

Executive summary

When considering civic space protection in Romania, it is important to recognise the country's history and journey as a relatively young democracy. In part due to its accession to the European Union (EU) in 2007, Romania has spearheaded significant democratic reforms over recent decades. Today, the civic freedoms that underpin vibrant civic space are afforded the highest legal protection and the country has introduced a series of reforms to improve citizen and stakeholder participation. However, democratic participation remains low, as does trust between citizens and the state, and there is little targeted outreach to underrepresented groups. OECD's [Government at a Glance 2021](#) found that confidence in the Romanian government fell from 20% in 2007 to 16% in 2020. According to [International IDEA](#), voter turnout is low in Romania, namely 31.8% in 2020 parliamentary elections and 51.2% in 2019 presidential elections. Romania's ability to effect reform has been further inhibited by frequent changes in government in recent years.

Romania's upcoming Open Government Strategy, which will include a component on engaging civil society in public decision making, can lay the groundwork for greater co-operation and partnership between public bodies and civil society. The process of designing, developing, implementing, and monitoring the strategy – as important as the strategy itself – will provide a crucial opportunity to forge a relationship based on shared goals and mutual trust and respect. This report provides an in-depth analysis of national legal frameworks, policies, institutions, and practices relevant to civic space protection, reviewing strengths and areas for improvement, and providing guidance on a wide range of issues.

Protecting civil liberties and empowering oversight mechanisms

Overall, fundamental civic freedoms of expression, peaceful assembly and association are well protected by legal frameworks in Romania. People in Romania can express their opinions freely: Romania is one of the few European countries to have decriminalised defamation. Nonetheless, hate speech remains a pervasive challenge. Furthermore, inequality and marginalisation hamper equal participation in public life and different types of exclusion – including high levels of poverty and low levels of representation of Roma – are often interlinked. The government recognises this issue, and several legislative reforms and government strategies aim to support vulnerable groups, such as Roma, migrants, people with disabilities, and lesbian, gay, bisexual, transgender or intersex (LGBTI) persons, who continue to face systemic exclusion and discrimination. Other such strategies seek to combat xenophobia and hate speech, as well as gender discrimination and violence, to ensure that citizens are safe, able, and willing to participate in public life on an equal basis.

The implementation of national strategies could be improved by identifying clear leadership, solidifying sources of funding, adapting objectives to the national and local context, and strengthening monitoring, oversight and evaluation. A dedicated strategy to address the challenges facing the LGBTI community would enhance inclusion. Human rights complaints mechanisms, such as the People's Advocate and the National Council for Combating Discrimination would benefit from greater financial resources to successfully fulfil their mandates.

Strengthening access to information, media freedoms and protected online civic space

Access to information is both a right and a key enabler of other civic freedoms. The legal right is recognised in the Romanian Constitution and operationalised through the Law on Free Access to Public Information. Its implementation requires attention, however. For example, there is a need to reduce response times for information requests, avoid illegitimate denials based on the General Data Protection Regulation, and introduce an independent oversight body to monitor these processes, including by gathering and publishing relevant data from across the public administration.

Press freedom and media pluralism are also essential components of vibrant civic space. In Romania, however, public and private media can be negatively perceived due to a lack of transparency in media ownership. Media outlets, especially smaller and regional outlets, face chronic financial difficulties. Journalists can face barriers in reporting objectively and without external interference; some note the use of strategic lawsuits against public participation (SLAPPs) to silence journalists and activists who are critical of public figures or engage in investigative journalism.

The government has developed digital platforms and tools to increase civic engagement and strengthen online civic space. However, barriers such as low Internet coverage and connectivity in many households, as well as a sharp rural-urban divide in terms of digital literacy and access to technology, still need to be overcome.

Policies and practices to provide an enabling environment for CSOs

A wide variety of civil society organisations (CSOs) play a fundamental role in Romanian society, especially during crises such as the COVID-19 pandemic and the refugee emergency due to Russia's war of aggression against Ukraine. However, the sector is precarious: many CSOs are volunteer-driven and struggle with heavy bureaucratic procedures. Up-to-date, consolidated national data on the sector is currently unavailable.

Registration for CSOs can be time-consuming and burdensome. The public utility status for CSOs offers limited value and there is little transparency regarding its beneficiaries. Access to public funding is uneven. Overall, the enabling environment could be strengthened through greater access to public and private funding opportunities, an improved registration process and public benefits system, and enhanced transparency and accountability to ensure equal access to public benefits for all CSOs. Romania could provide much-needed support to the sector by upgrading the national register with information from existing CSO databases to create a centralised portal that maps the sector and shares information on funding opportunities.

More inclusive and collaborative citizen and stakeholder participation

Drawing on the experience and knowledge of citizens and stakeholders help public institutions tackle complex policy problems and provide more people-centred policies and services. Romania has several laws governing citizen and stakeholder participation in public decision-making processes. Ministries and other public bodies also involve CSOs on a regular basis via social dialogue bodies and commissions, and the new E-Consultare platform streamlines consultations on legislation.

However, despite strong legal frameworks, the overall approach is restrictive and formulaic: laws are largely followed but do not foster close and meaningful co-operation between the government and civil society. CSOs are often involved late in the process and do not receive feedback on whether – or how –

their contributions were reflected. Furthermore, there is a tendency to overuse emergency proceedings – with fewer consultations -- to pass key legislation.

A more holistic approach would help Romania achieve its ambitions for citizen and stakeholder participation. Facilitating more contact between public sector officials and CSOs to foster mutual understanding, involving citizens and CSOs throughout the policy making cycle, and institutionalising collaboration would be beneficial. Opportunities exist to use more innovative practices, tools, and channels for both formal and informal dialogue and collaboration. A greater understanding among public officials of the benefits of collaboration will be essential in this regard, coupled with training and the necessary financial and human resources.



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