

This occurred shortly after a controversial post on his personal blog, in which the candidate used aggressive and derogatory language against the publications G4Media and HotNews.

During the electoral campaign, on May 7th 2025, George Simion also made threats against two non-governmental organisations – Funky Citizens and Declic – during a programme broadcast by the news channel Realitatea Plus. He claimed that the organisations in question were part of an “agency that can’t stop meddling in our affairs” and stated that “they will have to answer for this”. The statements sparked a widespread outpouring of solidarity within civil society: over 100 organisations and civic groups publicly condemned the attacks, noting that they form part of a broader wave of pressure being exerted on those who uphold democratic values, pluralism and diversity.

AUR First Vice-President Marius Lulea compared the press to an “organised crime network” during a Hotnews podcast broadcast on May 15th 2025. The politician made the remarks during the presidential election campaign, referring to alleged links between certain sections of the press and those in power:

“When there is an organised network working against freedom of information and working to defend a clique that has taken over the Romanian state, this is called organised crime.”

All these insinuations, incitements and acts of intimidation from certain political leaders have a tangible impact on the safety of journalists and civic activists:

- PressOne journalists Răzvan Filip and Renata Mogîldea received death threats following the publication of investigations into neo-Nazi organisations: “*Felipe Răzvan and Renata Mogildea will be killed. Then your entire organisation will follow, along with Don Lothrop and Mihnea Măruță. You can’t do anything to me. My father is influential, I’ve got backing; you will die at our hands.*”
- Răzvan Filip had received another death threat a few weeks earlier when, whilst researching the story, he contacted one of the subjects of the investigation to ask for their perspective.
- Hotnews reported in May 2025 that the editorial team had received online threats after being the target of offensive and inflammatory remarks made by the leader of the far-right AUR party, George Simion.
- Radu Hossu, a civic activist known for his reporting and initiatives regarding the war in Ukraine, has filed a complaint with the police against a person who allegedly stalked his wife and advised him to commit suicide for the “good of his family”. Hossu stated in a Facebook post that he had received over 3,000 direct or veiled threats against himself and his family since the war began in February 2022. His wife, Flavia Boghiu, a former Deputy Mayor of Braşov, was also the target of threats. Furthermore, the couple have been repeatedly attacked on the news channels România TV and Realitatea TV, where Radu Hossu was

labelled a “terrorist” and a “mercenary” – claims for which the stations were sanctioned by the National Audiovisual Council.

- The targets of the attacks were not only journalists and media organisations, but also non-governmental organisations and civic activists. The ACCEPT Association reported that an unidentified individual attempted to gain entry to its offices on 6th of May 2025 at 5.00 am by banging on the intercom.

Political and Media Stigmatisation of Civil Society

In turn, some sections of the media have echoed the hostile and stigmatising rhetoric of certain political figures directed at non-governmental organisations, independent journalism and civic activists, thereby contributing significantly to its dissemination and legitimisation. The main vehicles for these stigmatisation campaigns were news channels controlled by individuals with criminal records (Realitatea Plus and România TV), as well as various online publications, commentators and influencers.

The broadcast of the documentary produced by Recorder, Captured Justice, sparked a wave of protests organised by citizens, associations and civic initiatives in various cities across the country, to show solidarity with the judges who have highlighted serious problems within the justice system and to demand the resignation of Lia Savonea, President of the High Court of Cassation and Justice.

The television channel România TV portrayed these protests as an attempted coup. In their on-the-ground reports, as well as in the text captions, the channel’s reporters and presenters broadcast alarmist messages, devoid of any factual basis, which were intended to discredit the protesters and to heighten a sense of panic among the public. Here are some of the messages broadcast by the news channel:

“A paramilitary-style operation. They want to stage a coup” / “They are about to set off on a march. They want to stage a coup against the justice system, ladies and gentlemen. They want to seize control of the justice system right now because they fear for their people”.

On December 16, 2025, the same news channel, România TV, also broadcast a report on the so-called ‘Soros network’, which was alleged to have ‘taken over the country’ following the 1989 revolution, through a “myriad of NGOs”, claiming that the ultimate aim of this network was to “dismantle Romanian society in order to incorporate it into the grand project of building the New Global Order”. Furthermore, the documentary promoted the idea that people from within these organisations had “come to occupy important posts in key institutions of the Romanian state with access to resources and, above all, to first-hand information”.

In February 2026, the National Audiovisual Council fined România TV 100,000 lei. A few days after the Recorder documentary was broadcast, an advertisement appeared on a street billboard suggesting an alleged agreement between

the Recorder editorial team and a judge (Raluca Moroşanu) to stage her intervention during the press conference organised by magistrates in response to the broadcast of the documentary, without any evidence to support this. During the aforementioned press conference, Raluca Moroşanu had confirmed the facts reported in the Recorder documentary, in contrast to her fellow magistrates present at the press conference. The following message appeared on a billboard in Bucharest:

“A staged scene during the Bucharest Court of Appeal’s press conference. The publication Recorder had made arrangements with Judge Raluca Moroşanu and filmed her before interrupting the press conference.”

According to an article published by [Hotnews.ro](#), the message on the billboard quoted the headline of an article published by [Gândul.info](#), in which footage broadcast by Recorder from that press conference was portrayed as a staged event. [Gândul.info](#) is part of the group of media entities owned by businessman Radu Budeanu, alongside Cancan, G4Media and the Mediafax news agency. Budeanu was [sentenced in 2020](#) to a two-year suspended prison term in a corruption case, in which he admitted to brokering a bribe of \$5 million (the decision is not final).

Journalists Targeted by DNA Surveillance Warrants

In March 2025, [information was made public](#) regarding the issuance and implementation, by the National Anti-Corruption Directorate (DNA) in Iaşi, of several technical surveillance warrants

targeting journalists, dating back to 2018. The revelations showed that, in 2023, journalist Victor Ilie was subjected to surveillance for several days and had his telephone communications intercepted for a period of two months, even after the authorities were certain that he was a journalist. These measures also affected journalist Luiza Vasiliu, Victor Ilie’s partner, and the Rise Project editorial team. Similar situations involved other journalists from the publication 7 Iaşi, with the cases subsequently being closed. In the case of the journalists in Iaşi, the surveillance warrants were issued in response to complaints made by individuals targeted by journalistic investigations. The cases raise concerns regarding the proportionality and necessity of these measures, as well as their compatibility with standards on the protection of journalistic sources and press freedom, as guaranteed by national legislation, the case law of the European Court of Human Rights and Regulation (EU) 2024/1083 on media freedom (EMFA).

Several national and international organisations dedicated to the protection of journalists have [called for an urgent review](#) of how these measures were ordered and authorised, as well as clarification regarding the criteria of necessity and proportionality applied by prosecutors and judges. The need to draw up guidelines for magistrates in cases involving journalists was highlighted, with a view to preventing potential abuses and ensuring compliance with European standards on freedom of expression.

The Judicial Inspection Authority examined the complaints lodged in connection with the cases and decided to close them, concluding that no evidence of disciplinary offences had been found.

Protection of Journalistic Sources, Breached by a Search and Seizure Warrant

In December 2024, the criminal investigation authorities asked photojournalist Andrei Pungovschi to hand over the photographs he had taken at a neo-fascist commemoration. His photographs had previously been published in the press. Furthermore, police and gendarmerie officers were present at the commemoration, who usually take photographs and record video. The photojournalist refused the requests from the criminal investigation authorities, stating that journalists should not do the work of the authorities. Subsequently, on the 14th of May 2025, three police officers visited him with a search warrant and, to avoid having all his equipment seized, Pungovschi decided to hand over the requested photographs. The situation was strongly criticised by organisations defending journalists' rights and by several media platforms.

Government Spokesperson Appointed to the Board of Directors of the Public Radio Broadcaster

The appointment of the new boards of directors for public radio and television services has drawn criticism from media organisations and civil society, following the Government's decision to nominate former journalist Ioana Ene Dogioiu, currently the Government's spokesperson, as a representative on the SRR Board of Directors.

The regulatory framework governing the operation of public media services does not permit members of the Government to sit on the boards of TVR and SRR. Although the role of spokesperson is not explicitly listed among the incompatibilities, the signatory organisations have expressed the view that this appointment raises serious concerns regarding possible Government interference in SRR's activities.

The organisations emphasised that such a role could give rise to conflicts of interest and undermine perceptions of institutional independence, as holding both positions simultaneously could fuel suspicions of political influence.

4. CITIZENS' RIGHT TO ORGANISE AND PARTICIPATE IN PUBLIC ASSEMBLIES

Improvements to the Law on the Organisation and Conduct of Public Assemblies are being delayed, despite the fact that a [draft law](#) that would resolve the main issues with the current legislation has been before the Romanian Parliament since 2020.

We highlight the main issues with the current legal framework, which stems from a law adopted in 1991 against the backdrop of the miners' riots of that period:

- The law fails to take into account the fact that today citizens can organise themselves in a decentralised manner, using new technologies, and that there is not always a known organiser. Under the law, any public gathering must have an organiser who assumes the obligation to give notice and all other obligations imposed by law.
- It grants local public authorities almost discretionary power to approve or refuse any public gathering. Scheduled

public works, other events, or the proximity to a metro station or a hospital are all grounds for banning a public gathering. There are cases of local councils that exercise this power on a regular basis.

