



**MEDIA FREEDOM  
RAPID RESPONSE**

# Media Freedom in Romania Ahead of Super Election Year:

Mission Report on Media Capture,  
Legal Obstacles and Journalists' Safety



# MEDIA FREEDOM IN ROMANIA AHEAD OF SUPER ELECTION YEAR:

## Mission Report on Media Capture, Legal Obstacles and Journalists' Safety

This report was prepared by the International Press Institute (IPI), Osservatorio Balcani e Caucaso Transeuropa (OBCT) and Free Press Unlimited (FPU), with contributions from:

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# INTRODUCTION

2024 is a super electoral year for Romania with European and local elections in June followed by presidential elections in September and parliamentary elections in December. The country is currently governed by a coalition of the Social Democratic Party (PSD) and National Liberal Party (PNL). Other political parties include the ethnic Hungarian UDMR and the United Right Alliance, a new coalition made up of the liberal Save Romania Union (USR), the People's Movement Party (PMP) and Forța Dreptei. Lastly, the Alliance for the Unity of Romanians, (AUR) a far-right party has risen rapidly in the polls in recent years threatening to upend Romanian politics.

It is during elections that journalists come under their greatest test as they have to resist political pressure in order to report on and assess the records and policies of competing candidates to enable the public to make informed choices. Journalists will come under the most intense scrutiny for signs of bias while also the greatest pressure to exercise bias. They will be criticised by all and thanked by few. And yet their role as public watchdogs and the successful exercise of the journalistic mission will be crucial for ensuring fair elections and that the incoming government arrives with a genuine democratic mandate.

For this reason, the partners of the Media Freedom Rapid Response (MFRR) organised an initial online fact-finding mission on Romania, meeting with a range of journalists, regulators, civil society groups, and lawyers. The meetings took place in January 2024 and will be followed by a mission to Bucharest in June.

This report reflects the findings of the mission and the conversations with stakeholders. It examines Romanian media through three main lenses; media capture and the level of political and governmental influence exerted over the private and public media sectors through the misuse of regulatory or financial tools; legal obstacles to journalism, and in particular the abuse of the courts to intimidate media through vexatious lawsuits; and the safety of journalists, both physical and online.

These themes are also reflected by landmark pieces of legislation for the media recently finalised by the Europe Union. The [European Media Freedom Act](#) seeks to protect media independence and pluralism by addressing the forces of media capture, and the [Anti-SLAPP Directive](#) that seeks to increase protections for journalists targeted by vexatious lawsuits often referred to as Strategic Lawsuits Against Public Participation, or SLAPPs. The Council of Europe also launched its five year [Journalists Matter Campaign](#) in September 2023 that seeks to promote best practice among government and media stakeholders to improve the safety of journalists. The MFRR will use this report and follow up work to ensure that Romania can maximise the impact of these initiatives for the benefit of media freedom.

# AN INTRODUCTION TO ROMANIA'S MEDIA LANDSCAPE

Romania has one of the most dynamic media sectors in south-eastern Europe, boasting a diverse and rapidly evolving landscape. A handful of powerful companies dominate the mainstream media and, while they are independent, their political coverage has been criticised for being corrupted by a large influx of political money that creates a pliable and clientelist media culture.

These companies are being challenged by a young and vibrant sector of high-quality innovative media that refuses political money, demands the highest levels of integrity, and focuses on exposing corruption while reaching larger and larger audiences.

Journalists, as elsewhere, suffer increasing online hostility and trolling, the most notable example being the case of Emilia Şercan, targeted by an ugly political smear campaign after revealing that several powerful politicians had plagiarised their academic theses.

Vexatious litigation, or the use of SLAPPs against media, is a growing problem, but one that, until now, has been mitigated by a judiciary that, for the most part, has treated the cases professionally and fairly, in line with international press freedom standards.

Local journalism, though, faces the biggest crisis where most of the media are effectively captured by politicians as a result of their dependence on government advertising funds. Here, some 90% of media, working on shoestring budgets for an ever-shrinking audience, have become public relations vehicles for the town mayors.

