



FUNDAMENTAL RIGHTS
AND THE RULE OF LAW

Report on the visit to Romania **Authorities' observations on the report**

11-12 June 2024



European Economic
and Social Committee

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As part of the EESC's efforts to promote fundamental rights and the rule of law, a delegation of the EESC's Group on fundamental rights and the rule of law visited Romania on 11-12 June 2024. The delegation met with several representatives of civil society, specifically civil society organisations (CSOs), the social partners, the media and the legal professions. A separate meeting was organised with the Romanian authorities, where they had the opportunity to react to some of the points that were presented to them. The aim of this report is to faithfully reflect and reproduce the views of civil society. The EESC FRRL Group last led a visit to Romania on 19-20 November 2018.

1. Fundamental rights related to social partners

Participants recalled that in 2018, trade unions had voiced considerable dissatisfaction with the **labour market laws** in place at the time. Following years of persistent protests, a comprehensive amendment process had been negotiated with the government by the end of 2022. According to participants, the European Commission had played a key role through the National Reform and Resilience Programme (NRRP), pushing the government to adopt the necessary changes, which had ultimately led to the endorsement of Law 367/2022 on social dialogue.

Participants reported that Law 367/2022 had expanded the **right to strike** to include collective action when individual rights had been violated, in addition to collective rights, representing a substantial shift in the legal framework. They explained that in Romania strikes were primarily organised within individual companies, making sectoral or national strikes difficult to coordinate. Participants pointed out that while the right to strike at the sectoral level was permitted, it could only be exercised after initiating negotiations for a collective bargaining agreement, typically in response to disputes over working conditions. The progress in labour legislation since 2018 had made it possible for the education sector to organise a major general strike in 2023. However, participants noted that significant restrictions on the right to strike had persisted, particularly for employees in the public sector.

According to participants, the state of social dialogue and **collective bargaining** had been gradually improving under the new regulations, although considerable challenges remained. Ongoing discussions were focused on implementing the 2022 Directive on adequate minimum wages. However, there were

concerns that only a low percentage of Romanian employees were covered by collective agreements, falling significantly below the 80% target set by the Directive. Participants reported considerable limitations for certain categories of workers, including public television and radio personnel, as well as self-employed cultural workers, in their ability to negotiate their rights due to restrictive legislation.

Participants regretted that **social dialogue** with the government was often rushed, noting that public consultations had frequently been conducted on extremely short notice. The frequent issuance of emergency ordinances by the government, which had begun during the Covid-19 pandemic, did not allow sufficient time for social partners to analyse and consult their own members, leading to a perception of transparency without genuine engagement.

According to participants, the **National Tripartite Council** (NTC), chaired by the Prime Minister, presented challenges for social partners due to the government's influence over the structure. Participants explained that sector-level collective agreements could only become applicable to all employees if the NTC issued a positive opinion, a requirement that some viewed as a restriction.

Participants complained that **union leaders had been required to disclose their assets annually** to the National Integrity Agency, while employers' representatives had been exempted. The Romanian authorities replied that trade unions had been asked to provide this information because they represented public sector employees.

Participants criticised the **management of some European funds**, noting that some of the monitoring committees held infrequent meetings, engaged in unproductive discussions and provided non-transparent responses to stakeholder feedback.

2. Freedom of association and freedom of assembly

Participants recalled that at the time of the previous FRRL group visit, Romania had been struggling to transpose the 5th Anti-Money Laundering Directive, with **multiple amendments to the law over a brief period** and imposing burdensome reporting obligations on CSOs. According to them, this episode highlighted how the EU legislation could create challenges when transposed to the national level.

Some small CSOs in the environmental sector had been shut down after opposing large-scale projects, according to participants. This trend had created a chilling effect, diminishing the ability of CSOs to function effectively. Participants explained that **public funding** had predominantly been allocated to CSOs providing social services, while most CSOs, especially those engaged in advocacy and focusing on rule of law issues, had generally refrained from accepting public funding.

Participants highlighted that the government had approved a significant portion of legislation through expedited emergency ordinances, bypassing parliamentary scrutiny. They noted this pattern as a recurrent issue in the policy-making process. Participants denounced a major problem with the **quality of legislative proposals**, as many laws had been rapidly reviewed after their initial adoption, due to implementation issues. According to them, such frequent changes had made it frustrating to influence effective legislation.

