

Romania 2025

Information from: The Romanian Institute for Human Rights (RIHR)

Independence, effectiveness and establishment of NHRIs

International accreditation status and SCA recommendations

Romania currently does not have an institution accredited as a National Human Rights Institution. The Romanian Institute for Human Rights (RIHR) is a non-accredited associate member of ENNHRI. The Romanian Institute has a strong promotional mandate and has been addressing a wide range of human rights in Romania.

In 2020, both the Romanian Institute and the Romanian Ombudsman (which is not an ENNHRI member and is not accredited) applied for accreditation.

In March 2024, in the context of resuming the accreditation process by the People's Advocate of Romania (Ombudsman) and the Romanian Institute for Human Rights, and for the purpose of fulfilling the requirement provided in Article 6.3, letter b, of the Regulation of the Sub-Committee on Accreditation, a Collaboration Protocol was concluded between the two institutions.

In May 2024, the Sub-Committee on Accreditation (SCA), under the auspices of OHCHR as its Secretariat, convened and reviewed the requests from the Romanian Institute for Human Rights and the People's Advocate of Romania. The SCA decided that the two institutions will not be invited to submit a full application for accreditation and included in its calendar until all the requirements of Section 6.3 of the SCA Rules of Procedure have been met. Although the SCA appreciated the steps taken by the Romanian Institute for Human Rights and acknowledged the memorandum of understanding (MoU) entered into with the People's Advocate of Romania, the SCA expected to receive an official communication from the Government indicating its national human rights institution as required by the Rules of Procedures. The SCA also highlighted that NHRIs are State bodies that play a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level. Moreover, the SCA noted that the establishment and strengthening of NHRIs pursuant to the Paris Principles falls within the set of international human rights commitments made by States. Therefore, it is the responsibility of the State to ensure that it has in place a Paris Principles-compliant NHRI. As such, the Romanian Institute for Human

Rights has been encouraged to advocate with the Government for the issuance of said communication.

In June 2024, in order to support the accreditation process of the two institutions within the GANHRI system from the perspective of meeting the requirement provided in Article 6.3, letter a, of the Regulation of the Sub-Committee on Accreditation, the Government issued a proposal to support the accreditation within the GANHRI system of the two national institutions for the protection and promotion of human rights: the Ombudsman and the Romanian Institute for Human Rights.

In December 2024, the Sub-Committee on accreditation of the Global Alliance of National Human Rights Institutions (GANHRI) informed the Institute of the status of the request for accreditation. As the SCA had never previously considered a request concerning the accreditation of multiple institutions in one UN Member State with the same geographic competence at the same time, the Sub-Committee on Accreditation sought policy guidance on the matter from the GANHRI Bureau during its November 2024 meeting. The GANHRI Bureau has indicated the need to clarify the provisions in the GANHRI Statute and the relevant SCA Rules of Procedure, concerning accreditation of more than one NHRI from one United Nations member State. Therefore, while deliberations are ongoing on a revision of the relevant provisions of the GANHRI Statute on this matter and pending a final decision and policy guidance by the GANHRI Bureau, as per standard procedure, scheduling of the accreditation requests from multiple institutions in one UN Member State will be paused including the requests by the institutions of Romania.

Follow-up to international and European actors' recommendations on NHRIs and relevant developments

Follow-up on European actors' recommendations

As mentioned above, the Romanian Institute for Human Rights has taken the necessary steps towards resuming the accreditation process, entered into a MoU with the People's Advocate of Romania and obtained the official support for GANHRI accreditation process from the local Government. No other measures were taken by the national authorities/Romanian Government to follow-up on the recommendations concerning the Romanian Institute for Human Rights, issued in the last couple of years by the European Commission in its annual rule of law reports. The founding law of the Institute ([Law no.9/1991](#)) did not suffer any alterations in order to better reflect, support and enable the current status of the Romanian Institute for Human Rights, especially in relation to complying with the Paris Principles. Also, no additional resources were given to the Institute, even though the staff shortage struggle

is a known fact, as well as the additional mandate entrusted to the Institute along with being appointed Anti-SLAPP Focal Point in Romania.

Regulatory framework

The national regulatory framework applicable to the NHRI has not changed since January 2024 due to insufficient support from the national authorities.

Advocacy

The Romanian Institute for Human Rights (RIHR) has intensified its advocacy efforts. Thus, in 2024, the Institute worked closely with the Human Rights Committees of the Chamber of Deputies and Senate to propose amendments to the Institute's enabling law. These amendments aim to enhance Institute's independence and align its mandate with the Paris Principles. Discussions also included strategies to address recommendations from the Sub-Committee on Accreditation (SCA).

The Institute also continued its active engagement with the European Network of National Human Rights Institutions (ENNHRI), contributing to the 2024 Rule of Law Report. A joint address by ENNHRI and the Romanian Institute for Human Rights urged Romanian authorities to expedite reforms to secure NHRI accreditation.

Awareness-raising activities

As an associate partner in the [ROLL Project \(Rule of Law for Lawyers\)](#), the Institute facilitated another workshop in 2024. These workshops explored judicial independence and strategic litigation's role in safeguarding access to justice. The Institute collaborated with Romanian lawyers to present national challenges and propose solutions at an international level.

Moreover, the Romanian Institute for Human Rights expanded its training programs for students and professionals. In 2024, the Institute partnered with universities to include modules on European Court of Human Rights (ECtHR) case law and the Paris Principles. Additionally, new training sessions addressed the intersection of human rights and emerging technologies, such as the AI and data privacy.