Perhaps the biggest challenge facing Romanian media is a lack of public confidence. As the 2023 Reuters Digital News Report stated: **“Low trust, in general and for most media brands, has several chronic causes: party propaganda on public money, blocked investigations, smear campaigns against journalists, and difficult access to public interest information”**.

# KEY FINDINGS

The MFRR mission identified the following key issues:

## Media Capture

- The main instrument of political capture of Romanian media are the ‘media and propaganda’ funds, eligible under the state budgets provided annually to each political party. The size and lack of transparency over their expenditure has created a pliant and clientelist media culture that panders to politicians and fails to hold the government to account.
- A vibrant independent media that refuses political money and exposes corruption and abuse of power exists, and while making ever more inroads, remains mostly on the margins of public consciousness.
- Public media, while relatively neutral, lack the legal and financial safeguards to ensure political independence from the government, compromising their ability to report freely.
- The media regulator lacks the resources and political independence to be able to act effectively in maintaining broadcast standards and guaranteeing media pluralism and editorial independence.
- The growing involvement of Romania’s powerful betting industry is causing disquiet in media and political circles.

## Legal threats and obstacles

- There is a growing pattern of vexatious lawsuits, or SLAPPS, used against Romanian media and journalists. Journalists have mostly expressed guarded confidence in the courts and have a strong record of winning their cases. Nevertheless, even after victory, the media are left to cover their own legal costs in addition to the drain on time and other resources to fight the cases.
- Consequently, the threat of legal action can still have a profound chilling effect on newsrooms.
- A lack of research and documentation of legal actions against journalists, particularly outside of Bucharest, makes it harder to quantify the extent of the problem.
- The European Union’s Anti-SLAPP Directive provides an opportunity for journalists to work with policy makers to introduce the strongest safeguards possible against vexatious litigation.
- Journalists are sometimes pressured by the police or courts to reveal their sources.
- The Freedom of Information law is good on paper but it is often poorly respected and ignored by public authorities, frustrating journalists’ ability to access public information essential for their work.

## Safety

- While most journalists conduct their work without fear for their safety, a significant number of journalists are regularly trolled, threatened, or worse. The most popular targets are investigative journalists exposing corruption or criminal activity, such as illegal logging. Those working in local media or Hungarian language media are also more exposed.
- Women journalists are particularly targeted by online harassment and threats. A lack of confidence in the authorities to solve the problem creates a growing culture of acceptance that online hostility is a part of the job, which undermines journalism in the long term.
- Emilia Şercan was targeted by a politically orchestrated smear campaign with strong evidence of police complicity. Their failed investigation, involving the leaking of personal photos by the police, was riddled with errors and procedural breaches in what has all the hallmarks of a cover up.

## Local Journalism

- There is a profound crisis in local media where the challenges identified above are compounded by weak finances, a shrinking market for journalism, and police and judicial institutions more vulnerable to corruption by local elites.
- The political control of local media that is dependent on government advertising for its survival is acute, limiting diversity and ensuring most media act as platforms for the interests of political leaders.
- There are examples of more robust local journalism but they have limited reach and need more resources, training, and sustainable business models.

# MEDIA CAPTURE

**Media capture** involves the misuse of political or economic power with the aim of interfering with, influencing, and controlling the editorial policies of the media sector. Mechanisms of media capture include the political take-over of public media and of media regulators, the misuse of state funds to reward political allies and create a pliant media sector, and the indirect control of private media through political alliances with business leaders investing in media. Media capture is a challenge across Central and Eastern Europe – though the degree and nature varies, with Hungary’s centralized, state-led form of capture at the extreme end of the spectrum – and Romania is no exception.

## The Capture of Media through Political Funds

Concerns about media capture in Romania focus in particular on the use of political party funds to influence coverage in mainstream media outlets. Each political party receives an allocation from the state budget to promote their policies. The two largest political parties use between 55% and 60% of their allocation, approximately 18.5 million euro in 2022, on funds officially labelled ‘media and propaganda’.