- It makes it too easy to use force to stop a public gathering.
- It shifts many of the responsibilities that should lie with the institutions tasked with maintaining public order and peace, on the one hand, and ensuring respect for the right of assembly, on the other, onto the organisers.
- The law is drafted more to restrict public gatherings in the name of public order than to implement a right enshrined in the Constitution.

Whilst parliament refuses to debate amendments to the law, throughout 2025 we have identified several attempts by the authorities to restrict certain public gatherings, as well as instances of abuse by law enforcement agencies. Most of these occurred in the context of demonstrations for the rights of the LGBTQ+ community, but not exclusively:

- 2025 marked the third consecutive year in which Oradea City Council banned public events in support of LGBT rights. According to reports [in the media](#) and from the organisations involved, the local authorities banned the Oradea Pride march, which had been scheduled for July 26th 2025.

The authorities' refusal was justified on the grounds of public works and other events scheduled for that day, even though the organisers – [ARK Oradea](#) – had proposed 11 alternative routes for the march. ARK Oradea describes the correspondence with the City Council [here](#).

Following the initial refusal, a new application was submitted for a different route (the 12th attempt) and this was rejected, this time without any explanation. Considering the ban to be unjustified, the organisers decided to exercise their fundamental right to freedom of assembly and, on 26

In July, they went ahead and organised Oradea Pride. According to the organisation's account, the march was blocked by the gendarmerie and redirected onto roads under construction. When some participants wanted to leave the march (including to buy water), the gendarmes did not allow them to do so, and fines were subsequently imposed for "*refusing to leave an undeclared public gathering*". ARK Oradea has lodged an application with the European Court of Human Rights. The organisers have also challenged the penalties imposed. At the time of writing, the courts had not yet ruled on the matter.

- Bucharest is not far off either. In October 2025, the MozaiQ Association's application for authorisation of the "*Our Tradition is Love*" march was rejected on the grounds that another public gathering had already been authorised at one of the points along the announced route. The letter

sent to the organisation also states that the police will be informed to take legal action should this prove necessary. The association was notified of the decision without its representatives being invited to the meeting of the Commission for the Authorisation of Public Gatherings to discuss the route. The march was authorised only after MozaiQ submitted a further 17 applications for authorisation for different dates and routes.

- "*We've got four girls in the car, what shall we do with them? Shall we take them to the seaside?*" Also in Bucharest, during Bucharest Pride 2025, four women, one of whom was a journalist with PressOne, were detained by the gendarmerie and taken to the police station because they were found to be carrying self-defence sprays. The journalist [explained why she was carrying the spray](#): she had previously received death threats from a neo-Nazi group following an investigation she had been working on, and the advice to carry it for self-defence had come from a police officer handling her case. The gendarmes' [disproportionate reaction](#) was not enough. On top of that, there were sexist jokes on the way to the police station.
- Filia Centre, an organisation that traditionally organises public gatherings for women's rights, has reported that 2025 was the first year in which, both in the case of protests following femicides and in the case of the eleventh edition of the '*Together for Women's Safety*' march, the messages written on placards or banners were individually checked

by representatives of the Romanian Gendarmerie at the entrance to the area secured for the demonstration. Organisers were asked whether they agreed with people carrying messages of solidarity with women in Gaza. The same applied to messages deemed to be in breach of public decency, such as a placard reading “F*ck patriarchy”. In previous years, such detailed scrutiny did not take place.

- Another example of a disproportionate response by the police was reported in October, during the march commemorating the 10th anniversary of the Colectiv tragedy. Marian Rădună, one of the march organisers, was fined 3,000 lei by the Gendarmerie for “*exceeding the permitted duration of the commemoration*”. The fine was imposed because after 11.00 pm – the time at which the event was supposed to end – there were still 25 people in the square in front of the former Colectiv Club, holding a vigil with candles. The organiser explained that the march had ended before 11.00 pm, in accordance with the protocol. Subsequently, some of the participants remained in the area around the Colectiv Club for a moment of remembrance, which, according to the law, does not require notification. These explanations were not sufficient for the gendarmes. Furthermore, footage released to the public shows that the participants were not chanting and did not pose a threat to public order and peace.

Subsequently, the head of the Romanian Gendarmerie stated that “*urgent checks have been ordered into how the*

administrative penalty was imposed, and an assessment will be made as to whether the measure was proportionate, justified and in accordance with both the letter and the spirit of the law”. The results of this investigation (provided to the authors of this report in response to our request for information of public interest) confirm that the measure taken was not proportionate “*to the degree of social danger posed by the offence committed*”. It is also stated that “*the investigating officer did not fully understand the spirit of the applicable law and the particularities of the context*”.

These examples confirm the need to amend the legislation I mentioned at the start of this section and reveal a hostile attitude on the part of state institutions towards civic expression through public gatherings and peaceful protests.

5. DIGITAL RIGHTS

5.1. DSA - BLESSING OR CURSE?

The Digital Services Act (DSA), which came into force in 2024, sets out a framework of rules requiring large platforms (VLOPs) with over 45 million users within the EU to take action regarding illegal content and systemic risks. At the heart of the DSA's application is the citizen, who, for the first time within the EU, acquires new rights, including the ability to challenge any restriction on the online visibility of content they publish on these large platforms, the right to greater transparency in the operation of these platforms' recommendation systems, and protection against information manipulation practices. At the same time, the DSA is the only legal instrument through which Romanian legislation on illegal content could be enforced in relation to VLOPs.

In this chapter, we analyse how the DSA was used and implemented in Romania in 2025, following on from the findings included in the previous report '[The State of Democracy in 2024 and a Glimpse of 2025](#)', where we documented how the 2024 election year became a profound democratic crisis, marked by the cancellation of the presidential elections, controversial legislative interventions and increased pressure on critical voices and freedom of expression. The major vulnerabilities

in the digital sphere, already flagged for the first part of 2025, have materialised in the way authorities such as the National Audiovisual Council, electoral offices or other institutions have invoked the DSA to justify decisions on censorship or opaque moderation of online content. This chapter highlights the current shortcomings: European rules are adopted in principle but applied selectively, without real access to data and without effective safeguards for fundamental rights.

In the case of Romania, the most visible phenomenon from 2025 is the one that undermined the integrity of the 2024 and 2025 elections through Coordinated Inauthentic Behaviour, as defined in the Code of Practice on Disinformation (incorporated pursuant to Article 45 of the DSA).

At the same time, the entire national implementation framework remains uncertain, and enforcement is chaotic, particularly during the election period, when tensions are at their peak. Non-governmental organisations have repeatedly expressed concern about the way in which Romanian public institutions, major platforms and other stakeholders interpret and apply the provisions of the DSA. Furthermore, institutions do not cooperate sufficiently, and non-compliant application or misinterpretation of the provisions has often been observed, including during sensitive periods of political campaigns.

The DSA remains an opportunity for a legal online space, but also poses a risk if applied inconsistently or beyond legal limits.

Disproportionate Measures, Particularly During the Election Period

In March 2025, ApTI and ActiveWatch noted with concern that the NAC had effectively extended its jurisdiction to all online video content in an abusive manner, beyond its legal remit. Furthermore, the NAC has come to take decisions that amount to acts of censorship in some situations, ordering the removal from the online space of content protected by the right to freedom of expression or the right to freedom of the press. Although, under the current legal framework, the NAC cannot regulate all online video content, it is taking disproportionate measures regarding this online content compared to traditional radio and TV services. We are facing a systemic problem that poses a substantial risk of censorship, beyond legal obligations, in the medium and long term. In particular, criticism of the decisions of state authorities is a constitutional right and must be protected. The legitimate and necessary fight against hate speech or incitement to violence must not be used as a pretext for censoring political opinions protected by freedom of expression.

In the same electoral context, in April 2025, ApTI emphasised that the political views of social media users are part of freedom of expression, particularly during an election campaign. The ambiguity in the interpretation of the term ‘*political actor*’ in Emergency Ordinance 1 has led to unpredictability in the application of regulations and left ordinary citizens and journalists vulnerable to censorship. In May 2025, ApTI and

ActiveWatch warned that electoral offices abusively censored online press.

We have seen many bizarre individual cases, but the fundamental issue has been overlooked. We are referring, once again, to: fake accounts, bots, and coordinated campaigns designed to influence elections or promote certain political figures – in short, precisely the issues that led to the cancellation of the first round of the 2024 presidential election.

Having observed how Facebook, Instagram and TikTok populate the news feed for new accounts, in an analysis conducted during the May 2025 presidential election, ApTI published the results in the quantitative study “*Who sees what? Observations on social media recommendation systems in an electoral context*” and revealed several worrying conclusions: The recommendation algorithms of the main social media platforms in Romania prioritised polarising political messages and failed to provide a balanced and fair space for electoral debate. The platforms ignored the electoral silence period and exposed minors disproportionately to messages with political content.

Even when a user showed the same level of interest in all the candidates’ official accounts, the recommendation algorithms populated the feed in a biased manner, favouring some candidates at the expense of others.

The result is clear: social media platforms cannot provide a space for all candidates to campaign on an equal footing.

Algorithms create structural imbalances that undermine the democratic process.

Systemic Issues with the Implementation of the DSA Identified in 2025

In addition to the issues mentioned above, a systemic problem is the lack of access to VLOPs' data, despite this being a requirement under the DSA. This lack of transparency prevents a proper assessment of the impact of the measures taken and the effectiveness of the DSA's implementation. Expert Forum and ApTI requested in January 2025 "radical transparency in access to data", calling on ANCOM and the European Commission to act swiftly and demand that researchers be granted access to data, particularly the data held by TikTok regarding the Romanian elections.