In terms of raising awareness regarding the access to justice field, the Institute organized meetings and consultations with relevant stakeholders, including civil society, the business sector, journalists, and institutions with responsibilities in the field, as part of the "Access to Justice - The SLAPP Recommendation and the Due Diligence Directive" project, which is currently being implemented in partnership with the Danish Institute for Human Rights, developed in the context of the EU Corporate Sustainability Due Diligence Directive (CSDDD). One such example is the roundtable organized by the

Romanian Institute for Human Rights on 25 October 2024, in Bucharest, on the occasion of presenting the initial report on "Access to Justice - The SLAPP Recommendation and the Due Diligence Directive". As part of this project, a report is also being prepared, including aspects related to SLAPP from the perspective of access to justice, which will be published by the Institute in the following months.

Strengthening the NHRI's regulatory framework

The NHRI regulatory framework should be strengthened.

The Romanian NHRI does not have adequate resources to carry out its mandate. Moreover, although through its work the Romanian Institute for Human Rights often exceeds its current mandate, as noticed and acknowledged both at a national and international level, it still functions according to the 1991 establishment law the amendment/revision of which is necessary so that the Institute can function properly and in compliance with Paris Principles. The Romanian Institute lobbied the government and the competent institutions at national level regarding the situation and status of the Institute, while EU and international recommendations highlight the need to strengthen the role, independence and mandate of RIHR.

NHRI enabling and safe space

All Romanian relevant state authorities are aware of the Romanian Institute for Human Rights' mandate, independence and role, as resulted from both a direct approach (official requests, calls for support regarding the GANHRI accreditation process, calls for support regarding the legislative framework, etc.) and from reports published by various European relevant entities, such as the [2024 EU Rule of Law Report](#), [The 2024 ENNHRI report on the state of the rule of law in the European Union 2024](#), [Council of Europe Committee of Ministers Recommendation 2021/1 on NHRIs](#), as well as the recommendations issued by the SCA.

Access to information and involvement in legislation and policy-making processes

The Romanian NHRI is a member of the Committee for the Charter of Fundamental Rights of the European Union, under the coordination of the Ministry of Investments and European Projects - the institution responsible for fulfilling and respecting the enabling condition of the Charter throughout the 2021-2027 EU funds programming period. The Committee is attended by representatives from each managing authority, the Directorate General for Programming and System Coordination, the Ombudsman, the National Council for Combating Discrimination, the National Authority for Equal Opportunities between Women and Men and the Romanian Institute for Human Rights.

The Romanian Institute for Human Rights is sometimes solicited to issue points of view in regard to various aspects related to the field of human rights. In some cases, the Institute issues the points of view directly to the entity which solicited it. In other cases, such as the solicitations coming from certain Committees of the Senate or the Chamber of Deputies, RIHR is presenting the opinion/recommendations in front of the members of the Parliament. In both scenarios, the Institute is not being officially updated on the further development of the respective situation, thus making it difficult to quantify or know the extent to which the opinions are taken into account.

In December 2024, the Institute participated at the discussion forum organized by the Ministry of Justice regarding the transposition of the EU Anti-SLAPP Directive 2024/1069 into the national legislation, an ongoing process that's expected to be finalized in the upcoming months. RIHR is also invited to attend the next rounds of discussions regarding the transposition.

Recently, the Romanian Institute for Human Rights participated in an event organized by the European Commission Representation in Romania, in collaboration with the Directorate-General for Justice and Consumers (JUST) of the European Commission and the European Union Agency for Fundamental Rights on the topic of the rule of law, aiming to find ways of strengthening the culture of the rule of law and create a better cooperation between the relevant actors in the field.

Adequate resources

The NHRI does not have adequate resources to carry out the full breath of its mandate.

The Romanian Institute for Human Rights is currently severely understaffed and working with scarce resources. The Romanian Institute for Human Rights is currently functioning following an outdated legislative framework, namely the Law no.9/1991, which is the founding law in its original form. Not being able to change the functioning law is gravely restricting the Institute's activity, weakening its potential and impeding its compliance with the international human rights standards, such as the Paris Principles. Strengthening the Romanian Institute for Human Rights' current regulatory framework is a dire necessity for the ability to fulfill both of the Institute's general mandate and the newly acquired mandate as a SLAPP Focal Point. Even though multiple recommendations in this direction have been made throughout the years by the most prominent European entities, the Romanian state authorities failed at taking them into account and putting them into practice.

NHRI's recommendations to national authorities

Amend the NHRI's founding law

Following the numerous recommendations issued by various European and international entities, the most important step for the national authorities would be providing the necessary support towards amending the founding law of the Romanian Institute for Human Rights, in order to better reflect the current status and mandate of the institution, to provide appropriate resources for fulfilling the mandate, as well as ensuring the full compliance with the Paris Principles.

Therefore, taking into account the recommendations issued by international organizations, some of which were made by the UN General Assembly and the Human Rights Council, the Global Alliance of National Human Rights Institutions (GANHRI) and the European Network of National Human Rights Institutions (ENNHRI), it is required an alignment with the Paris Principles, with the aim of recognizing and strengthening the role assumed by National Human Rights Institutions in ensuring the application of international standards in the field. Recommendations have been made to the Romanian state by the UN mechanisms (the UN Committee on the Elimination of All Forms of Discrimination against Women, the UN Committee on Human Rights, the UN Committee on Economic, Social Rights and the Paris Principles. On the occasion of the evaluation of the combined 7th and 8th periodic reports to the Convention on the Elimination of All Forms of Discrimination against Women, the UN Committee noted with concern that, despite the commitment assumed during the Universal Periodic Review (UPR), the Romanian state has not yet amended Law no. 9/1991 to review the status of the Romanian Institute for Human Rights. The Committee recommended the adoption of the necessary measures so that the Institute can fully comply with the Paris Principles, with particular reference to its mandate to protect women and promote gender equality, the status and duration of membership in its General Council (paragraphs 12 and 13 of the CEDAW Conclusions of 24 July-December 2017, CEDAW/C/ROU/CO/7-8, p. 4). Following the assessment of the fifth periodic report on the implementation of the International Covenant on Civil and Political Rights, the UN Human Rights Committee identified national institutions with a mandate to protect human rights, such as the Ombudsman, the National Council for Combating Discrimination and the Romanian Institute for Human Rights, but underlines the fact that none of these institutions are accredited as fully compliant with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights (art. 2).