The mission was informed that the use and misuse of these funds to ‘buy favourable content’ was the biggest single challenge facing Romanian media today.

The expenditure of the funds is overseen by the Permanent Electoral Authority (PEA), to which the political parties have to report the total sums spent. There is however no public information about which media the money went to, how much was spent, and for what content, creating a cloak of secrecy over the use of public funds.

The recipient media equally fail to disclose information on the money received and will rarely inform viewers, outside of the election period, when content has been paid for by political funds.

It is illegal for political parties to buy editorial content directly from broadcasters outside of the electoral period, so instead one common practice is to contract the media’s websites, usually a separate legal entity, which then enables a political party to provide an indirect subsidy to the broadcaster.

The contracts often pass through PR agencies further complicating efforts to follow the money before landing primarily at the major broadcasters where **investigative journalists** have revealed examples of spending to include 1,000 euro for 120 ‘positive’ news articles, 5,000 euro to broadcast a political speech, 69,000 euro for a press conference, and even 100,000 euro to interview a presidential candidate. Meanwhile, the public remains uninformed that the ‘news content’ is paid for by political parties.

This results in largely pliant political journalism devoid of critical content that fails to hold political power to account. Political claims and statements go unchallenged, while political scandals, exposed by more independent journalists, are largely ignored. There is further evidence that money is used to pay for **smear campaigns**, dressed up as journalism, to damage political opponents.



There has been a [dramatic rise](#) in the budgets used by political parties since the system was introduced in 2015. Expenditure in the first six months of the year went from 24 million lei (4.8 million euro) in 2021 to 58 million lei (11.7 million euro) in 2023.

The [PEA](#) reported that 256 million lei (51.45 million euro) were paid to political parties by the state in 2022. Of this, the PSD (Social Democratic Party) spent 53 million lei (10.65 million euro) on press and propaganda, the PLD (National Liberal Party) spent 38.5 million lei (7.7 million euro), and the USR (Save Romania Union Party) spent 5 million lei (1 million euro). The far right AUR (Alliance for the Union of Romanians) spent zero. Almost 20 million euro combined was spent [on press and propaganda](#), or 18.5 million euro by the two largest parties alone.

This takes place in the context of an estimated total advertising market of 640 million euro (in 2022), of which one third is spent on [digital media](#). Political funded content on social media by contrast represents only a [tiny portion of political advertising](#). In the first eleven months of 2023, political parties spent 110 million lei of subsidies on 'media and propaganda', while Facebook's ad library received only nine million lei.

The European Commission's [2023 Rule of Law](#) report underlined the lack of transparency over political funding and the Parliamentary Assembly of the Council of Europe (PACE) 2022 [resolution](#) called for safeguards for editorial independence and legal requirements to disclose contracts between political parties and the media that involved the transfer of public funds.

A 2022 bill to reform the law would require all political funding to be marked and for political parties to disclose details of all contracts. It would also reduce the percentage of their overall allocation of funds that can be spent on 'media and propaganda' to 30%. While providing some improvements, civil society groups see many [shortcomings](#), issuing their own [appeal](#) for reform. Criticisms of the draft law include that the overall political subsidies remain far too high, that the reporting does not require the disclosure of final beneficiaries, and it fails to guarantee how much information may subsequently be made public by the AEP.

Meanwhile, it has to be hoped that the EU regulation on [political advertising](#), recently agreed by the European Union but not due to come into force until 2025, will provide the legal framework for greater transparency.

*Recommendations:* Policy makers must urgently reform the system to ensure full transparency over the use of the political funds in both the reporting to the PEA and the public, and an obligation on all media to clearly label all content supported with political funds. Policy makers should further consider how to end the practice altogether by developing strict limits on expenditure and the purposes of the expenditure. To help achieve this, we urge the swift implementation of the EU's regulation on political advertising.

Media should independently ensure that all funding from political sources is made fully transparent to their audience.

## State Advertising

The misuse of state advertising to reward media allies is hard to assess due to a lack of documentation on how ministries have used their budgets. While it is considered less of a problem in comparison with the 'media and propaganda funds', the lack of transparency and of rules to ensure the fair distribution of advertising leaves it highly vulnerable to abuse.