Regardless of the subject, without access to data and genuine transparency, it is impossible to assess whether the platforms complied with the orders issued by the authorities, how they responded to other complaints, how the algorithms functioned during the election period, and the extent of coordinated inauthentic behaviour.

The first report by the "Elie Wiesel" National Institute for the Study of the Holocaust in Romania, in its capacity as a trusted notifier, also highlights a systemic problem. It highlights the difficulties in accessing the platforms' reporting systems and the inconsistent handling of reports of illegal content.

Furthermore, in the Romanian-language online environment, the lack of response from platforms when illegal content is reported via the trusted notifier mechanism remains a chronic problem.

In practice, by 2025 the major platforms had failed to respond predictably, swiftly and consistently to reports of illegal content under the DSA. Feedback received from individual users and NGOs suggests that this conclusion can be extended to other reports of illegal content.

Simplistic Solutions to Complex Problems: Disinformation

In the context of the DSA, disinformation is often referred to in a simplistic manner, which confuses it with illegal content. The DSA text deliberately does not define disinformation and does not consider it to be illegal content, except in certain circumstances.

In this context, we should understand that 'disinformation' must be managed, as it cannot be eliminated, and the way we deal with it can directly affect the health of democracy.

Solutions should avoid vague definitions of disinformation, blocking websites or accounts through administrative decisions, and turning public institutions into arbiters of 'truth'. The focus should be on coordinated campaigns with significant social impact, on transparency and access to data for researchers and civil society, on international coordination, and on increasing

public resilience through media literacy, honest and proactive communication by institutions, and robust public digital infrastructure.

At the same time, we must avoid populist and simplistic solutions, such as those promoted by certain legislative proposals that promise to tackle disinformation through artificial intelligence. AI systems are structurally biased, opaque and can lead to an ‘algorithmic truth police’ that censors legal content without transparent standards. Phrases such as “*we cannot let robots lie to children, so we will use other robots to clean up the internet*” ignore the technical limitations of AI, the risk of hallucinations, the under-representation of the Romanian language in training data, and the fact that much of the problematic content is already created using AI.

5.2. ‘ONLINE CHILD PROTECTION’ LAWS: FROM LEGITIMATE CONCERN TO CONTROLLING DIGITAL ACCESS, WITHOUT SOLVING THE UNDERLYING PROBLEMS

By 2025, the political discourse on ‘*online child protection*’ had become the main vehicle for new proposals to restrict internet access and expand mechanisms for monitoring and identifying users, including the so-called ‘*Digital Age of Majority Act*’. Instead of starting from children’s rights in the digital environment (access to information, media literacy,

safety without intrusive surveillance), from the major issues (the algorithms of large social media platforms) and from the solutions in the DSA (Article 28 and systemic risks), these initiatives are based on the assumption that the presence of minors online is in itself a national problem that must be restricted or filtered through vaguely applied technical age-verification mechanisms.

The draft of Digital Age of Majority Bill, adopted by the Senate in October 2025 and sent to the Chamber of Deputies as the decision-making body, stems from legitimate concerns regarding minors’ exposure to harmful content, but proposes the most intrusive and ineffective response possible. The text places access for minors under the age of 16 to almost any online service – from social media, gaming or video platforms to transport apps or educational websites – subject to ‘*verifiable*’ parental consent and widespread age verification systems.

In ApTI’s analysis, “*The New Gatekeeper of Digital Access: The Coming-of-Age Act with Big Brother Tattooed on Its Arm*”, the law is described as having “*incredible adverse effects*”, because in order to block access for some minors, it results in the requirement for all internet users to identify themselves when accessing any online service. ApTI argues that age verification on the internet effectively becomes a form of exclusion from access to information and free expression, rather than a form of protection. Minors and young people with absent, abusive or vulnerable parents will be the most affected, whilst the most privileged will find technical ways to circumvent the restrictions.

The Digital Age of Majority Act comes against a backdrop of legislative initiatives (at least five in the last two years) aimed at restricting or imposing conditions on minors' access to social media and/or other digital services through various mandatory age verification mechanisms.

Although they differ in the details, all these projects stem from a specific global problem created by a few major platforms for all users (non-transparent algorithms, combined with misleading design). However, the projects share the same solution. They shift responsibility for online risks from the state, schools and platforms (through secure design, responsible moderation and media literacy) to a nationwide technical access filter (using more personal data processed precisely by the platforms that create the problems), based on identity collection and verification, which does not provide real safety for children and does not solve the structural problems of the platforms.

Instead of this '*technosolutionism*', which does not address the underlying problem, ApTI proposes measures that include the consistent enforcement of existing laws (DSA, GDPR), alongside robust media literacy, the strengthening of mechanisms for reporting and moderating harmful content, and safer platform design (see also [the European Commission's investigation into TikTok](#)) without making access to certain services conditional on the presentation of a '*digital wallet*', which does not currently exist in Romania anyway.

5.3. AI AND HUMAN RIGHTS

Public Institutions: no AI

The Artificial Intelligence Regulation (AI Act, EU Regulation [2024/1689](#)) began to enter into force in part in 2025, but the authorities were found to lack expertise in AI.

For example, [ApTI highlighted the lack of expertise](#) within Romanian public institutions designated under [Article 77 of the AI Act](#). We submitted a series of requests under Law 544/2001 to bodies such as the Ombudsman, the National Authority for Consumer Protection (ANPC) and the National Council for Combating Discrimination (CNCD). The responses reveal a clear shortage of staff specialising in AI, limited training plans, and reluctance to collaborate with civil society or academia, partly due to budgetary constraints. This situation foreshadows an expected failure in the implementation of the AI Act from a fundamental rights perspective, as long as the designated competent institutions are unable to effectively assess the risks to human rights.

It Came to a Halt Before it Even Began: 'Deregulation' via the AI Omnibus

Meanwhile, at European Union level, the European Commission appears to be putting the brakes on regulation, yielding to arguments that are unjustified in practice. The Regulation

has not even come into force yet, and it has already proposed ‘deregulation’ through another Regulation: [the AI Omnibus](#).

Among other things, the AI Omnibus [proposes removing the transparency requirement set out in Article 49\(2\) of the AI Act](#), which would have required providers of high-risk AI systems to register with the competent authorities if they place such systems on the market. The new AI Omnibus proposes that providers of high-risk AI systems assess themselves to decide whether they wish to register. In practice, this small step also becomes optional. This provision creates an information vacuum for supervisory authorities, undermines the single market and encourages circumvention of the rules, all to save an estimated €100 per company, whilst completely ignoring the human rights risks, which were already classified as ‘high risk’. ApTI, alongside organisations such as Access Now and EDRI, has called for the rejection of paragraphs 6, 14, and 32 of the AI Omnibus to preserve the protection of fundamental rights. It remains to be seen what the Council and the European Parliament will do on this matter.

[Meanwhile – AI is Everywhere](#)

ApTI has drawn attention to other uses of AI that lead to widespread surveillance. For example, the use of [devices such as Ray-Ban Meta glasses with AI algorithms to identify individuals in public spaces](#) would not be permissible under the GDPR if it involves extensive surveillance. Furthermore, the AI Act prohibits high-risk practices, such as creating

biometric databases from CCTV footage or inferring sensitive characteristics. However, [the guidelines proposed by the European Commission appear to relax these restrictions](#).

Meanwhile, here, in Romania, it has been discovered why the National Agency for Fiscal Administration (NAFA) and the Customs weren’t functioning properly. Exactly, they didn’t have body cameras during inspections! [The provision of body cameras to the National Agency for Fiscal Administration \(NAFA\) or Customs, announced in August 2025, then included in Law 239/2025 \(adopted without parliamentary debate, through the assumption of responsibility\)](#), and extended to the Labour Inspectorate, has been criticised as a measure that infringes on personal data, masks corruption without bringing about real and public transparency. Furthermore, the Romanian Data Protection Authority (ANSPDCP) already has a consistent practice of sanctioning similar uses by the Local Police and the ANPC for the lack of an explicit legal basis, emphasising the privacy rights of those filmed. Furthermore, video analysis, if it involves AI systems, risks algorithmic bias or disproportionate surveillance, without public consultation or an impact assessment. The legislation [was challenged before the Constitutional Court](#), but the judges stated that they saw no issue regarding privacy.

Instead, they clearly saw the speck in the eye of the asset declarations (including those of the Constitutional Court judges – what a surprise!), which were public and therefore ‘potentially’ open to processing by AI. In essence, [the CCR cited the potential](#)

risks of AI in its reasoning for declaring the publication of asset declarations on the ANI website unconstitutional, warning against personalised behavioural models that undermine human dignity. The argument sounds rather technophobic and technically inept, turning a real risk of AI processing into a pretext for reducing public transparency. It contradicts the GDPR and the AI Act, which require a contextual risk assessment, not a blanket ban.

In the meantime, we're giving AI to the children. An investigation by Context.ro, to which ApTI also contributed, highlights contradictions between the Ministry of Education and Digital Nation regarding the pilot of the Saro chatbot in schools. Saro, promoted as a motivational assistant on WhatsApp, allows access to minors under 16 without clear parental consent, contrary to the GDPR, and provides direct answers to homework or encourages absenteeism.