Thus, with reference to the clarification of the NHRI mandate and the strengthening of NHRI capacities, the Romanian NHRI strongly recommends the amendment and completion of Law no. 9/1991 regarding the establishment of the Romanian Institute for Human Rights. The Romanian Institute for Human Rights should be mandated by law to exercise specific functions in the field of promotion and protection of human rights so that its mandate is as clear and as broad as possible. Promotional functions aim to create a society in which human rights are better understood and respected while protection aims to

prevent human rights violations and to allow direct intervention in situations where actual human rights violations have occurred. Moreover, the salaries and benefits granted to the staff of Romanian NHRI should be comparable to those of civil servants carrying out similar activities, having similar qualifications and responsibilities in other independent state institutions.

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Information from: The Romanian Institute for Human Rights (RIHR)

Human rights defenders and civil society space

Laws, measures and practices negatively impacting civil society and Human Rights Defenders

Lack of funding, restrictive laws and bureaucracy

Some of the most common practice which negatively impact civil society and human rights defenders are the shrinking space for civil society and human rights defenders due to lack of funding, restrictive laws and bureaucracy. NGOs have consistently been asking for less bureaucracy in the process to set up, run and even close an NGO. Although legislation has improved, it is still difficult, particularly for smaller NGOs to comply with bureaucratic needs because there is a lot of inconsistency and uncertainty in existing procedures.

For NGOs and for human rights defenders (including the Romanian Institute) material assets such as offices and premises for running activities are limited and hard to secure. The premises are rarely owned by NGOs and some of them function even in the private homes of the working staff.

While there are many formally registered associations and foundations, the number of active organisations is much lower. That exposes a further systemic challenge related to NGO legislation and administrative procedures. Although improved, the current legislation continues to put significant limitations on human rights defenders and civil society and on the functioning of established organisations. Sometimes power dynamics limit civil society organisations' impact on policy processes.

Consultation in law- and policy-making

In terms of consultations with citizens and civil society in policy-making, the main legal instrument is [Law 52/2003](#) on transparency in public administration. This law prescribes the obligations of public administration to consult with

citizens and civil society when developing public policies and laws. It also establishes how public consultations are to be organized. One of the obligations enshrined by this law is that proposed laws be published thirty days in advance, before being subjected to formal approval procedures, to give an opportunity to citizens and interested parties to send feedback and suggestions on the proposed law. In 2022 an exception was introduced to this rule and now, in exceptional and urgent cases, laws can be adopted even before the thirty-day time limit in which citizens can send their feedback on the proposed law. This modification was criticized by NGOs, including the non-transparent manner in which these modifications were made, which show that Romanian authorities have developed a practice of avoiding public consultations by citing urgent needs to pass specific legislation.

Civic space in Romania is rated as narrowed in 2023 (according to [CSW Report 2024](#)). In its 2023 Rule of Law report, the European Commission recommended that the government of Romania step up to ensure effective public consultations before the adoption of legislation. While the government has taken some steps in this regard, civil society states that there has been no improvement or concrete progress in implementing this recommendation systematically. Civil society organizations (CSOs) continued to call for coherent and appropriate legislation to protect the freedom of association. The current legislative framework is unclear and inconsistent, and results in significant administrative burdens for CSOs.

Law no. 52/2003 provides that transparency rules apply to normative acts of general applicability. Without going into details, there is a discussion about which Local Council Decisions qualify as having general applicability. Another discussion is about the individual or normative character of an administrative act. For example, many city halls consider that Local Council Decisions for Detailed Urban Development Plans (PUD) or even Zonal Development Plans (PUZ) are administrative acts of an individual nature, and not of a normative nature, therefore they are not subject to public debate. This results in very large differences between the number of projects submitted to public debate by different city halls. Even if these draft normative acts are of interest to a small number of people and organizations, they must be submitted to public debate. However, different reporting can lead to erroneous interpretations. NGOs request more transparency and ask authorities not to avoid consultations.

Relevant recommendations made by European actors to support civic space

The recommendation made by the European Commission to the Romanian Government to organize effective public consultations before adopting legislation is formulated in the 2023 EC report on the rule of law. Although the Government claimed that steps had been taken in this regard, civil society

states that there had been no improvement or concrete progress in the systematic implementation of this recommendation. On the other hand, in 2024, civil society organizations continued to call for coherent and adequate legislation to protect freedom of association. The current legislative framework is unclear and inconsistent, with an impact on the administrative obligations of NGOs.

While the Ministry of Justice proposed a draft law that would simplify and digitalize the existing legal procedures and bureaucratic requirements for NGOs, at the same time a law was adopted that limits their right to go to court, as well as the right of environmental organizations to challenge real estate projects.

Activities of NHRIs to support civil society space and Human Rights Defenders

Promotion campaigns, joint meetings and/or roundtables

In 2024, the Romanian Institute for Human Rights promoted the civil society space through the events and activities it has organized or participated in. Moreover, the topic of civil society space and human rights defenders was part of the discussions held with the students of different universities enrolled for an internship programme at the Romanian Institute for Human Rights.

In June 2024, the Romanian Institute for Human Rights received a delegation from Media Freedom Rapid Response in Romania. The key points of the discussions were the Institute's practices regarding the documentation of SLAPP cases, raising awareness, and engaging the journalist and legal communities, as well as political decision-makers.