The mission heard that during the COVID-19 pandemic, the government spent around 50 million euro on public health campaigns which went to all media who applied for them, regardless of quality. This included some notorious disinformation sites that were simultaneously promoting anti-vax conspiracies while pocketing state funds to promote the government's vaccine programme.

The mission also heard that the misuse of state advertising funds at the regional and local level in particular is subject to systematic abuse and the main mechanism for local governments to ensure a fully captured and pliant local media sector.

*Recommendations:* Governments must put an end to the abuse of state advertising to create a pliant media sector by introducing clear rules and criteria that ensure the distribution of funds is free from political control.

The European Media Freedom Act obliges member states to ensure that all public funds made available for state advertising are awarded according to transparent, objective, proportionate, and non-discriminatory criteria. It further requires that the use of these funds be fully reported to the public through an appropriate regulatory body. While the EMFA allows member states to exempt public authorities with a population of under 100,000 from these obligations, we urge Romania to introduce legislation that applies these rules across all local and regional governments regardless of population size.

## The National Media Regulator: National Audiovisual Council

The mission met with Mircea Toma, appointed to the National Audiovisual Council (CNA) by parliament (proposed by the USR) in 2022.

The CNA is responsible for upholding [the audiovisual law](#), including monitoring media ownership and ruling on breaches in journalistic standards. It has 11 board members of which three are appointed by the senate, three by the chamber of deputies, two by the President, and three by the government. It has limited powers and is insufficiently resourced to effectively perform its role.

Media pluralism rules seek to prevent any one media owner holding a dominant position in shaping public opinion. A dominant position is considered achieved when a media owner's services exceed 30% of the relevant market. The evaluation is overseen by the competition authority and, should a media fail to comply with any measures, the CNA would have the power to withdraw licences. Until now this situation has not arisen.

The CNA stopped issuing media ownership reports for several years before restarting them in 2022. The reports have been criticised for lacking sufficient information and for often failing to identify the beneficial owners, those who effectively control the media companies. The ownership reports cover the audiovisual sector for media licensed by the CNA only.

Obstacles to greater ownership transparency include the use of numerous shell companies or offshore structures to hide ultimate beneficiaries and websites producing media content that can avoid ownership transparency rules by registering in the names of individuals instead of a company. Moreover, websites registered outside of Romania are increasingly used to spread media content including for disinformation and smear campaigns. A Moldovan based website played a central role in the smear campaign against Emilia Șercan.

The CNA is empowered to fine, suspend, and even withdraw licences from media for breaches in the regulatory code. The maximum fine is 200,000 lei (40,000 euro), though most fines are far lower and seem to have little impact on repeat offenders. According to a report by [ActiveWatch](#), the two biggest transgressors in the past ten years have been Realitatea TV and Romania TV, who each received 231 different sanctions between 2011 and 2022. The CNA is also criticised for failing to adopt a clear methodology to assess breaches creating an unpredictable disciplinary process and arbitrary decision making.

**Romania TV** has one of the worst reputations for journalistic standards. It was set up by former PSD politician, Sebastian Ghita, who has since fled to Serbia to avoid corruption charges. Ghita is believed to still exercise control over Romania TV through intermediaries. The numerous fines it has incurred over the years appear to have had little impact on the broadcaster's output. Romania TV hit a new low in June 2023 when it ran a three-week campaign against the newsroom of the popular daily, Libertatea, following the [suicide](#) of one of Libertatea's correspondents, Iulia Marin. Following public protests, the CNA issued a fine of 100,000 lei (20,000 euro).

*Recommendations:* The CNA needs better resources to fulfil its mandate including ensuring ownership transparency and adherence to broadcasting rules and engagement in the work of the new European Board of Media Services to be established under the EMFA.

## Public Service Media

Romania's public media, Televiziunea Română (TVR), Radio România, and AGERPRES, the Romanian National News Agency, suffer from chronic underfunding and a lack of political and budgetary independence. It does however enjoy a modest but significant audience with [17%](#) of the public tuning into TVR weekly.