Participants regretted that a significant number of new draft laws were presented each year, but the majority were stalled in Parliament, while civil society's concrete proposals to modify existing legislation had rarely advanced. In their view, **consultative processes** had been extremely challenging for CSOs, demanding extensive time, expertise and resources. As a result, CSOs had struggled to contribute effectively to the legislative process.

Participants considered it crucial to focus on whistleblowing legislation. They noted a diminishing appetite and fewer resources for opposing large projects and powerful interests, making organised resistance increasingly difficult. They observed that this trend had led to a shrinking and weakened civil society sector, with fewer CSOs able to maintain a presence in the public sphere. Participants recommended strengthening support and resources for CSOs to maintain a healthy **civic space**.

Participants reported that the government had been struggling with legislative developments due to a **limited availability of experienced professionals**. According to their views, despite positive past efforts to recruit skilled personnel, high turnover and frequent government changes had resulted in persistent difficulties with maintaining a skilled workforce in policy-making roles.

3. Freedom of expression and media freedom

Participants observed a lack of **transparency related to media ownership** and how political parties funded public media through advertising . This trend had intensified since the Covid-19 pandemic, with participants noting that the opaque allocation of these funds had contributed to reduced media diversity. This lack of clarity had also led to the silencing of critical voices, particularly on issues like corruption, as the media had become more aligned with the major political parties. The Romanian authorities commented that media service providers were required to make information about their owners publicly available.

Participants expressed concerns about **journalists' safety**, exemplified by the case of journalist Emilia Șercan, who had exposed serious allegations against a high-profile political figure. Following her revelations, she was subjected to a smear campaign, but the case was closed by the prosecutor without any legal consequences for those responsible. In their view, this case highlighted the insufficient protection available for journalists. Participants were concerned about the involvement of intelligence services in the fight against disinformation, citing the potential for increased control over the internet users.

Access to public information was another area of concern. Journalists faced numerous legal and bureaucratic hurdles to obtain necessary information, with lengthy delays often rendering the data obsolete. Pressure on journalists, such as through strategic lawsuits against public participation (SLAPPs), had further hindered their ability to report freely. In this regard, participants expressed concern about how the government would implement the relevant anti-SLAPP Directive, as well as the EU Digital Services Act (DSA). The Romanian authorities said that the first draft law to transpose the anti-SLAPP Directive would be ready by the end of 2024.

Participants highlighted the misuse of the General Data Protection Regulation (**GDPR**) as another significant challenge: they expressed concern that GDPR had been used by public institutions to

withhold information, thereby restricting the right to access to information. Meanwhile, significant data breaches in the public sector had gone unsanctioned, reflecting a double standard in GDPR enforcement.

Regarding **media financing**, participants reported that independent media outlets were generally small and had operated on modest budgets, whereas mainstream media had received significantly larger fundings, including public funds. The financial disparity had made it challenging for independent media to compete effectively in the market. Participants highlighted significant wage disparities within the public media sector, where employees in radio broadcasters earned considerably less than their peers in television services.

Participants praised Law 367/2022 on social dialogue, but expressed concerns about its inadequate implementation. They regretted that the rules governing the status of professional **cultural workers** excluded trade unions from negotiation on their behalf, preventing these professionals from effectively defending their rights. In the participants' view, the recent reorganisation of the culture, media and press sectors by the government had further complicated collective bargaining, hindering effective negotiations and blocking progress in these sectors.

4. The right to non-discrimination

Participants reported that CSOs had been struggling to address the needs of **international protection seekers** coming from Ukraine since 2022, especially those of women and children. In their view, many Ukrainian protection seekers had faced insufficient financial assistance and a poorly designed accommodation system. Examples of these difficulties included dealing with corrupt landlords and navigating unclear Romanian legislation, which was inconsistently interpreted across different counties.