In theory, we're in a good position. If we wish to uphold fundamental rights in the field of AI, we simply need to apply the GDPR and the AI Act. In practice, however, we have authorities that are ill-prepared and a society in which the risks of negative impacts on fundamental rights are underestimated or exploited in areas such as public surveillance, education and institutional transparency.

5.4. CHAT CONTROL REVISITED

The year 2025 marked another failure of the European Commission's proposal for the Chat Control Regulation (Child Sexual Abuse Regulation – CSAR), which was blocked in the Council of the EU in September.

Chat Control involves the mandatory end-to-end scanning of private messages on platforms such as WhatsApp or Signal, under the pretext of combating child sexual abuse, but with major risks to privacy and security. ApTI emphasises that the scanning technology (client-side or hash-matching) cannot be inherently limited to illegal content, opening the door to mass surveillance. We note that Romania has been completely absent from the public debate on Chat Control, with no transparent official position or consultations with civil society. Furthermore, it is not officially known which institution represents the country in the EU Council on this issue, and responses to ApTI's requests for public information invoke national security to block access to any information.

Subsequently, this proposal was put back on the agenda in 2026 in a slightly amended form, with attempts to extend the ePrivacy exemptions under the name '*Chat Control 1.0*'. The extension of the ePrivacy exemptions, as explained by EDRI (a European organisation of which ApTI is a member) in an open letter, would legalise "*Big Tech mass snooping*", allowing private surveillance without effective consent and ignoring alternative solutions, such as education or voluntary reporting.

6. RULE OF LAW AND THE FUNCTIONING OF THE JUSTICE SYSTEM

The state of the Romanian justice system in 2025 was marked by a number of controversies, the most significant of which concerned magistrates' special pensions, the independence of the judiciary and public confidence in the system. Legislation on special pensions was the subject of intense debate both at the political level and within the Constitutional Court, which failed to reach a decision on the amendments proposed by the Government by the end of the year. The end of 2025 was marked by the publication of a documentary by the Recorder, which sparked an intense debate about the independence of the judiciary and the way in which interest groups exert influence over the system. Also in 2025, the controversy surrounding the excessive length of trials continued; combined with the exceeding of statute of limitation, this led to acquittals in high-profile cases. Staff shortages and a lack of resources within the judiciary also remain significant problems. In 2025, there were civil society protests on justice-related issues, particularly following the release of the documentary Recorder.

Key Appointments

In July 2025, three new judges were appointed to the Constitutional Court: Dacian Dragoş (appointed by the President), Csaba Asztalos and Mihai Busuioc (appointed by Parliament), who were sworn in in July 2025 for a nine-year term. Also in July 2025, Ms Elena Simina Tănăsescu was elected President of the Court. There was controversy surrounding Mr Busuioc's appointment, and legal proceedings were initiated regarding both his appointment and that of Mr Dragoş. The claimant was a lawyer close to AUR who argued that they did not meet the legal and constitutional requirements. On the 11th February, the Bucharest Court of Appeal rejected the application to suspend the appointment documents of the two judges. Another decision by the court to reject the request to suspend Judge Dacian Dragoş states that such a solution would create “*a vacuum of constitutional jurisdiction*”. There were voices linking this challenge to the repeated delays in the case concerning the pensions of judges and prosecutors pending before the Constitutional Court.

Lia Savonea was the only judge to stand for the position of President of the High Court of Cassation and Justice. The process began in May, even though the term of the former president, Alina Corbu, had not yet ended and would not have expired before the date on which the new appointment was due to be made. This procedure was criticised and seen as an attempt by Lia Savonea to consolidate her power. Given her controversial past, many voices spoke out against her

appointment to the highest office in the judiciary. President Dan criticised the hasty procedure and the lack of a proper process, transparent and competitive, but ultimately appointed her, whilst acknowledging that he had spoken to her to express his concerns.

Reform of Special Pensions

The Government has twice adopted reforms concerning the retirement arrangements and pension system for judges and prosecutors. The first reform was struck down by the Constitutional Court in October because the Government had not allowed the Superior Council of Magistracy 30 days to examine the draft law, and the second attempt was examined by the Constitutional Court after numerous postponements. These postponements were caused, among other things, by the unjustified withdrawal of some judges from the plenary session of the Constitutional Court.

The bill was eventually passed amidst institutional conflicts, public criticism and financial stakes linked to the loss of €231 million from the National Recovery and Resilience Plan (PNRR) had the reform not been approved¹. The power struggle is revealing in terms of the judiciary's resistance to reforms aimed at reducing the benefits of judges and prosecutors. We recall that magistrates have blocked the courts' work since August, for an extended period, in the context of discussions on pension

¹ See Constitutional Court Decision No. 153 of 18 February 2026

reform. Furthermore, the Constitutional Court referred the matter to the European Court of Justice at the request of the High Court of Cassation and Justice, as “*an integral part of the balance between state authorities.*” In February 2026, President Nicușor Dan promulgated the legislation raising the retirement age to 65, setting a minimum length of service of 35 years. This increase will be gradual. It also caps the pension at 70% of the final net salary.

It is important to note that, unlike other public servants, judges and prosecutors may apply for and obtain retirement orders once they have reached the required length of service. However, unlike others, they do not need to apply for their retirement to take effect. This means that, in practice, when magistrates reach the required length of service, they secure their pension entitlement by obtaining a retirement decision, whilst continuing to work. This introduces an element of uncertainty into the system that undermines any meaningful effort to develop a human resources strategy for the judiciary. In addition, means that the judiciary's bargaining power in relation to other branches of Government is extremely high, as at any moment the judiciary could threaten to bring its operations to a standstill with a wave of retirements.

Controversies Surrounding the Justice System

At the end of 2025, Recorder released the documentary “Captured Justice”, which examines the mechanisms used to manipulate court proceedings, highlighting that the current head of the High Court of Cassation and Justice has built a network of influence to sway the outcome of high-level

corruption cases in the courts. Several judges appearing in the documentary revealed their first-hand experience of being pressured and threatened. The documentary highlights, amongst other things, the methods used by courts to dismiss high-profile corruption cases such as that of the former mayor of Bucharest's District 5, Marian Vanghelie. For example, judges are removed from panels by decision of the court president and replaced with the aim of ensuring that cases are dismissed. The documentary also raised concerns regarding the management style of the chief prosecutor of DNA. The documentary has over 5 million online views and has also been broadcast on national television.

The release of this documentary has sparked a strong backlash from the judiciary. The President of the High Court of Cassation and Justice criticised the documentary, whilst over 700 magistrates signed an open letter expressing their concern regarding the capture of power within the judiciary, calling for protection against reprisals for colleagues who had spoken out or acted as whistleblowers. Several professional associations of judges and prosecutors also issued public statements in response. In December, street protests took place in several cities across the country, calling, among other things, for the resignation of Lia Savonea and former Justice Minister Cătălin Predoiu. President Nicușor Dan announced a referendum among magistrates to gauge their views, among other things, on the role of the Superior Council of Magistracy (CSM) in representing the public interest. This idea has been criticised by both magistrates and voices from civil society, for reasons relating to the president's prerogatives as well as to the actual organisation of the referendum itself.

Furthermore, the president met with magistrates in December, who reiterated some of the points mentioned in the documentary.

On December 11th, the Bucharest Court of Appeal held a press conference to respond to the criticisms raised in the documentary, a highly unusual occurrence in the history of the Romanian judiciary. However, the way the conference was organised was criticised as it did not allow for a genuine dialogue. During the conference, Judge Raluca Moroșanu, a magistrate at the Bucharest Court of Appeal, made a harsh criticism of the working environment within the institution. Subsequently, a report published very shortly afterwards by the Judicial Inspection, which found no significant issues at the Bucharest Court of Appeal, contradicted Recorder's conclusions, emphasising, among other things, that "*Changes to panels, case allocations or structural reconfigurations are not 'tailored decisions', but administrative tools necessary for the functioning of the court.*"

In response to this situation, the Prime Minister set up a working group in December bringing together justice sector institutions and non-governmental organisations (including Expert Forum and Funky Citizens) to propose legislative measures to address the vulnerabilities identified. Expert Forum's position is that actions should be phased in two stages – first, urgent matters should be addressed, then the other issues that have proved problematic should be discussed. Among the urgent matters are: the need to ensure efficient, transparent and merit-based competitions for all promotions; the return of the investigative powers of magistrates to the DNA (corruption), DIICOT

(organised crime) and ordinary public prosecutors' offices for all other offences, a review of disciplinary practice, a thorough audit of the case allocation and management system, and the resolution of the issue of retirement certificates obtained by magistrates.

One of the key issues raised by the documentary was that of freedom of expression. We recall that former judge Cristi Danileț won his case concerning freedom of expression at the European Court of Human Rights (ECHR) ([Danileț v. Romania](#)). The former judge took the Romanian state to the ECHR in 2021, after being sanctioned by the Superior Council of Magistracy (CSM) on several occasions following posts on Facebook. The Court examined whether this sanction had infringed freedom of expression and concluded that the Romanian state had intervened disproportionately, as the messages concerned matters of public interest and did not actually affect the impartiality of the judiciary. The Grand Chamber of the European Court of Human Rights found a violation of Article 10 of the European Convention on Human Rights, emphasising that judges too have the right to participate in public debate, within reasonable limits.