In terms of projects, RIHR is currently implementing, in partnership with the Danish Institute for Human Rights, the project "Access to Justice - The SLAPP Recommendation and the Due Diligence Directive", developed in the context of the EU Corporate Sustainability Due Diligence Directive (CSDDD). As part of this project, a report is also being prepared, including aspects related to SLAPP from the perspective of access to justice. Meetings and consultations have been organized with relevant stakeholders, including civil society, the business sector, journalists, and institutions with responsibilities in the field. All these efforts aim to build capacity and raise awareness of the CSDDD in Romania in relation to other regulatory instruments, such as the EU Anti-SLAPP Recommendation.

Moreover, the Romanian NHRI initiated and organized consultations and joined meetings with NGOs and other relevant national institutions within the NHRI Working Group on Women's Rights Combating Violence and Equal Opportunities. Additionally, the Institute organized a round table event focused

on the Protection of women, combating harassment and violence against women.

The Romanian Institute for Human Rights in partnership with the ANAIS Association and the Association of Women in Romania – Together (AFRI) organized on November 14, 2024, the debate themed “Protection of women, combating harassment and violence”. Violence in all its forms continues to represent one of the strongest obstacles to achieving the sustainable development goals, especially goal 5 – gender equality. Associated with the phenomenon of violence, one of the most recent problems currently facing Romanian society is sexual harassment in universities and pre-university education units. Members of the Romanian Institute for Human Rights’ Working Group on Women's Rights Combating Violence and Equal Opportunities met on this occasion to analyse the causes of harassment and in particular the reasons why victims choose not to report such situations. Statistical data from the Romanian Police show that domestic violence occurs in both rural and urban areas. Cases of domestic violence recorded by organizations that provide counselling and shelter services show that the aggressors come from both backgrounds, with a low level of education or who are facing economic problems, as well as those with higher education, public figures or those with leadership positions in public or private institutions. A series of acute problems faced by women in exercising their rights in Romanian society were thus identified and debated. At the same time, proposals and recommendations were jointly formulated for the concrete management and overcoming of challenges to women's rights through a multidisciplinary approach and by strengthening interinstitutional collaboration. On this occasion, the Ukrainian translated version of the NHRI – ANES – NOVAPOLIS guide on “Moral harassment at the workplace” was also launched, as a result of the partnership between the three institutions.

Romanian NHRI joined the UN campaign of the 16 days of activism to combat violence, by launching the campaign "Let's act together to protect women!". As part of this campaign, a series of key questions were addressed to institutions, organizations and actors involved in the promotion and protection of women's rights regarding their rights and safety in Romanian society. The answers obtained are going to be analysed in order to identify existing barriers and formulate recommendations for the future. On this occasion, the Romanian Institute for Human Rights reiterated its call for interinstitutional cohesion and a multidisciplinary approach to prevent and manage the most acute problems that women face in exercising their rights.

Another important event initiated by the Romanian Institute for Human Rights was a Roundtable and debate on Agenda 2030 implementation at national level.

Protection of civil society space and human rights defenders

Capacity building

As mentioned above, the Romanian Institute for Human Rights is making efforts to support capacity building and access to justice for civil society and human rights defenders.

Focal point on SLAPPs

Moreover, since 2023, the Institute has had an additional mandate of focal point on SLAPPs, thus gaining responsibilities in terms of organizing training programs for journalists and human rights defenders; conducting awareness campaigns on SLAPP procedures; as well as collecting statistical data on SLAPP cases. Unfortunately, due to staff shortages and missing key persons from the training department, in 2024 the Institute was unable to fulfil that aspect.

Complaints handling

Concerning the complaints handling aspect, the Romanian Institute for Human Rights receives various complaints requiring legal assistance and representation before the courts in pending cases. In accordance with the mandate assigned by Law no. 9/1991, the Romanian Institute provides adequate consultancy, informing the petitioners about the legal assistance services available and also directing their requests to the relevant institutions. A specific initiative is that RIHR initiated the classification and grouping of said complaints by thematic areas related to the progress in achieving the SDGs, as this allows better monitoring of the issues reported by petitioners in connection with the SDGs. By centralizing complaints field of interest applied to the Sustainable Development Goals, a barometer of the degree of achievement of the SDGs is obtained, facilitating the identification of existing obstacles. This classification indicates those areas where other approaches would be necessary, as well as new intervention measures to accelerate progress in achieving the SDGs. Through this initiative, the Institute proposes an example of national guidance regarding a series of problems faced by Romanian society, and which constitute obstacles to the achievement of the 2030 Agenda objectives.

Recommendations & opinions

The Romanian Institute for Human Rights promotes the rights of civil society and takes into account recommendations and opinions from NGOs especially within the NHRI Working Group on Women's Rights Combating Violence and Equal Opportunities.

Engagement with international and regional mechanisms

The Romanian Institute for Human Rights is an active member in all the discussions happening at the European and international level in which the

Institute takes part. One of such examples is the participation in September 2024 at the meeting of the European Commission's anti-SLAPP Expert Group, where focal points and representatives from EU member states came together. The event was organized by the European Commission and included guests such as media representatives (News Media Europe), academics (University of Aberdeen, Scotland), legal experts, representatives of NGOs involved in SLAPP-related issues (CASE Coalition), as well as human rights defenders.

The Romanian Institute for Human Rights participated in the meeting as a focal point for the implementation of Recommendation (EU) 2022/758 on the protection of journalists and human rights defenders engaged in public advocacy against clearly unfounded or abusive legal proceedings (SLAPP). In this context, the Institute presented recent anti-SLAPP activities in Romania, including meetings with NGOs and civil society organizations to raise awareness, the ongoing CSDDD (Corporate Sustainability Due Diligence Directive) project in partnership with the Danish Institute for Human Rights, the reception of the Media Freedom Rapid Response delegation in Romania and discussions on Institute's practices in the field, as well as the Institute's contribution to the latest ENNHRI Rule of Law Report 2024, which highlighted its role as an anti-SLAPP focal point.