Participants regretted that significant challenges persisted in the representation of **women** in decision-making positions at different levels. According to them, the current political system appeared resistant to change. Another pressing concern was the accessibility of services for women who had been **victims of violence**, especially those in rural areas and women belonging to ethnic minorities. According to participants, Romania had a robust legal framework designed to protect women, including tools like emergency protection orders. However, the actual number of shelters fell short of meeting actual needs and the lack of access to services had severely restricted victims' ability to seek justice. Issues persisted with inadequate funding, especially for the National Agency for Equality between Women and Men. Participants reported that CSOs had called for a unified, transnational policy to address these issues, but felt that leaders had often lacked the political will to tackle the problem effectively. The **trafficking** of Romanian women and girls abroad was also reported as a significant concern, highlighting underlying issues of vulnerability and poverty. According to participants, these individuals had often faced substantial stigma surrounding their disappearance, particularly those from rural areas, and had lacked adequate reintegration support. They recommended increased investments in alternative housing and job opportunities for victims of violence, as well as protection services for women and girls in such situations and trafficking survivors.

Participants reported that **people with disabilities** had been struggling with poverty, limited access to the labour market and severe accessibility issues in both the physical and digital environments. In their view, the welfare services for people with disabilities required urgent reform, particularly in improving

access to essential services and support for personal assistants. For example, they highlighted that personal assistants were available only for limited hours, which was insufficient to meet the needs of people with disabilities. In addition, they denounced a lack of subsidies for assistive technologies, which had forced individuals to pay out-of-pocket for these essential tools. Participants reported that recent cases of unequal pension provisions among people with disabilities had revealed a persistent disparity in their treatment.

According to participants, **LGBTIQ+** individuals had faced challenges, particularly outside major cities, where inclusivity had been less prevalent. They called for a national support network to safeguard the rights of LGBTIQ+ individuals. Participants also recommended that authorities be made more aware of the specific difficulties LGBTIQ+ individuals had encountered, and take proactive measures to ensure that everyone received equal treatment.

Participants explained that **homelessness**, especially affecting women and children, had remained a critical issue and had been exacerbated by domestic violence, which was a leading cause of family homelessness. In their view, there had been a significant lack of government support in this area. The inability for CSOs to engage effectively with the government reflected a top-down approach that had hindered the development of effective measures to address homelessness and domestic violence. Additionally, the absence of reliable data on homelessness had complicated efforts to create a comprehensive national strategy. The Romanian authorities said that working with persons belonging to this community was challenging, so they focused on developing national strategies and establishing dedicated agencies to do so.

Participants noted that persons belonging to **Roma communities** often struggled to access their rights, due to a lack of awareness of the protections available to them, how to navigate legal processes, as well as limited community support. There had been situations where individuals belonging to Roma communities were without identification documents, preventing children from visiting doctors or enrolling in the education system. They had higher incarceration rates due to multiple factors, including their limited resources to defend themselves. In this context, participants explained that projects with these communities had been implemented to improve the rights of persons belonging to Roma communities, including access to justice. The authorities explained that efforts of inclusion of Roma communities had been strengthened through increased participation of CSOs, thematic groups, local Roma workers and the engagement of the National Centre for Roma culture in rural areas.

5. The rule of law

Participants explained that Romania had a tough legislative framework on **money laundering, corruption and conflicts of interest**, but they highlighted the insufficient enforcement of these laws. They contended that the Romanian Financial Intelligence Unit (FIU) was inefficient, particularly in financial investigations, noting that the FIU did not finalise corruption cases for years. Due to these delays, participants regretted that corruption cases remained unresolved, allowing politicians to escape punishment because of the statute of limitations. They cited examples where the National Integrity Agency had focused on minor cases and avoided high-profile investigations, leading to no significant investigation into unjustified wealth in recent years. Participants regretted that the Integrity Agency's capacity to check asset and interest declarations was limited by the lack of legal basis for exchanging

information with other entities. This limitation, combined with the inability to conduct investigations, rendered its efforts ineffective, according to them. Additionally, they explained that organised crime-related cases had often lacked proper financial investigations, leading to few convictions. Since the 2017 judicial reform had altered the approach to handling corruption within the judiciary, no cases had been prosecuted, raising concerns among participants about inadequate investigation. The Romanian authorities commented on political interference stating that court decisions on corruption had been respected.

Participants highlighted rampant **tax evasion** as one of Romania's biggest challenges, emphasising the large VAT gap and noting that recent decriminalisation measures had allowed offenders to avoid prison by repaying due amounts without facing any criminal sanctions. A participant believed that there had been improvements in the judiciary since 2018, noting that cases involving tax evasion and corruption were present, even if they had not been well-publicised in the press. The authorities replied that the decriminalisation had been intended to increase the public budget and had been approved by the Constitutional Court.