Undermining Integrity by Keeping Asset Declarations Confidential

One of the most controversial decisions of the Constitutional Court in 2025 was its ruling that certain provisions relating to declarations of assets and interests were unconstitutional,

primarily those concerning the publication of these documents². With this decision, the Constitutional Court put an end to public transparency regarding officials' financial interests, limiting the scrutiny of declarations to any investigations carried out exclusively by the National Integrity Agency (NIA). Parliament has taken no legislative action to bring the legislation into line with the CCR's decision, which has made it impossible for the public, journalists or civil society to scrutinise the financial affairs of public office holders. We would like to point out that asset declarations were one of the most important transparency mechanisms in Romania and were regarded as a model of good practice at international level.

Legal Challenge to the Constitutional Court's Decision to Annul the Elections

At the beginning of the year, a significant number of appeals against Constitutional Court Decision 32/2024 (which annulled the 2024 elections) were lodged with the courts. Over 150 such applications, most of which were filed in April, including by several members of the same family, sought to challenge the CCR ruling in the administrative courts. Most were submitted to the Courts of Appeal in Bucharest, Iași, Cluj, Suceava, Ploiești and Alba Iulia. Although, by law, a decision of the Court cannot be challenged by such means, this flood of applications was most likely intended to bring about a second round of the presidential elections, in favour of the candidate Călin

² Decision 297 of the Constitutional Court of May 29th 2025

Georgescu. The action was supported by a former vice-president of the Botoșani Tribunal, who also provided instructions to those interested. A single court, the Ploiești Court of Appeal, surprisingly decided to suspend the CCR's decision to annul the elections. The CCR challenged the decision, and the Public Prosecutor's Office attached to the Ploiești Court of Appeal lodged an appeal in turn. The High Court of Cassation and Justice overturned the decision in April.

7. SLAPPS: STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION

7.1. PROTECTION OF TARGETS OF SLAPP LAWSUITS AND THE EUROPEAN DIRECTIVE THAT ROMANIA MUST TRANSPOSE

By May 7, 2026 Romania must transpose the Directive (EU) 2024/1069 of the European Parliament and of the Council of 11th of April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('the Anti-SLAPP Directive').

Although the directive applies only to disputes with a cross-border element, given the European Union's competence, it represents an important step for civil society and journalism in Romania, for the protection of critical voices and the consolidation of pluralism in a democratic society.

The Directive includes a number of safeguards for those targeted by SLAPP suits, such as the option to request an expedited dismissal of the claim, the requirement for the claimant to provide security, or the expedited adjudication of disputes.

Relevant civil society organisations¹ have organised themselves and launched an advocacy campaign with the aim of improving the legislation, as follows:

- **February 2025:** informal consultation with the Ministry of Justice. As a result of this consultation, the Ministry of Justice undertook to extend the scope of the directive to include domestic civil cases;
- **March 2025** – written proposals submitted to the Ministry of Justice to improve the draft law, of which minor amendments were taken into account;
- **April 2025** – public debate requested by non-governmental organisations. In May 2025, the Ministry of Justice organised a public debate, attended by nine representatives from the anti-SLAPP organisations group;
- **In June 2025**, following the public consultation, 37 organisations submitted new proposals to improve the legislation and sounded the alarm that the transposition of the

¹ The LiderJust Association, APADOR-CH, the Foundation for the Development of Civil Society, ActiveWatch, Bankwatch, Greenpeace, journalists' organisations such as Context.ro and others.

directive represented an opportunity for Romania to establish adequate standards of protection. The Ministry of Justice refused to consider any further amendments to the draft law.

Following contributions from civil society and discussions initiated and held with the Ombudsman, this authority agreed to become the national focal point for gathering information and organising awareness campaigns regarding SLAPP actions.

In early February 2026, the Romanian Government submitted the anti-SLAPP bill to Parliament; it was registered with the Chamber of Deputies, as the first chamber ([PL-x 58/2026](#)). On March 1st 2026, the draft law was on the agenda of the Legal, Disciplinary and Immunities Committee acting as the reporting committee. In the form submitted to Parliament, the bill covers domestic and cross-border civil cases, but not administrative or criminal cases – an area where SLAPP-type disputes may arise, but which is not covered by the directive, being instead addressed in soft law instruments, such as recommendations from the European Commission or the Council of Europe.

During the consultation process for the draft bill, the Economic and Social Council incorporated the amendments proposed by civil society into its advisory opinion, in order to strengthen the safeguards proposed by the bill. These proposals were also sent by civil society organisations to the members of the Legal Affairs Committee in February 2025, and include:

- the introduction of ex officio safeguards, such as the consideration of an early dismissal of the claim, the provision of security, and the payment of damages, to support vulnerable defendants and relieve the burden on the courts;
- the mandatory imposition of a fine on the claimant in cases where a court finds that a SLAPP suit has been brought;
- clarifying the protection afforded to third parties when supporting potential victims, so that they are not required to pay any legal costs, in a manner similar to that of incidental interveners;
- regulating situations where a dispute takes on the characteristics of a SLAPP lawsuit during the course of proceedings;
- applying the law to pending cases, with regard to effects not yet produced, in accordance with the case law of the Constitutional Court, to prevent the continuation of ongoing abuses.

Unlike classic SLAPP cases, where there is a power imbalance and public figures, politicians or businesspeople sue journalists or activists, usually in cases concerning civil liability for tort and seeking disproportionate damages, or in cases where journalists are even harassed with criminal complaints, there is another type of litigation that has similar effects.

These are administrative court cases in which non-governmental organisations defending the public interest end up being ordered to pay disproportionate legal costs if they lose the case, because public authorities outsource their legal services and allocate very large sums to them. The case of the Suceava County Council is a relevant example in this regard, concerning the defence of environmental documents relating to the Mestecăniş Pass landfill site, or the case of the AER Muntenia Association, where the beneficiary of the administrative act (a company) intervened in the proceedings.

In such situations, although they do not constitute definitive SLAPP cases under the Directive – where organisations or activists are the defendants – these actions have a deterrent effect on civil society, discouraging it from fulfilling its role of assessing the appropriateness and legality of measures taken by institutions and acting to protect public interests. Therefore, on the occasion of this transposition of the Directive, another real social need affecting civil society could be debated and analysed, namely – appropriate rules on legal costs in administrative litigation, which would prevent such litigation from being used as a tool to discourage or intimidate public participation.

At national level, an anti-SLAPP coalition of non-governmental organisations is currently being formed to work closely with the relevant institutions (the Ministry of Justice, the Ombudsman, training initiatives, and awareness-raising campaigns on this issue), to identify resources for a victim support mechanism, and to report any developments in this area.

Applying the directive to domestic civil cases is important, but Romania has the opportunity to create a genuine protection mechanism, with more ambitious standards and tools that cover situations documented in practice.

7.2. EXAMPLES OF SLAPP CASES

The discussion about SLAPP is not merely theoretical or legalistic, but reflects a real problem that is becoming increasingly pressing in Romania.

The report '[SLAPPs and Freedom of Expression in Romania](#)', published by ActiveWatch in March 2026, provides an analysis of the phenomenon and identifies several cases brought against journalists in recent years.

The LiderJust Association also documented over 40 cases of civil actions with SLAPP-like characteristics, 8 criminal cases and 16 administrative litigation cases in which there were characteristics of measures designed to discourage public participation, many of which are still pending before the courts (the study is currently being published).

SLAPP cases are on the rise. An analysis of these cases shows that it is not only journalists, but also NGOs and activists who can be the targets of such legal action. In previous editions of the report, we drew attention to the situation of the Spiritual Militia

Association, the first civil society organisation to be dissolved following the loss of a SLAPP lawsuit, as well as to other organisations and activists affected by such lawsuits.

According to the report [‘SLAPPs and Freedom of Expression in Romania’](#), published by ActiveWatch in March 2026, the claim for disproportionate damages – in the form of non-pecuniary or pecuniary damages allegedly resulting from defamation – is the main mechanism by which a civil dispute becomes a SLAPP suit. Although the sums claimed run into hundreds of thousands and millions of euros, in practice such disproportionate damages have not been awarded in recent years, with courts reducing the amounts in cases where they have been granted. According to the cited report, a mechanism that can have a significant impact on freedom of expression and information is requests for the removal of press materials or online posts, either through the use of interim injunctions as a coercive tool prior to a judgment on the merits, or through final judgments. Plaintiffs’ requests for the removal of articles or posts are sometimes readily accepted by the courts. In most cases, such removal orders are reviewed by higher courts, but there are also situations in which they remain final with the latter’s approval.

Below we present recent SLAPP case law from the past year, relating to the exercise of the right to freedom of expression and freedom of the press. Most of the summaries of these cases are based on information from the report [‘SLAPPs and Freedom of Expression in Romania’](#), published by ActiveWatch.

Businessman Jurgen Faff v. Context.ro

The Sibiu-based businessman, Jurgen Faff, and his airline, Fly Lili, have brought several legal actions against the investigative news website Context.ro, following the publication in 2023 of the series “The Phantom Golf Course”, which reported on the spending of approximately €2 million in European funds on a golf course that was never built.

In February 2024, the plaintiffs brought a defamation suit, claiming €100,000 in non-pecuniary damages for Faff and €3,365,000 in pecuniary damages for Fly Lili, as well as the removal of the articles, the publication of the court ruling on the website, and the payment of legal costs. Subsequently, in March 2025, they sought, by way of an interim injunction, the removal and blocking of the articles and a future ban on the publication of articles linking the claimants to the Russian Federation or to Horațiu Potra. The total amount of damages sought — €3,465,000 — represents a record figure in such disputes against the press.