The meeting addressed emerging trends and key issues observed by experts, updates and new approaches from member states, focal point activities, best practices, as well as major challenges and potential solutions for the successful implementation of Recommendation (EU) 2022/758.

NHRI's recommendations to national and regional authorities

- Developing frameworks and legislation for inter-sector and public-private partnerships;
- Ensuring more transparency and objectivity in the consultation processes;
- Improving the fiscal rules to foster generosity and encourage citizens to invest private resources in solving community challenges;
- Establishing spaces for community actors - hub knowledge centres, libraries, offices for NGOs, business hubs for medium and small enterprises, sports centres for youth.

Romania 2025

Information from: The Romanian Institute for Human Rights (RIHR)

Functioning of justice systems

Independence and impartiality of judiciary

In 2024, the independence and impartiality of Romania's judicial system remain pivotal issues in the ongoing consolidation of democracy and the rule of law. As outlined in the European Commission's 2024 Rule of Law Report, there are continuing systemic concerns regarding the independence of the judiciary, with specific instances observed that suggest a decline in the situation.

Judicial reforms have remained a priority on the political agenda over the past year, with many member states responding to the European Commission's 2023 recommendations and implementing reforms agreed upon within the framework of the Recovery and Resilience Mechanism (RRM). The European Commission has urged member states to address challenges such as the need for safeguards in the appointment procedures for judges at both the lower courts and high-level positions, the autonomy of public prosecutors, and the necessity of providing adequate resources for the judiciary, including proper salaries.

In the current context of Romania's judiciary system, the independence of the judiciary is guaranteed by the Constitution of Romania, specific legislation (Law no. 303/2022 regarding the status of judges and prosecutors, amended and supplemented in 2004), and European legislation through treaties and international conventions to which Romania is a party, such as the European Convention on Human Rights.

Furthermore, the reports of the Cooperation and Verification Mechanism (CVM), which was replaced in 2023 by the EU's general rule of law mechanisms, have highlighted both progress and persistent vulnerabilities. Issues related to corruption, external pressures on magistrates, and the delays in significant trials continue to pose challenges for Romania's justice system.

In Romania, judicial independence is theoretically well-regulated, but in practice, situations arise that undermine it, such as political interference (while there have been attempts to influence judicial decisions in the past, in 2024, the public's perception of the independence of the judiciary remains fragile). There are also insufficient resources - the functional independence of the judiciary is affected by a lack of resources, inadequate staffing of qualified personnel, and outdated infrastructure, which limits the ability of courts to operate efficiently. There are efforts made in continuous training (in 2024, greater emphasis is placed on the professional development of magistrates to strengthen their competencies and ensure high standards of impartiality, as outlined in the Superior Council of Magistracy's Decision no. 15/2024, which establishes 96 training activities), as well as the training of judicial assistants.

Impartiality is protected by strict regulations concerning incompatibilities and conflicts of interest. However, in practice, there are risks that may affect this principle, such as corruption (closely monitored by institutions like the National Anticorruption Directorate (DNA), which has demonstrated increased efficiency in investigating and prosecuting relevant cases) and public pressure on judicial decisions, which in 2024 has become more pronounced, with judges sometimes placed in the position of resisting media influence in cases of high public interest.

To strengthen the independence and impartiality of the judiciary, it is essential for Romania to adopt a series of measures, such as continuing institutional reforms (decentralizing administrative processes and implementing a transparent evaluation system for magistrates), protecting judges and prosecutors (improving legislation to protect magistrates from intimidation and threats), legal education (continuous professional development of magistrates and educating the public about the role of justice in a healthy democracy), and judicial system digitization (utilizing modern technologies to reduce the duration of trials and ensure greater transparency).

Therefore, in 2024, the independence and impartiality of Romania's judiciary remain fundamental principles, but they are still subject to improvement. Although significant progress has been made, there are still obstacles to overcome in order to guarantee truly fair and accessible justice for all citizens. Only through sustained efforts from both authorities and civil society can a judicial system be strengthened that inspires trust and contributes to the proper functioning of democracy.

Delays in court proceedings

The issue of delays in judicial procedures remains a major challenge in Romania's legal system. Over the years, this has been one of the most frequently criticized aspects by litigants, experts, and international organizations. The year 2024 is no exception, with these delays continuing to severely impact the functioning of the judiciary, the right to a fair trial, and citizens' trust in the justice system.

The causes of these delays include: court overcrowding (the excessive volume of cases pending in the courts; according to data provided by the Superior Council of Magistracy (CSM), the number of cases per judge has significantly increased in 2024, reaching an average of over 1,200 cases annually, a situation that places immense pressure on judges and auxiliary staff); staffing shortages (another critical factor is the lack of qualified personnel, with the insufficient number of judges, clerks, and legal advisors continuing to affect the speed of case resolution; although many vacant positions have been filled, there remains a significant gap between demand and supply); cumbersome procedures and legislation (complex judicial procedures and frequent

legislative changes contribute significantly to delays, as changes in legislation often require additional training for staff, leading to delays in resolving cases); and logistical problems (inadequate technical equipment in the courts presents another significant barrier, as the insufficient modern IT infrastructure for managing electronic files and the use of a cumbersome bureaucratic system results in prolonged trial durations).

Delays in judicial procedures have profound consequences on society. Some of the most significant effects include the loss of trust in the justice system (citizens are becoming increasingly skeptical about the courts' ability to provide timely and fair solutions); economic impact (prolonged trials affect the business environment by blocking commercial disputes and increasing legal uncertainty); and personal suffering (parties involved in cases, especially those of a criminal or civil nature, are forced to endure stress and additional expenses).