Some participants expressed concerns that the **justice system** had deteriorated, and some participants even assessed that the country was reverting to pre-EU accession standards. Participants regretted the inadequate application of existing laws, such as those related to extended confiscation and anti-money laundering. They highlighted that some courts and prosecutors' offices had been overloaded, with complex financial or corruption cases being transferred to lower courts. This shift had burdened less experienced prosecutors with outdated, high-profile cases, leading to inefficiency. Participants noted a troubling trend where many appointments in the health and justice sectors were now being made through secondments instead of competitive selection processes.

Participants noted that Romania had faced a generation gap in **judicial professions**, with many new and less experienced magistrates entering the field. This issue was complicated by the fact that, until recently, judges and prosecutors could retire after 25 years of service without an age requirement. Although such a policy had been revised only a few months earlier, it was cited by participants as a contributing factor to the shortage of magistrates. The authorities stated that a recent competition for new magistrates had addressed the shortage, and a law change adjusting the retirement age to 25 years of service specifically as magistrates had been adopted.

Participants reported that Romania had previously been condemned many times by the European Court of Human Rights (ECtHR) due to poor **prison conditions**. These judgements had prompted improvements in prison conditions, resulting in no recent adverse rulings from the ECtHR. The authorities commented that an action plan was in place, including the construction of new prisons and the renovation of existing ones.

**Authorities' observations on the report
on the visit to Romania,
11-12 June 2024**

Ministry / Institution	Comments / Observations
Ministry of Labor and Social Protection	<p>Concerning the EESC Fundamental Rights and Rule of Law Group country visit report for 2024, we would like to offer complementary information to the following sections, which has to be published in the annex to the report containing the authorities' observations:</p> <p>1. Fundamental rights related to social partners</p> <p>Regarding the statement “<i>considerable limitations for certain categories of workers, including public television and radio personnel, as well as self-employed cultural workers, in their ability to negotiate their rights due to restrictive legislation</i>”, please note that according to art. 3 of the Law no. 367/2022 on social dialogue, with subsequent amendments and supplements, <i>the right to free trade union association</i> is guaranteed to employees/minor workers from the age of 16, without the consent of their legal representatives, and without conditions and constraints to employees/workers with an individual employment contract, in a legal employment relationship, to civil servants and civil servants with special status, farmers, cooperative members, <i>independent workers</i> under the terms of the law, in line with the recognition of trade union rights within the framework of employment relationships guaranteed by the Law no. 53/2003 Labour Code, with subsequent amendments and supplements.</p> <p>The Law no. 367/2022 on social dialogue recognizes the right to unionize also for <i>independent workers</i>, as defined by law: a person who carries out an independent activity, trade or profession, has the status of insured in the public social insurance system and/or who does not have the status of employer.</p> <p>The right to collective bargaining in labor matters and the binding nature of collective agreements are guaranteed by the Romanian Constitution (art. 41 paragraph (5)), while Law no. 367/2022 on social dialogue regulates the parties, their representation and the collective bargaining procedure and conclusion of collective labor agreements, as well as the obligation to initiate collective bargaining at the level of the unit and of the collective bargaining sector (art. 95-119).</p> <p>The National Tripartite Council (NTC) is a national-level consultative body of social partners, established to promote good practices in the field of tripartite social dialogue at the highest level.</p>

It is organized and operates in accordance with the provisions of Law No. 367/2022 on social dialogue (art. 82 -88) and of its own organization and operational regulation. Proposals, points of view and opinions are formulated within the NTC, any recommendation of the Council is adopted by consensus. Following to the recommendation of NTC, last year the Government has issued the Decision on the extension of the application of the provisions of the Collective Labour Agreement registered at the level of the collective bargaining sector 40 – Banking Activities. (<https://dialogsocial.gov.ro/wp-content/uploads/2020/06/MO-1185-28-11-HG-1500-27-11-extindere-CCM-activitati-bancare.pdf>)

2. Freedom of expression and media freedom

With reference to the statement “*They regretted that the rules governing the status of professional cultural workers excluded trade unions from negotiation on their behalf, preventing these professionals from effectively defending their rights. In the participants' view, the recent reorganisation of the culture, media and press sectors by the government had further complicated collective bargaining, hindering effective negotiations and blocking progress in these sectors.*”, we would like to underline the following:

The right to associate in trade unions, employers' organizations and *professional associations*, as well as the right to collective bargaining in employment and to apply collective agreements are recognized by the Constitution of Romania (art. 40 and art. 41 paragraph 5), which also defines the mission of trade unions, employers' organizations and *professional associations* to defend the professional, economic and social rights and interests of their members (art. 9).