In April 2025, the Bucharest Tribunal dismissed the application for an interim injunction, ruling that no serious harm had been proven, and in June 2025 the Bucharest Court of Appeal upheld the decision, citing the protection afforded by the right to freedom of expression and freedom of the press. Also in April 2025, the court dismissed the action on the merits, finding that the articles served the public interest and noting Faff’s status as a public figure in the context of the management of public funds. The claimants were ordered to pay over 33,000 lei in legal costs, and the case is currently under appeal.

At the same time, Context has reported a coordinated campaign of false copyright notices sent to Google and Meta, with the aim of having the articles removed. Some of the content was temporarily removed from the platforms.

Mihail Neamțu is Claiming 400,000 lei in Compensation for Non-Pecuniary damages

In 2023, Mihail Neamțu, a conservative columnist and, from 2024, a member of the Romanian Parliament, brought legal proceedings against the publication Universul.net, as well as against the journalists Grigore Cartianu and Costin Apostol (known online as Costin Andrieș).

The claimant argued that the articles and posts published by the defendants constituted a defamatory media campaign which had damaged his image, reputation and professional standing. He sought 400,000 lei in compensation for non-pecuniary damage, the removal of material associating him with labels such as ‘*Putinist*’ or ‘*Moscow’s man*’, the publication of the court’s judgment in the press and online, and the payment of legal costs.

In December 2025, the Bucharest Tribunal dismissed the claim as unfounded. The proceedings lasted approximately two and a half years, with ten court hearings, during which time the claimant never appeared in person before the court and was represented by a lawyer only sporadically. The judgment is not final and may be appealed.

MP and Lawyer Cristina Trăilă v. Mihai Goțiu and România Curată

Former Member of Parliament from PNL, Cristina Trăilă has taken legal action against journalist Mihai Goțiu and the Romanian Academic Society, the publisher of the România Curată platform, over eight articles published on România Curată and in Libertatea. The articles highlighted a possible conflict of interest, suggesting that Trăilă, whilst serving as an MP and a member of the Legal Affairs Committee, had been paid as a lawyer by the company HS Timber Group and had supported the interests of the timber industry, including through her positions and votes in Parliament.

The claimant argued that the articles constituted a smear campaign, having been written in bad faith, and initially sought 50,000 lei in compensation for non-pecuniary damage and the removal of the eight articles. During the proceedings, the request for removal was extended to over 90 articles and social media posts. Furthermore, MP Cristina Trăilă requested the publication of the judgment and a public apology, as well as a cap on the opposing party’s legal fees in the event of losing the case.

In July 2025, the Bucharest Tribunal dismissed the claim in its entirety, holding that the statements concerned the claimant’s public activities and a matter of major public interest – forestry legislation. The court found that the texts constituted value

judgements based on facts, falling within the bounds of freedom of expression. Cristina Trăilă was ordered to pay 10,000 lei in partial legal costs. The judgment is not final and may be appealed.

Agent Green Hounded in Court Over Two Articles They did not Write

Agent Green is facing legal action from AMECO, a timber company, which is demanding in court that it remove an article from the American newspaper The New York Times and another article by the Environmental Investigation Agency, an international non-governmental organisation dedicated to environmental protection. Agent Green is not listed as an author or contributor, nor is it cited in the article published by the Environmental Investigation Agency. As for the New York Times article, an Agent Green contributor is quoted as giving general comments regarding the impact of large-scale deforestation on natural ecosystems, without any specific reference to the claimant company. AMECO Renewable Energy has not sued either The New York Times or the Environmental Investigation Agency, but only Agent Green. In addition to the removal of the two articles, AMECO is also demanding that Agent Green publish retractions in The New York Times, as well as in several newspapers in Italy, Poland, Slovakia, Austria, Germany, Bulgaria and, furthermore, in seven publications in Romania. Moreover, AMECO is seeking €200,000 in civil damages. Like many of the cases included in this report, this is a typical SLAPP case because the arguments put forward by the claimant company are entirely

unfounded, and the remedies sought by it are excessive and unreasonable.

One United Properties' Legal Disputes with the Media

The property developer One United Properties has launched a series of legal actions against news outlets and journalists who have published critical reports about its activities or projects. The pattern is the same: claims for exorbitant damages (€100,000), requests for the removal of articles and a ban on publication, and applications for interim injunctions to temporarily remove the material until the cases are finally resolved.

The publications in question include defapt.ro, Puterea and Podul.ro. In the proceedings against these publications, the courts dismissed both the applications for interim injunctions and the claims on the merits, including on appeal, ordering the company to pay the costs of the proceedings. The courts emphasised the importance of the factual basis of the published information and reiterated the importance of the right to freedom of expression and press freedom. The situation highlights the imbalance of resources between a company with significant financial power and the newsrooms or organisations targeted, as well as the repeated use of legal mechanisms to secure the removal of critical content.

■ **One c. defapt.ro**

The dispute centred on three articles concerning the company's shareholders and donors, including links with the gambling industry and a banking institution headed by

a figure close to the Putin regime, as well as the lawsuits brought by the company against certain NGOs. The courts found that no serious harm had been proven, that the articles were factually accurate and fell within the bounds of freedom of expression. Both the interim injunction and the main action were definitively dismissed.

■ **One v. Puterea**

The action concerned two articles regarding the possible sale of shares by shareholders and an analysis of the company's financial sustainability. The Bucharest Tribunal dismissed the application for interim relief, finding that there was no urgency and no evidence of serious harm. The decision was upheld on appeal. The action on the merits was also dismissed by the first court.

■ **One v. Podul**

The company requested the provisional removal of two articles, published in December 2023, concerning its legal proceedings against certain NGOs. The articles mainly referred to the legal actions through which the property developer sought to dissolve two non-governmental organisations that had challenged the legality of certain property investments made by the company in question. The plaintiffs argued that both articles contained untrue statements about specific facts and were intended to undermine investor confidence. Contrary to this claim, the courts found that the articles contained information of public interest and used appropriate language. The

application for an interim injunction was dismissed both by first court and on appeal. Furthermore, in early 2025, the Bucharest Tribunal dismissed the application for a substantive judgment, but the decision is subject to appeal.

Criminal Complaint over a Satirical Programme

In October 2025, the Pro Economica Foundation and its chair, Monika Kosma, filed a criminal complaint against the local public broadcaster Radio Târgu Mureş in connection with a satirical programme broadcast at the end of August. Alleged offences cited included incitement to hatred, violence and discrimination, abuse of office, tampering with digital data and digital forgery. At the same time, a request was made to cease broadcasting and to withdraw the audio and text versions of the material, which was deemed to be “*xenophobic*” and defamatory.

The controversial programme, entitled “*Luxury Hotels*”, was part of a satirical series of lessons

Romanian-Hungarian and featured a fictional dialogue between a journalist and the anonymous president of a Romanian foundation funded by the Hungarian Government for hotel investments in the Székely Land. The fictional character used, in an ironic tone, stereotypical phrases associated with far-right discourse. Although the complainant foundation was not explicitly mentioned, it considered that the material was directed at it, in the context of previous articles about its investments. A few weeks before the satirical programme was

broadcast, the publication Magyar Hang had published a piece on the situation regarding investments managed by the Pro Economica Foundation and partly funded by the Hungarian state in hotels in the Székely Land.

The applicants also claimed that the programme had been generated using artificial intelligence, an allegation refuted by the fact that the text was performed by two actors who were publicly identified during the programme.

ECHR, Pătrașcu v. Romania

In January 2025, Romania lost a case at the ECHR. The case was brought after the domestic courts had sanctioned an amateur art critic who had been ordered by the national courts to delete several comments made by himself and other users from his Facebook page, at the request of certain artists who considered them defamatory.

Alexandru Pătrașcu, an amateur opera critic, published a series of posts on Facebook and his blog in 2016 about an internal scandal at the Bucharest National Opera, concerning tensions between Romanian and foreign staff. These posts attracted comments from other users, some of which were sarcastic or offensive towards certain artists.

A soprano and a conductor took him to court, claiming that his posts and his failure to remove third-party comments had damaged their reputation. The Bucharest Court ruled that the

limits of freedom of expression had been exceeded and ordered Pătrașcu to pay 20,000 lei in damages to each claimant, as well as prohibiting him from publishing or hosting any further defamatory comments about them in the future.

The Bucharest Court of Appeal upheld the finding of liability for third-party comments, noting that moderating them is ‘*standard practice*’, but reduced the damages (8,000 lei and 4,000 lei respectively) and lifted the ban on future publications. The judgment is final.

Pătrașcu brought the case before the European Court of Human Rights. In its judgment of January 7th 2025, the ECHR found that there had been a violation of the right to freedom of expression. The Court considered that the basis for liability for third-party comments, based on the notion of ‘*local custom*’, lacked predictability (it was not provided for by law), and that the domestic courts had failed to examine each incriminating statement in detail. Furthermore, the sanction imposed on Pătrașcu for his own statements was deemed disproportionate, as he had participated in a debate of public interest, and the damages awarded were likely to have a chilling effect on the exercise of freedom of expression.