In order to reduce delays in judicial procedures, a coherent set of measures is necessary:

- Complete digitization of the judicial system – Implementing an integrated digital system for case management could significantly speed up proceedings. For example, the use of electronic files and online platforms for submitting documents would reduce the time required for certain procedures.
- Increasing the number of qualified personnel – Organizing more competitions to fill vacant positions and investing in the continuous training of staff are essential.
- Simplifying judicial procedures – A review of legislation to reduce unnecessary bureaucratic steps could greatly improve the speed of case resolution.
- Monitoring and performance evaluation – Introducing mechanisms to monitor the duration of trials and rewarding good performance could contribute to increased efficiency.

In conclusion, the issue of delays in judicial procedures in Romania in 2024 remains complex and multidimensional. Although steps have been taken in the right direction, a concerted effort from the authorities, legal professionals, and civil society is necessary to ensure an effective, fair, and accessible judicial system.

Professionalism, specialisation and training of judges

In 2024, the professionalism, specialization, and training of judges in Romania were fundamental aspects for ensuring a high-quality judicial system, in line with European and international standards. In 2024, the rigorous selection of judges and sustaining periodic evaluations were essential for maintaining and improving professionalism.

Specialization is a crucial pillar for the efficiency and quality of justice, especially in complex areas such as criminal and anti-corruption law, commercial law and insolvency, family law and child protection, as well as administrative and fiscal litigation. Therefore, all judges specializing in these areas must have advanced knowledge of national and international legislation, including in judicial cooperation.

Continuous training for judges remains a priority in the Romanian judicial system. In 2024, this included: courses organized by the National Institute of Magistracy (INM), participation in international conferences, exchange program and digitalization of training.

In 2024, the key challenges in this area included: the high volume of cases, which can impact the quality of judicial work, the need for continuous legislative updates due to changes in national and European law, as well as ensuring the independence of judges in the face of external pressures and excessive media coverage of certain cases.

Looking ahead, the development of a more advanced mentoring system for young judges, increasing specialization in new areas such as artificial intelligence and data protection, and enhancing international cooperation to harmonize judicial practices will be essential. These efforts are crucial to ensuring a modern, transparent judicial system that meets the needs of citizens.

Respect for fair trial standards

In Romania, in 2024, the right to a fair trial continued to be protected both by the Constitution and national legislation. Article 21 of the Constitution guarantees the right of any person to a fair trial, and Article 6 of the New Civil Procedure Code emphasizes the importance of having a case adjudicated within a reasonable and predictable timeframe by an independent and impartial court. These regulations form the foundation of the right to access justice and the right to a fair trial before the courts.

In 2024, significant progress has been made regarding the respect for this right, particularly in light of the recent developments from the Constitutional Court of Romania:

- [Decision No. 77 of February 14, 2024](#) by the Constitutional Court highlighted the importance of appointing judges in a manner that ensures the independence and impartiality of the court. This decision was crucial, given that the lack of clear regulations in this regard may raise reasonable doubts about the impartiality of the court, which could affect the public's perception of the judicial system.
- Additionally, [Decision No. 224 of April 23, 2024](#) reaffirmed the principle that cases must be resolved within a reasonable timeframe, avoiding

unjustified delays that could impact the right to a fair trial. The Constitutional Court emphasized the need for adhering to deadlines for resolving cases, a critical aspect for maintaining trust in the judicial system and protecting citizens' rights.

These developments in 2024 reflect the Romanian authorities' commitment to improving the protection of citizens' fundamental rights before the courts and ensuring that the judicial process remains efficient, impartial, and accessible to all. Furthermore, these decisions underline the need for continued reforms and consistent application of the principles established by national and international legislation to guarantee a fair trial for all citizens.

Additionally, on June 7, 2024, a proposal to amend Article 21 of the Constitution was initiated, aiming to explicitly include the requirement that trials be conducted within an "optimal and predictable timeframe." This amendment seeks to align with European standards and enhance public trust in the judicial system. However, challenges also arose. On July 17, 2024, the National Union Bloc raised concerns about an emergency ordinance that automatically suspended certain cases, potentially infringing upon the parties' right to have their cases resolved within a reasonable time and violating the principle of equality before the law.

Therefore, in 2024, Romania took significant steps toward meeting the standards of a fair trial, through legislative clarifications and decisions from the Constitutional Court. However, some administrative measures raised concerns about the full respect of this fundamental right.

Timely and effective execution of national courts' judgments

In 2024, this subject remains relevant, influenced by several legal, institutional, and practical factors. Challenges are varied, with causes including:

- Court and bailiff overload, leading to significant delays;
- Issues related to financial and human resources for both courts and bailiff offices;
- Lack of cooperation from debtors and the use of legal mechanisms to delay enforcement;
- Enforcing judgments against public authorities, which present additional difficulties, especially when significant sums are involved.

Recommended measures for improvement include:

- Digitalization of enforcement processes;
- Monitoring the performance of bailiffs and implementing clear standards of efficiency;
- Legislative changes to simplify procedures and reduce deadlines, including those involving public authorities;

- Financial and logistical support for courts and bailiff offices.

In conclusion, the enforcement of national court judgments in 2024 depends on the efficiency of the institutions involved and the political will to improve the system. Furthermore, the active involvement of justice professionals, combined with the modernization of processes, can significantly contribute to upholding citizens' rights and strengthening public trust in the judicial system. Despite some progress, there are still major challenges in this area, and the Romanian authorities are required to adopt measures to improve this process.

Delay in and/or a lack of publication of judgments

In the past year, in Romania, there were concerns regarding delays and/or the lack of publication of court judgments. The Superior Council of Magistracy (CSM) emphasized that, despite a staff deficit of approximately 24%, the efforts of judges in drafting judicial decisions have been constant and sustained, with average drafting times closely matching the legal deadlines. However, the CSM pointed out that the deadlines for drafting judicial decisions must be directly correlated with the significant staff deficit. To address this, the CSM announced the appointment of 297 judges to local courts and 163 trainee judges, graduates of the National Institute of Magistracy.