Through adoption of the EO no. 21/2023 on the Status of the Professional Cultural Worker, the following rights are recognized to *professional cultural workers*: the right to participate and collective representation for the improvement of working conditions and freedom of action in the defense of rights, the right to establish or join a *professional association* and the right to consultation or exchange of information.

The exercise of employees' trade union rights is recognized at the level of all employers, with respect for the rights and freedoms guaranteed by the Constitution and in accordance with the provisions of Law No. 53/2003 Labour Code and special laws.

	<p>The cultural workers who work in the budgetary system, negotiate collectively according to the provisions of Law no. 367/2022 on social dialogue. In May 2025, the collective labor contract for the sector no. 36 Culture was signed by the Ministry of Culture and the representative trade union federations in the culture collective bargaining sector - Federația Cultură și Mass-Media FAIR MediaSind (Culture and Media Federation FAIR MediaSind) and Federația Națională a Sindicatelor din Cultură și Presă CulturMedia (National Federation of Culture and Press Trade Unions CulturMedia)-. The collective sectoral labor agreement is registered at the Ministry of Labour under the no. 834/29.05.2025 and is published on the ministry' website. (https://dialogsocial.gov.ro/sector-de-activitate/)</p> <p>The collective bargaining sectors were established by the national representative social partners following a meaningful consultation process and approved by the Order of the Minister responsible for social dialogue, published in the Official Gazette of Romania (Order no. 2311/2023). The national representative social partners have the possibility to redefine the collective bargaining sectors whenever they identify a common interest.</p> <p>Francisc-Oscar GAL Undersecretary of State</p>
Ministry of Culture	<p>Implementation of the European Media Freedom Act (EMFA)</p> <p>An inter-institutional working group has recently been established in Romania, bringing together relevant national authorities such as the National Audiovisual Council (CNA), ANCOM, public service media institutions, and others. Its purpose is to assess current national legislation and identify areas that may require alignment for the effective implementation of the European Media Freedom Act.</p> <p>This coordinated initiative is expected to address several systemic challenges identified in the report - including transparency of media ownership, the allocation of public funds for media, and the protection of editorial independence - by ensuring that domestic regulations are brought in line with the EMFA framework.</p> <p>Status and representation of cultural workers</p> <p>In response to the concerns regarding the limited capacity of cultural professionals to organise and collectively defend their rights, we would like to draw attention to the legal framework currently in force.</p>

	<p>Government Emergency Ordinance No. 21/2023, approved by Law No. 346/2023, defines the status, rights, and obligations of cultural workers, who most often work on the basis of civil contracts, such as contracts for the assignment of patrimonial rights (under Law No. 8/1996 on copyright and related rights) or service contracts for cultural activities.</p> <p>Given the specific legal nature of these contractual arrangements, the law grants cultural workers the right to associate in professional associations, not trade unions. While trade unions are linked to employment contracts governed by the Labour Code, professional associations are legally empowered to promote and defend the rights of their members. This distinction is essential for understanding the representational framework applicable in the cultural sector and reflects Romania’s effort to provide a dedicated legal status to freelance cultural professionals.</p>
National Agency for Roma	<p>In regard to the following para in report:</p> <p>“There had been situations where individuals belonging to Roma communities were without identification documents, preventing children from visiting doctors or enrolling in the education system. They had higher incarceration rates (...)”</p> <p>The National Agency for Roma raises objections, as follows:</p> <p>The issue of the right to identity for Romanian citizens belonging to the Roma minority has been resolved in the past decade. In practice, only minor and rare exceptions remain, which require a judicial procedure. No child, regardless of ethnicity, is denied access to medical care for minors (who, according to Romanian legislation, are covered free of charge until the age of 18, inclusive). Furthermore, regarding the claims of criminal overrepresentation of Roma people, we firmly reject these statements, as the Romanian penitentiary system does not collect data on ethnic identity. Additionally, the recording of such statistical data—which would contribute to labeling and stigmatizing the Roma minority in Romania—is an individual choice of the citizen.”</p>
National Audiovisual Council	Section 3: Freedom of expression and media freedom

