Independent Reporting Mechanism

Romania Co-Creation Brief 2025

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Overview

This brief from the OGP's Independent Reporting Mechanism (IRM) supports the co-creation process and design of Romania's seventh action plan. It provides an overview of OGP processes in the country and presents recommendations based on collective and country specific IRM findings. The co-creation brief draws from prior IRM reports for Romania, the OGP National Handbook, OGP Participation and Co-Creation Standards, and IRM guidance on the minimum requirements. Section 1 offers guidance for OGP processes and co-creation and Section 2 for commitment design. Government and civil society can determine the extent to which this brief is used to shape the next action plan's trajectory and content.

The General Secretariat of the Government (SGG) has ensured that Romania has successfully met OGP's Participation and Co-creation Standards during previous co-creation processes. Among the most important steps have been the establishment of the multi-stakeholder forum (the National Coordination Committee – CNC) and the detailed documentation of the OGP process on the country's online repository. However, there is room for strengthening the engagement of civil society organizations (CSOs) during co-creation and implementation of OGP action plans. Meanwhile, the seventh action plan will overlap with Romania's first Open Government Strategy, providing the SGG and the CNC an opportunity to collaborate on the long-term direction of OGP in the country.

For the next co-creation process, Romania could consider the following recommendations:
- Strengthen the role of the National Coordination Committee and expand its membership.
- Continue to integrate the OGP Club into the co-creation and implementation processes.
- Align the co-creation discussions with civil society's priorities.
- Discuss the long-term direction of OGP in Romania, including contingencies for securing resources and capacity for implementation.

Section I: Action Plan Co-Creation

The following recommendations present opportunities for national reformers to strengthen OGP institutions and processes in the country.

Recommendation 1. Strengthen the role of the National Coordination Committee and expand its membership.

For the next action plan, the SGG could increase participation in the National Coordination Committee (CNC) - Romania's multi-stakeholder forum - from the highest level of government and invite more local governments and civil society organizations (CSOs) working in specific open government policy areas to join. The CNC's mandate could also be reformed to provide it with more decision-making powers around the scope of action plans. Lastly, the IRM recommends using the CNC to hold implementing agencies accountable for commitments' results and to support collective problem solving and greater coordination to address implementation obstacles.

Recommendation 2. Continue to integrate the OGP Club into the co-creation and implementation processes.

During the co-creation of the sixth action plan, the OGP Club helped conduct public debates on open government culture, integrity, and transparency policies. For the seventh action plan, the SGG could integrate the OGP Club into Romania's OGP process by using it as a community of experts on open government. The SGG could co-organize consultation events with the OGP Club around topics of expertise. OGP Club members could be assigned to advise government institutions on the implementation of commitments around their areas of expertise. Additionally, the Organisation for Economic Co-operation and Development (OECD) recommends transforming the OGP Club into a broader "Open Government Network/Community of Practice" as Romania designs its first Open Government Strategy.

Recommendation 3. Align the co-creation discussions with civil society's priorities.

While past action plans have included some civil society proposals, most commitments were initiated by public institutions to carry on existing government strategies, limiting civil society's investment in their implementation. During the co-creation of the next action plan, the SGG and the CNC could aim for greater balance between civil society and government priorities in determining the final list of commitments. The SGG and the CNC could also foster stakeholder engagement during the implementation of the action plan, for example by designating CSO partners for specific commitments.

Recommendation 4. Discuss the long-term direction of OGP in Romania, including contingencies for securing resources and capacity for implementation.

Stakeholders could use the seventh action plan to discuss the long-term direction of OGP in the country. This could include a discussion on how the action plan will fit into the priorities in the Open Government Strategy. If there are proposals that span more than one action plan cycle, the SGG could work with civil society and government representatives on how to achieve the expected results over the long term. Stakeholders could also discuss ways for securing necessary resources and contingencies in case of reassignment of resources or changes in political priorities. For example, where commitments overlap with the aims and policies of EU programs, these commitments could be linked to external funding sources.

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Section II: Action Plan Design

The following recommendations offer policy areas for national actors to consider in the next action plan. They may represent opportunities for new commitments to address issues of national importance or to advance existing reforms.