As for the publication of court judgments, there were no specific reports of delays or absences regarding their publication in 2024. However, it is important to note that Law no. 11/2024, which regulates the status of clerks and other categories of staff within the judiciary, stipulates that repeated delays in carrying out work or fulfilling service duties due to attributable reasons constitute disciplinary offences.

Although efforts have been made to address these issues, including increasing staff and modernizing IT systems, delays and the lack of publication of court schedules have remained persistent problems in certain courts. In general, the authorities have been aware of these issues and have attempted to resolve them through measures such as increasing personnel and improving IT infrastructure. However, delays and the lack of published judgments continue to be a challenge in certain cases, particularly in courts with a high volume of cases.

Access to justice challenges for marginalised groups

Access to justice is a fundamental right, but women in Romania continue to face disproportionate challenges in this regard. Several persistent and emerging issues negatively influence women's access to justice:

1. Economic Barriers – Women are more economically vulnerable compared to men, being more likely to experience poverty. This limits their ability to afford lawyers, judicial fees, or other costs associated

with legal proceedings. The lack of effective programs for free legal aid is a major issue.

2. Domestic Violence and Other Forms of Gender-Based Violence – Romania continues to face a high rate of domestic violence, and women attempting to access justice encounter:
 1. Lack of Institutional Support: Protection orders are sometimes delayed or not enforced effectively.
 2. Revictimization: Female victims are subjected to a judicial process that can re-traumatize them.
 3. Cultural Biases: Judicial institutions, including the police and courts, may exhibit patriarchal or minimizing attitudes toward these cases.
3. Systemic Discrimination and Gender Stereotypes – Women are often perceived through the lens of traditional roles. In court, these stereotypes can affect decisions in divorce, custody, or domestic violence cases. For example, courts may favor maintaining a family even if it places the woman at risk. There is a tendency to question women's competence in economic or administrative disputes.
4. Lack of Information and Legal Education – Many women are unaware of their rights or the mechanisms through which they can access justice. This issue is more pronounced in rural areas, where access to legal information is limited.
5. Problems with the Implementation of Legislation – Although Romania has adopted important laws for the protection of women (e.g., against harassment and domestic violence), their implementation remains problematic due to:
 1. Lack of ongoing training for judges and police officers.
 2. Limited resources for supporting victims (shelters, psychological counseling, specialized lawyers).
6. Limited Access to Justice in Rural Areas – Women in rural areas face additional challenges due to the lack of nearby courts or tribunals and economic dependence on their husbands or families, discouraging them from initiating legal proceedings.
7. Impact of Insufficient Digitalization – While digitalizing the judicial system could reduce some barriers, many women, particularly in rural or marginalized communities, do not have access to technology or are unfamiliar with digital processes.

Recommendations:

- Strengthening Free Legal Aid: Creating accessible and effective legal counseling mechanisms, including specialized training for legal staff, raising awareness about gender stereotypes, and addressing domestic violence.
- Information Campaigns: Legal education for women, especially in vulnerable communities.

- Expanding Resources for Victims of Violence: More shelters, emergency hotlines, and psychological support.
- Monitoring the Implementation of Existing Legislation: Creating stricter mechanisms to ensure the enforcement of protective measures.

Women in Romania need a justice system that is not only accessible but also equitable, sensitive to their issues, and capable of eliminating systemic biases.

Access to justice for gender-marginalized groups in Romania continues to be marked by numerous challenges that have disproportionately affected these communities. In 2024, these issues remain current and complex, influenced by socio-economic, cultural, and legal factors. Here are some of the main challenges:

1. Systemic Discrimination and Gender Stereotypes

1. Biased Judgments: Many individuals from marginalized communities, such as women from disadvantaged backgrounds or Roma people, face stereotypes in courts. For instance, victims of domestic or sexual violence often experience skepticism from authorities or the minimization of their experiences.
2. Lack of Training for Legal Personnel: Judges, lawyers, and prosecutors do not always have adequate training on gender equality and minority rights, perpetuating discriminatory attitudes.

2. Limited Access to Legal and Financial Resources

1. High Costs of Judicial Fees and Lawyers: The costs associated with judicial fees and legal representation are inaccessible to many people from vulnerable groups, such as rural women or transgender individuals.
2. Insufficient Legal Assistance: While there are free legal aid programs, they are poorly promoted, underfunded, and do not meet the specific needs of gender-marginalized individuals.

3. Gender-Based Violence and Inadequate Response from Authorities

1. Insufficient Protection for Victims: Protection orders are difficult to obtain, and their enforcement is often ineffective. Additionally, support services for victims are scarce, especially in rural areas.
2. Revictimization: Judicial procedures can be traumatizing for victims of sexual or domestic violence, and many do not report abuse due to fear of stigmatization or retaliation.

4. Language and Cultural Barriers for the Roma Community

1. Multiple Marginalization: Roma women often face double discrimination – both ethnic and gender-based – in the courts.
2. Lack of Translation and Counselling: Many people from disadvantaged communities lack access to translators or

counselors to help them understand legal proceedings.

5. Lack of Effective Public Policies

1. Weak Implementation of Existing Legislation: Although Romania has adopted laws to protect the rights of women and minorities, their implementation is often superficial.

Recommendations:

- **Combating Discrimination:** Implement measures to fight systemic discrimination by providing gender and minority-specific training for legal professionals and raising awareness about the negative impacts of stereotypes.
- **Expanding Access to Justice:** Create accessible legal aid programs, reduce judicial fees, and ensure that marginalized groups have the resources to navigate the legal system effectively.
- **Awareness Campaigns:** Promote campaigns to raise awareness about legal rights and encourage reporting abuse. This includes providing education and information for marginalized groups on how to access justice.
- **Supporting Organizations:** Provide financial and logistical support to NGOs working for the protection of women's rights and marginalized individuals.
- **Monitoring and Sanctioning Discrimination:** Establish mechanisms to monitor the application of anti-discrimination laws and ensure accountability for discriminatory practices within the justice system.