In response to the request for comments on the draft report of the EESC delegation visit to Romania (11-12 June 2024), the National Audiovisual Council (CNA), within the limits of its legal competences, would like to submit the following clarifications related to the audiovisual media sector.

On media ownership transparency

With regard to the issue of media ownership transparency, we would like to underline that, in the audiovisual sector, this obligation is clearly established by national legislation. According to Art. 48 of the Romanian Audiovisual Law no. 504/2002, with subsequent amendments and completions, audiovisual media service providers under Romanian jurisdiction are required to ensure simple, direct, and permanent public access to information such as:

- the legal name, status, and registered office of the provider;
- the name of the legal representative and the ownership structure, including all shareholders or associates (natural or legal persons) holding more than 20% of the share capital or voting rights;
- the names of the persons responsible for the company's management and for assuming editorial responsibility;
- their contact details (including postal address, email, or website);
- the list of publications or other audiovisual services operated by the same entity.

This information must be made publicly available by the provider and any significant changes must be notified to the National Audiovisual Council (CNA), which monitors compliance.

Furthermore, pursuant to Law no. 544/2001 on free access to public information, the CNA publishes a centralised and regularly updated list on its official website, entitled "Structura acționariatului societăților deținătoare de licențe" (Shareholding structure of companies holding audiovisual licences). This list is updated monthly, and includes:

- the name of each licensed media service provider;
- the full legal name of all direct shareholders (natural or legal persons);
- the percentage of ownership for each shareholder, including where this is under or above 5%;
- multi-level shareholding information for complex corporate structures;

- in some cases, information about the founders, editorial board members, or individuals holding editorial responsibility.

The list only includes providers who have consented to the publication of their shareholder data, in accordance with the General Data Protection Regulation (GDPR).

It is important to note that the CNA has no legal competence regarding the allocation, monitoring, or regulation of state advertising. This matter falls outside the scope of the audiovisual regulatory authority and is not covered by the Audiovisual Law.

On the protection of journalists

In relation to the concerns raised about the safety of journalists, we would like to point out that, under the Romanian Audiovisual Law no. 504/2002, with subsequent amendments and completions, specific provisions exist to guarantee the protection of journalists and media service providers.

Art. 8 of the Audiovisual Law explicitly states that the competent public authorities must, upon request:

- ensure the protection of journalists who are subject to pressure or threats that could effectively prevent or restrict the free exercise of their profession;
- ensure the protection of the premises and facilities of broadcasters if they are threatened in a manner that could affect their normal activity.

At the same time, the law safeguards against any misuse of such protection measures by specifying that they must not be used as a pretext to interfere with or restrict journalistic freedom or the free exercise of audiovisual media services.

	<p>While the enforcement of these provisions does not fall under the competence of the National Audiovisual Council (CNA), we consider it important to recall that the legal framework explicitly acknowledges the responsibility of state authorities to protect journalists and the integrity of media institutions.</p> <p>We hope that these clarifications are useful in accurately reflecting the legal framework and regulatory practices in place for the audiovisual media sector in Romania. The CNA remains available for further dialogue or additional technical input, if required.</p>
Ministry of Justice	<p><i>Section 1 - Fundamental rights related to social partners (page 1)</i></p> <ol style="list-style-type: none"> 1. For this section, the competence lies with the Ministry of Labor, Family, Youth and Solidarity. <p><i>Section 2 - Freedom of association and freedom of assembly (page 2)</i></p> <ol style="list-style-type: none"> 1. The National Office for the Prevention and Combating of Money Laundering should also be consulted for any additional information. 2. Regarding issues related to the use of emergency ordinances, the quality of legislation and the consultation process, we consider it necessary to address to the Legislative Council and the Secretariat-General of the Government. <p><i>Section 3 - Freedom of expression and media freedom</i></p> <ol style="list-style-type: none"> 1. Representatives of non-governmental organizations were also involved in the preliminary stage of the public debate of the draft law, participating in meetings with representatives of the Ministry of Justice, as well as submitting observations on the draft transposition law. (referring here to the anti-SLAPP Directive) 2. Please take note that the draft Law extends the procedural guarantees contained in the Directive to domestic cases. <p><i>Section 4 - The right to non-discrimination</i></p>