Area 2. Political finance transparency

Since legislative changes in 2015, the Permanent Electoral Authority publishes more data on political parties' finances to the https://finantarepartide.ro/ portal. However, in 2022, Expert Forum found that the levels of detail and the formats of finance reports available on the portal differed significantly, despite legal regulations around the information that should be covered. Expert Forum also noted that the transparency of political advertising remains problematic, as materials paid for by political parties are not marked and "the money trail – which often goes through consultancy companies – cannot be traced by external observers." This lack of transparency has resulted in low public trust in Romania's media landscape.

In the next action plan, Romania could revisit proposals from Expert Forum around political finance transparency that were not taken up in the previous plan. Romania could standardize and increase the level of detail of the data required of political parties on their funding (including subsidies) and electoral campaigns and make this data available in open format. Romania could also increase the transparency of the marking and reporting of political advertising and develop mandatory regulations on the frequency and format of this data.

Area 2. Lobbying transparency

Since 2016, the SGG has maintained the Single Register of Transparency of Interests (RUTI). While RUTI provides some transparency around lobbyist activities, Romania lacks binding regulations on how persons exercising top executive functions are to interact with lobbyists and third parties. The Group of States Against Corruption (GRECO) has recommended Romania introduce detailed rules and guidance on how persons with top executive functions engage lobbyists and other third parties seeking to influence their decision-making process, and regularly disclose sufficient information on the purpose of these contacts.

Romania could pursue greater lobbying transparency in the next action plan. This could involve passing a legally binding framework on lobbying and political integrity, covering ministers, public officials, and Members of Parliament. As part of this framework, Romania could introduce a mandatory, publicly accessible lobby register (either as a new platform or RUTI) with information on public officials' and political decision-makers' meetings with lobbyists, including names of contact persons and topics discussed. Information on the register could also be made searchable, downloadable, and available in machine-readable format. Given the complexities of this reform, Romania could implement it over several action plans, or in a four-year action plan (as Finland did in its 2019-2023 action plan).

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Area 3. Access to information

The OECD reports that public information in Romania is often not published in a standardized manner, rarely in simple language, and frequently in formats that make its re-use burdensome. GRECO noted inconsistent and insufficient responsiveness of the authorities, delays or refusals by authorities to provide information, and the absence of an specific complaint mechanism.

In the next action plan, Romania could enhance the proactive and reactive disclosure of information. The OECD recommends creating a single portal to launch and process information requests as part of a recommended "Open Government Portal" or as part of the National Electronic System. To ensure that public institutions respect the legal deadlines for responding to requests, the OECD recommends developing a register of documents such as the European Commission's Register of Commission Documents, supported by a document management system for complying with deadlines of ATI requests. Finally, and in line with GRECO's recommendations, Romania could establish a dedicated body to ensure independent oversight, monitoring, and evaluation of its access to information legislation (Law 544/2001) with a clear mandate, sustained resources, and enforcement capacity.

Area 4. Public participation in policy-making

Romania's E-Consultare portal contains data on draft laws and acts initiated by the public administration and allows individuals and CSOs to comment on draft laws or acts. In its 2023 Civic Space Review, the OECD noted that the SGG finds it difficult to ensure uniform use of the portal by central and local public administration authorities, which is an obstacle to more effective participation.

In the next action plan, the SGG could mainstream and standardize the use of E-Consultare across the public administration. The OECD's Civic Space Review offers recommendations to develop the portal into a one-stop shop for participation. Some of these recommendations could be taken up in the action plan, such as:
- reviewing the portal's design and functionality to enhance its participatory capacity and collect data on traffic,
- obtaining feedback from of CSOs and citizens who have visited the portal on ways to improve the user experience,
- combining the portal with functions for exercising the right of access to information and petition, such as RUTI on lobbying activities and SEAP on public procurement.

Romania could also consider GRECO's recommendations on increasing the minimum timeline for public consultations and providing a legislative footprint of inputs (including contributions received, parties involved, and justification for their acceptance or rejection).