Millions of Euros Demanded from Newsrooms and Journalists by the President of an Organisation

Benjamin Lup, president of the WorldTeach Romania Association, an organisation whose stated aim is to combat

human trafficking, has initiated several legal proceedings against journalists and publications that reported on the deaths, deemed suspicious, of his former wives and on alleged irregularities concerning the operation of a centre for victims of human trafficking in Timiș County.

In 2024, over an [article](#) concerning the criminal investigations into the deaths of two of his former wives, Lup took legal action against the journalists Brîndușă Armanca and Sorin Istrate, as well as the editorial offices of PressHub, Libertatea, Sursa de Vest, Click and Ziarul de Iași.

Separately, he took legal action against the PressHub editorial team over an [article](#) written by the same journalists concerning alleged irregularities in the management of the centre for victims of human trafficking. In another case, concerning an [article](#) published by PressHub and written by Brîndușă Armanca, which reported that the American organisation funding the fictitious centre for victims of human trafficking had withdrawn its funding, Benjamin Lup sued the journalist alone.

In all three cases, the claimant alleged a breach of the right to privacy and damage to his reputation, claiming substantial compensation for non-pecuniary damage (€550,000 from Brîndușă Armanca and €1,000,000 from PressHub).

In a fourth case, Lup sued Valentin Malanca, a witness who had spoken to the press about his activities, seeking damages of 1 million lei. At the same time, three journalists, including

Brîndușă Armanca, were named as third parties, so that, should the claim be upheld and the witness be unable to pay the sum, they would be liable for payment.

At the same time, Lup filed an application for an interim injunction seeking the provisional suspension of the provisions in question until the cases were finally resolved on the merits. This application was definitively rejected by the courts.

At the time of writing this report, the cases on the merits are pending, with no final judgments having been handed down.

8. ENVIRONMENTAL PROTECTION: BETWEEN PRIVATE INTERESTS AND THE COMMUNITY'S INTERESTS

In 2025, environmental organisations faced numerous accusations and attacks. Prominent political figures used environmental organisations as scapegoats for their lack of political vision and concrete plans for Romania's development. Environmental organisations were accused of hindering Romania's development, jeopardising energy security and serving obscure foreign interests.

Despite these constant attacks, civil society has rallied in solidarity, and an increasing number of citizens have become aware of the importance of protecting the environment and of the need for the authorities to take concrete measures to protect nature and prevent climate change, which has arisen as a result of the negative impact of human actions on the environment.

8.1. THE MARGINALISATION OF ENVIRONMENTAL ORGANISATIONS

In April 2025, the Minister for Energy, alongside Prime Minister Marcel Ciolacu and the Minister for the Environment, Mircea Fechet, organised a debate "*dedicated to the importance of dialogue with civil society in shaping public policy in the energy sector*". Several environmental organisations reported that they had been excluded from these debates. They claimed that organisations expressing well-founded criticism or which had initiated legal proceedings against controversial projects promoted by the Ministry of Energy had been excluded from the debate. Instead, NGOs whose work does not focus on the energy transition or energy policies were invited, even though these had been cited as central topics of the discussions. Among the environmental organisations excluded from the dialogue were Bankwatch Romania, Greenpeace Romania, Declic, the Ecolegal Association, the Eco-Civica Foundation, 2Celsius, the Ecopolis Centre for Sustainable Policies and Agent Green.

The deterioration of the relationship and dialogue between the authorities and environmental organisations is also the result of intimidation and harassment tactics employed by the former Minister of Energy, Sebastian Burduja. He levelled unfounded accusations against organisations challenging energy projects with a negative environmental impact. Minister Burduja even urged national energy companies to seek excessive damages in disputes with NGOs, thereby seeking to discourage any form

of civic opposition, as we highlighted in our previous report. In response, over 110 civil society organisations have joined forces and sent a [request](#) to the Prime Minister calling for Minister Burduja's dismissal. Environmental organisations have also alerted the [European Commission](#) to this campaign of intimidation and denigration of civil society.

8.2. BĂNEASA FOREST – THE CITY'S LAST REMAINING URBAN FOREST

Băneasa Forest is the largest area of primary woodland in Bucharest, one of the last remnants of the Codrul Vlăsiei.

This forest is increasingly under threat from property developers, and [Romsilva](#) has secretly built a forest road through the forest, with access from the Greenfield neighbourhood. This road [was opened](#) to traffic in September 2025.

There are currently [several legal cases](#) brought by Eco-Civica and Agent Green challenging in court the toll agreement signed between Romsilva and the Greenfield Federation, under which vehicle access to Băneasa Forest is now permitted.

In February 2026, [the report](#) by the Inspectorate of the Ministry of the Environment, Water and Forests was published regarding this illegal road in Băneasa Forest, used to access the Greenfield residential estate. The report highlights breaches of

the provisions of the Forestry Code and the applicable technical regulations. As a solution to the situation, it is proposed that the forest land be restored to its original state, that the damage identified be fully compensated, and that the courts be asked to annul the toll contract.

Furthermore, in order to protect this forest, over [20,000 citizens](#) have signed a [petition](#) calling for the designation of the Băneasa Forest as a protected natural area.

In the absence of concrete measures to protect the forest, citizens monitoring the situation are exposed to threats and aggression from representatives of the Greenfield Federation, as happened in February 2026, when a citizen filming on that road was threatened and insulted by the president of the Greenfield Federation, Cătălin Diaconescu. Further details can be found in the section '*Activists assaulted or threatened*'.

8.3 IOR PARK

2025 was not a good year for IOR Park. In recent years, the 12 hectares of land returned to private ownership within IOR Park have been completely destroyed. This case raises serious [concerns](#) about possible collusion between politicians, the local council and property developers.

In January 2026, the situation was bleak: there were no trees left

to save, following years in which the trees had been poisoned and felled with chainsaws, during which time around 1,500 trees had been felled and the land had been ravaged by some 40 fires. In February 2026, fairground-style attractions also appeared in a section of the park.

However, a number of individuals and organisations have rallied together and are campaigning for the park's restoration, through various forms of protest, legal action and even criminal complaints challenging the park's restitution and the damage caused to it.

8.4. A NEW FORESTRY CODE – OLD PROBLEMS

A new Forestry Code came into force at the start of 2025. Civil society has pointed out that, although the New Forestry Code has some positive aspects – for example, it provides for harsher penalties for timber theft, including the confiscation of vehicles – these are insufficient and far from offsetting the huge negative impact of this new legislation.

The main criticisms of the new Forestry Code relate to:

- The absence of serious reforms and the exacerbation of existing shortcomings;
- The drastically reduced national afforestation programme: from 2 million hectares by 2035 (initial plan) to just 60,000

hectares by 2030;

- It is permitted to reduce the area of the national forest fund for various projects: the permanent removal of certain areas from the fund for construction purposes, such as cemeteries, places of worship or underground extraction, without any compensation mechanisms;
- The promotion of commercial hunting;
- Dangerous definitions of ecological restoration, which permit clear-cutting in mixed forests of high conservation value under the false pretext of natural restoration.

A Greenpeace report shows that Romania's forests are increasingly under threat from logging, and the rate of loss of valuable forests in Romania is 2.5 times higher than in neighbouring countries such as Poland and Ukraine. To halt this dangerous trend, environmental organisations are calling for 30% of the country's land area to be protected, with strict protection for at least 10%, and for the implementation of nature restoration measures in line with the European Biodiversity Strategy.

Environmental organisations also point out that the third cycle of the National Forest Inventory (IFN-III) reveals major structural problems: illegal logging amounting to approximately 11 million cubic metres annually, with associated losses estimated at at least €1 billion; an increasingly young forest, with 90% of the forest

under 120 years old; and an average timber volume per hectare that is problematic for the resilience of forest ecosystems in the context of climate change.

8.5. APPLICATION FOR THE DISSOLUTION OF GREENPEACE

In 2025, Romgaz filed a court case seeking the dissolution of Greenpeace Romania, making numerous serious and unfounded allegations against the organisation. The lawsuit brought by Romgaz followed Greenpeace Romania's campaign against the Neptun Deep gas extraction project in the Black Sea.

Romgaz subsequently withdrew its application for dissolution, but this dispute highlights a worrying trend targeting civil society in Romania, particularly environmental organisations that dare to take their cases to court. The strategy is simple: companies that win their cases claim excessive legal costs. When organisations cannot pay, the companies seek to have them dissolved on grounds of insolvency. We have seen this weapon used time and again. One example is the Spiritual Militia, which was dissolved at the request of a property developer. The same developer also attempted to shut down Save Bucharest on the grounds of non-payment of legal costs.

Such practices form part of what appears to be a wider campaign to suppress civil society in Romania and to harass critical voices within society.

The European Commission's report on the rule of law shows that, in recent years, non-governmental organisations have faced an increasingly hostile environment. An alarming number of SLAPP suits are being brought against journalists and civic activists, with the aim of harassing or intimidating them by seeking disproportionate damages in court. Indeed, Romania ranks among the top three European countries for abusive lawsuits against people who speak out.

8.6. LEGAL COSTS USED AS A TOOL FOR INTIMIDATION

The problem of disproportionate legal costs has become more acute. In recent years, Greenpeace Romania has been ordered to pay cumulative legal costs of nearly 1 million lei.

The foundation has lodged several complaints criticising this practice, which is facilitated by legislative loopholes and procedural abuses that, unfortunately, go unpunished.