1. Access to justice is guaranteed by the Romanian Constitution (article 21). The bars offer, according to the law, free legal aid. (referring to the Roma communities and to their limited resources to defend themselves)

Section 5 - The Rule of Law

1. The FIU should be consulted, to provide statistics regarding their operational activity. We are not aware of such “withheld of corruption cases” due to the “inefficiency” of FIU.
2. On the contrary, in the Moneyval 2023 report - para 15, it is clearly acknowledged that “investigations and prosecutions into the laundering of tax predicates and the laundering of the proceeds of corruption are effectively conducted (...)”. (referring to the FIU)
3. According to 2024 Rule of Law Report Country Chapter on the rule of law situation in Romania, published on 24.7.2024, “The authorities maintain a positive track record in combating corruption, including as regards high-level corruption cases”.
4. According to 2024 Rule of Law Report Country Chapter on the rule of law situation in Romania, published on 24.7.2024, “The National Integrity Agency continued to work efficiently on conflicts of interest, asset declarations and whistleblowing”.
5. The statement is not accurate ((...)was limited by the lack of legal basis for exchanging information with other entities) . There is a special provision in Law no. 176/2010, art. 15 para 1, according to which:

"(1) During the course of the evaluation, the integrity inspector may request from all public institutions and authorities, other legal entities governed by public or private law, as well as natural persons, the documents and information necessary for carrying out the evaluation activity, with the obligation to maintain confidentiality."

This provision allows ANI to ask information to anyone, either public or private entity.

	<p>6. Information should be requested to the General Prosecutor’s Office. <i>(Since the 2017 judicial reform had altered the approach to handling corruption within the judiciary, no cases had been prosecuted ...)</i></p> <p>Also, according to 2024 Rule of Law Report Country Chapter on the rule of law situation in Romania, published on 24.7.2024, “The authorities maintain a positive track record in combating corruption, including as regards high-level corruption cases”.</p> <p>7. According to 2024 Rule of Law Report Country Chapter on the rule of law situation in Romania, published on 24.7.2024, “On 15 September 2023, in line with the 2006 decision setting up the Cooperation and Verification Mechanism (CVM), the Commission formally closed the CVM, as Romania had satisfactorily fulfilled all the benchmarks and all recommendations set under the mechanism. Monitoring continues under the Rule of Law report, as for all EU Member States”. Therefore, this statement is contradicted by the 2024 Rule of Law Report on Romania. The CVM mechanism wouldn’t have been closed by the Commission if the benchmarks and all recommendations set under the mechanism hadn’t been fulfilled. (referring to the Justice system)</p> <p>8. Supreme Council of Magistracy should be consulted about the information in this para:</p> <p><i>They highlighted that some courts and prosecutors' offices had been overloaded, with complex financial or corruption cases being transferred to lower courts. This shift had burdened less experienced prosecutors with outdated, high-profile cases, leading to inefficiency. Participants noted a troubling trend where many appointments in the health and justice sectors were now being made through secondments instead of competitive selection processes</i></p>
Secretariat-General of the Government	<p>Section 1 - Fundamental rights related to social partners (page 2)</p> <p>1. In accordance to the 40 categories, which are currently foreseen in art.1 within the Law 176. Supplementary, the 3rd section within the interests declarations it requires to disclose the membership of professional and trade union associations.</p>

Section 5 - The Rule of Law

Contradicts the latest European Commission's Rule of Law Report (2024) on ANI's findings - Romania Chapter: "ANI maintained its results in managing conflicts of interest and asset declarations. At the end of 2023, a series of austerity measures were taken that affect the public service generally, with an impact on ANI (...). ANI identified a record amount of unjustified wealth of over EUR 6 million." (referring to the National Integrity Agency)



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Rue Belliard/Belliardstraat 99
1040 Bruxelles/Brussel
BELGIQUE/BELGIË

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