To achieve true gender equality and protection of the rights of marginalized groups, Romania needs a justice system that is not only accessible but also sensitive to the intersectional nature of discrimination and capable of offering real protection for all.

Follow-up and implementation by state authorities of European Courts' judgments

The implementation of rulings issued by the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU) remains a fundamental test for upholding the rule of law and for Romania's commitments as a member of both the Council of Europe and the European Union. In 2024, challenges related to the monitoring and enforcement of these decisions continued to persist, highlighting the need for structural reforms and a firm commitment from the authorities.

Romania continues to face significant difficulties in implementing the rulings of the European Court of Human Rights (ECtHR), a situation highlighted in the reports of the Committee of Ministers of the Council of Europe. At the beginning of 2024, several important cases remained unexecuted, including:

- Cases concerning the poor conditions in prisons, which highlights the issue of overcrowding and the degrading treatment of detainees.
- Cases concerning the restitution of nationalized properties, where the lack of clear legislation and adequate compensation continues to be a major obstacle.
- Rulings regarding the right to a fair trial and access to justice, which emphasize the deficiencies in the Romanian judicial system.

The failure to implement these decisions carries serious risks, including an increase in the number of complaints to the ECtHR and substantial financial losses for the Romanian state in the form of compensation awarded to claimants.

Regarding the Court of Justice of the European Union (CJEU), Romania has faced difficulties in applying European Union legislation uniformly, especially in the following areas:

- **Environmental Protection:** Rulings on air pollution and waste management remain partially implemented, with local authorities often unable to meet the standards set by the EU;
- **Public Procurement:** Issues of transparency and fairness in public tenders have led to repeated sanctions from the European Commission (Law No. 98/2016 on public procurement, which transposed Directive 2014/24/EU);
- **Workers' Rights:** The implementation of decisions related to labor mobility and the rights of cross-border workers has often been incomplete.

Furthermore, the failure to properly transpose and apply European directives has led to infringement procedures against Romania, as well as risks of financial sanctions.

Follow-up on the recommendations concerning justice systems

There has been some progress in completing the process initiated to take into account the recommendations issued by the Venice Commission on the Justice Laws. Also, could be noted some progress on ensuring adequate human resources for the justice system, including for the prosecution services, taking into account European standards on resources for the justice system. Lastly, it can be noticed that addressing corruption offences is now taking into account the EU standards in the matter.

In 2024, Romania made progress in strengthening the rule of law through the implementation of reforms aimed at reducing political pressures on magistrates. For example, the Section for the Investigation of Crimes in the Justice System (SIJ), which was dissolved in 2022, had been a sensitive issue in public and political debates. Currently, more transparent mechanisms have

been implemented for investigating magistrates, in line with European standards. As a result, the Section for the Investigation of Crimes in the Justice System (SIJ) has become an operational structure within the Prosecutor's Office attached to the High Court of Cassation and Justice, with exclusive jurisdiction to conduct criminal investigations for offences committed by judges and prosecutors, including military judges and prosecutors, as well as those who are members of the Superior Council of Magistracy. Additionally, the Section for the Investigation of Crimes in the Justice System retains its jurisdiction for criminal investigations even in cases where other individuals, alongside the aforementioned persons, are under investigation.

NHRI's recommendations to national and regional authorities

- Enhancing the independence of judicial institutions through targeted reforms.
- Reducing the length of national judicial proceedings;
- Judges should receive training in communicating with individuals with intellectual or psychosocial disabilities and procedural adaptations should be ensured for this category of people;
- A legislative framework regarding judicial intermediaries. This would ensure effective access to justice for persons with disabilities. The courtroom/hearing environment can generate a state of fear and discomfort for disabled litigants. It is necessary the intervention of a person who ensures that the individuals with disabilities understand the context they are in, their rights and the inquiries from the judicial bodies.

Romania 2025

Information from: The Romanian Institute for Human Rights (RIHR)

Media freedom, pluralism and safety of journalists

Media freedom continues to be in decline (according to the 2022 World Press Freedom Index published by Reporters Without Borders (RSF), Romanian media freedom dropped down eight spots from 2021 when it ranked 48th).

One particular issue of concern with the media is financing coming from

political parties. The situation has not changed since the last reporting

NHRI's recommendation to national and regional authorities

- Strengthening the mechanisms for the independence of editorial and media independence.

Romania 2025

Information from: The Romanian Institute for Human Rights (RIHR)

Other challenges to the rule of law and human rights

- **Legislative Overreach:** The continued use of emergency ordinances undermines parliamentary oversight and public trust in the legislative process.
- **Transparency Deficits:** Persistent barriers to accessing information and limited stakeholder engagement hinder accountability.
- **Judicial Vulnerabilities:** Political interference in the judiciary remains a concern, highlighting the need for stronger safeguards.

Recommendations concerning other areas of the rule of law

During the previous year, Romania advanced rule of law reforms to reduce political pressure on magistrates. Following the 2022 dissolution of the Section for the Investigation of Crimes in the Justice System (SIJ), new transparent mechanisms are now aligned with European standards. The SIJ operates within the Prosecutor's Office attached to the High Court of Cassation and Justice, handling criminal cases involving judges, prosecutors (including military), and Superior Council of Magistracy members. It retains jurisdiction even when other individuals are involved in investigations.

NHRI's recommendations to national and regional authorities

- Revising Law No. 52/2003 to extend public consultation periods for

- complex legislation;
- Strengthening enforcement mechanisms under the new Administrative Procedure Code.

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