The issue of legal costs is the subject of an appeal to the High Court of Cassation and Justice and has been brought to the attention of several international forums with jurisdiction in this area.

Communication to the UN Special Rapporteur

Greenpeace has lodged a complaint with the UN Special Rapporteur on the situation of human rights defenders. In October 2025, the Special Rapporteur published a guide setting out guidelines on the right to peaceful protest for environmental protection and to civil disobedience. This guide recommends, amongst other things, that states adopt legislation to protect environmental defenders against strategic lawsuits against public participation (SLAPPs). It is recommended that claimants who initiate such lawsuits be required to bear all costs of the proceedings, including court fees and legal representation costs. More on the legislative process in the section on SLAPPs.

Application to the European Court of Human Rights (ECHR)

In July 2025, Greenpeace also lodged a complaint with the ECHR, arguing that Romanian legislation does not provide objective criteria for determining whether certain legal costs are manifestly disproportionate, nor does it set maximum limits for such costs, which in practice leads to situations where the court can order certain citizens or NGOs acting in the public interest to pay huge legal costs. It was also claimed that Romanian legislation does not provide for the possibility of appealing when criticising the manner in which the court of first instance has ruled on the proportionality of legal costs relating to lawyers' fees. This constitutes a violation of the right of access to justice and the right to an effective remedy, as protected by the ECHR.

Complaint to the Aarhus Convention Compliance Committee

In September 2025, the matter was also referred to the Aarhus Convention Compliance Committee. Once again, criticism has been levelled at the fact that Romanian legislation does not comply with the provisions of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. This Convention guarantees access to justice and stipulates that states must establish judicial procedures which do not entail excessive costs and which lead to objective and fair court rulings.

9. A DOSE OF OPTIMISM

As we do every year, we are pleased to see that good things are still happening. Pressure from citizens or international partners is needed. In 2025, the progress made in terms of participatory tools and increased integrity is largely due to the plan to join the OECD and the funding from the PNRR.

9.1. ETHICS MANAGEMENT AND REGULATION OF LOBBYING

In 2025, Romania introduced new regulations on ethics management and lobbying rules for government officials ([Law No. 49/2025](#)) and minimum lobbying rules for members of Parliament ([Law No. 197/2025](#)). The second law, adopted at the end of November, will come into force in June 2026.

The main tool is a form of transparency register, known as RUTI (the Single Register for the Transparency of Interests), which [has already been implemented](#) for government officials. However, the platform is minimal and lacks basic functionalities, such as search, filtering, and mechanisms to easily track specific topics or decision-makers. Fortunately, there is what we call tech-activism.

The AIParte community has developed a [platform that extracts data from RUTI and adds search and presentation tools](#).

Law No. 49/2025 introduces minimum requirements for ethics management, such as procedures relating to gifts. The Government has ignored [proposals from civil society](#), for example regarding strengthening the role of universities in this area. To be effective, the Law requires secondary legislation, which the Government was due to adopt by mid-July 2025. This did not happen, so the Law is largely unenforceable, with the exception of the RUTI section.

In November 2025, Parliament adopted new regulations on revolving doors through [Law No. 189/2025](#). Revolving doors refer to the direct and rapid transition of a public official or civil servant from a regulatory or decision-making role in the public sector to a private entity that they previously oversaw or with which they had official dealings. In the absence of risk prevention measures, this transition raises legitimate questions regarding potential conflicts of interest, as well as whether decisions taken in the public service were influenced by the promise of a subsequent, better-paid job.

The relevant institutions and authorities have 90 days to adopt the necessary secondary legislation. The law is therefore expected to come into force in February 2026. In this case too, [civil society has criticised](#) the rapid adoption procedure and the fact that bolder decisions were not taken, with a preference being given to a diluted version of the mechanism, emphasising administrative

formalism and bureaucratic internal control as well as an undermined role of the National Agency for Integrity. Another major limitation of the law is that it does not apply to employees in the military and law enforcement sectors.

Despite its shortcomings and the criticism it has received, one positive aspect remains: we finally have a minimal legal framework for ethics management in public institutions.

9.2. DIGITAL TOOLS FOR PARTICIPATION

The latest tool in the Government's portfolio is E-consultation, an ambitious platform that aims to include:

- all draft legislation currently under public consultation, at all levels of government;
- a simple tool through which you can submit requests for information of public interest to any institution in Romania;
- a platform where information can be found on all grants awarded from public funds.

The idea is an old one, and there was a previous version, intended solely for public consultation, which remained unused due to a lack of content and functionality. Launched in December

2025, the platform is now beginning to operate, albeit at a slow pace. The public information requests component is the best-developed part, in the sense that it is relatively easy to submit requests for access to information of public interest to various institutions (though not all of them, yet). In the public consultation area, a growing number of ministries and local authorities are publishing draft legislation on the platform.

We hope that the platform will continue to be developed, either by the Government or by volunteers from civil society.

9.3. A STEP FORWARD FOR THE ANTI-FEMICIDE LAW

The draft law on preventing and combating femicide and the violence that precedes it is the result of a collaborative process between representatives of civil society and MPs and senators from various democratic political parties, backed by a record 273 signatures upon its registration in the Senate. The draft law was debated in several public meetings, and views were sought from both civil society organisations and public authorities with responsibilities in the field of gender-based violence, with the initiators aiming to identify the best legislative solutions, adapted to the local context, for the prevention and escalation of gender-based violence.

At the time of writing this report, the anti-femicide law had been passed by Parliament and submitted to the President for promulgation.

9.4. WORK CONTINUES ON ALIGNING LEGISLATION WITH THE ILO CONVENTION ON WORK HARRASSMENT

In March 2024, the Romanian Parliament ratified the ILO Convention on the Elimination of Harassment and Violence in the World of Work (C190). We hailed it at the time as a success for civil society advocacy. Two and a half years earlier, the Association for Freedom and Gender Equality (A.L.E.G.) had launched the ‘*Employers for Respect*’ campaign, supported by member organisations of the NGO Coalition for Citizens, with the aim of persuading the Romanian state to accede to C190. The enactment of the ratification law was a remarkable success, but only one step.

The next step is to bring national legislation into line with the provisions of the Convention. Representatives of civil society have been actively involved in the working groups set up at government level, which have produced three new draft laws. These amend the Labour Code, the legislation on the Labour Inspectorate and the regulations concerning health and safety at work, providing a concrete framework of support for victims of harassment of any kind in the workplace. The three draft laws were adopted by the Government in September 2025 and sent to Parliament. They

passed the Senate in December 2025 and, at the time of writing, were on the agenda of the Chamber of Deputies.

9.5. PROGRESS IN THE FIELD OF ENVIRONMENTAL PROTECTION

Despite all the systemic issues highlighted in the section on the environment, 2025 also brings a number of developments that give us cause for hope:

- Updating the Green Spaces Register – Bucharest City Council has allocated 19 million lei to create the ‘*Bucharest City Green Register*’. This serves as a kind of land registry for green spaces in Bucharest. Updating this register is considered a major priority, given that the area of green spaces in Bucharest has been in steady decline over recent decades. The latest version of the Green Spaces Register dates from 2013, making the updating process essential for urban planning and environmental protection in the capital.
- A new protected natural area in Bucharest – Petricani Meadow has officially become a protected natural area, following advocacy efforts by the Văcărești Nature Park Association. Petricani Meadow covers an area of approximately 6 hectares and includes a lake, meadow and wooded area, at an altitude of 75–90 metres. Studies carried out by the Bucharest Natural Park Association in

Petricani have identified 12 species of mammals, including the otter, stone marten, hedgehog, mole and common noctule bat, alongside 90 species of birds, 12 species of fish, 3 species of amphibians and 7 species of reptiles. In addition, 100 species of butterflies and moths and over 88 species of plants were recorded. Of all these species, 49 are legally protected.

- Green light for energy communities – In November 2025, specific legislation was adopted laying the foundations for the operation of energy communities, and funds from the Just Transition Programme (JTP 2021–2027) were finally released. Local authorities in six targeted counties will have access to €170 million for projects supporting local renewable energy production and collaboration between local authorities and citizens to create energy communities. Local councils can develop generation facilities for the self-consumption of public buildings and involve citizens in the project.
- No more neonicotinoid pesticides – The Cluj Court of Appeal has overturned the exemptions issued by the Ministry of Agriculture and Rural Development for the use of neonicotinoid pesticides, substances banned in the European Union due to serious risks to the environment and human health. The organisations Eco Ruralis and ROMAPIS initiated this legal action, challenging the derogations that allowed the use of banned substances affecting bees, pollinators, small-scale farming and

agroecology in Romania. The court has put an end to 12 years of abuses committed by the Ministry of Agriculture and has blocked the use of banned pesticides on 3 million hectares of arable land.

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Artificial intelligence (AI)-based tools were used in the drafting of certain sections of this report to assist with text editing and language refinement. At the same time, the text is based entirely on original documents drafted by the authors, and the final content, in its entirety, has been conceived, validated and verified by the authors.

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- [Greenpeace Romania](#)

The authors of the report are members of the “NGOs for Citizens” Coalition.

The “NGOs for Citizens” Coalition is made up of 26 NGOs that defend civic space, civil rights, and human rights. The activities of its member organizations address topics such as education, social justice, human rights, environmental protection, freedom of expression and good governance. When civic rights are threatened with restriction or when the state oversteps its bounds, only together, citizens and non-governmental organizations, can we do something about it.

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