The European Commission's [2023 Rule of Law](#) report called on Romania to "strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media." It added that the system of appointing the Board of Directors is still subject to political influence.

The 13 members of the supervisory board or Administrative Council are appointed by the lower house of parliament, the senate, and the president and two members represent the employees. The board can be dismissed if parliament rejects the broadcaster's annual report, as happened in May 2021 when reports from 2017 to 2019 were all rejected together precipitating the abrupt departure of the management boards and chief executive.

In 2017, the licence fee system was abolished and replaced with direct state financing ensuring its dependence on the government of the day for its budget. The 2024 budget is 87 million euro and it employs around 2,200 staff.

While the current Director is considered to be largely balanced, journalists employed comment that they are unable to do investigative journalism into the government.

A 2021 bill to reform the public broadcast law remains stuck in parliament. Commentators said that a new public service media law could form the basis of urgently needed reform and political parties should revive it.

In 2022, the media platform [Dela0.ro](#) revealed a practice of offering journalists from the public broadcasters secondment opportunities in government. Between 2017 and 2021, some 20 high profile journalists took advantage of these opportunities raising questions about political influence and journalistic integrity.

In October 2023, a scandal erupted around **Euronews Romania** after it was announced that 800,000 euro of public money were to be invested in it ahead of the elections. Euronews is run by Politehnica University of Bucharest in an opaque management structure that appears to be dominated by senior members of the PSD.

*Recommendations:* The public broadcast law reform bill must become a priority for the government to ensure that public media are fully independent and guaranteed the financial resources to fulfil their mandates. The review of any law should ensure that the principles of political and financial independence laid out in the European Media Freedom Act are fully implemented.

## Case Study: Ringier, Libertatea, and Gazeta Sporturilor (GSP)

The Swiss based media company, Ringier, is one of the few foreign publishers remaining in Romania. In 1994 they purchased Libertatea which rapidly became the most popular tabloid paper in the country before launching a rebranding in 2014 to turn it into a respectful and hard-hitting media with one of the largest digital readerships in the country. In 2018, Ringier bought Gazeta Sporturilor, the leading sports newspaper in the country, with a similar reputation for hard-hitting and independent journalism, led by award winning journalist Cătălin Tolontan.

The presence of a large foreign based publishing house with a reputation for high standards of journalistic integrity can often provide protection from political interference and a platform for hard-hitting critical journalism.

It was therefore particularly shocking to learn of the extensive internal disputes that erupted between the two newsrooms and Ringier management that, according to the journalists, was a matter of journalistic integrity and editorial independence but, according to Ringier, was a matter of differences over strategic priorities and a need to restructure to stem losses in print media and to invest in the digital product.

Protests led by the leading editors of both GSP and Libertatea over the summer of 2023 failed to resolve the differences and in October the GSP print edition was abruptly closed while its editor, Cătălin Țepelin, was removed. Five weeks later, three of the leading Libertatea editors were also [dismissed in a restructuring](#) including editorial director, Cătălin Tolontan, deputy editor-in-chief, Iulia Roșu and print edition editor, Camelia Stan. Dan Duca, the editor in chief resigned shortly afterwards and since then, the mission was told, many Libertatea reporters also announced their departure leaving Libertatea without leadership and a decimated newsroom.

While arguments will continue over the root causes, it is clear that Libertatea and GSP's audiences are paying a heavy price for the failure to resolve the differences between Ringier's management and the senior editors.

As for the departing journalists, many of them have recently found positions within a [new project launched by online media outlet HotNews.ro](#).

**The Betting Industry Link.** Overlying the scandal was the influence of the [Romanian betting industry](#) and allegations that a member of the Ringier Sports Management Group had tried to pressure journalists in their coverage of the gambling industry. GSP is 49% owned by the Bulgarian company SMAK MEDIA EOOD. It is represented by Stillian Shishkov who is the CEO of Ringier's Sportal Media Group in Bulgaria and founder of the Bulgarian Association of Gambling, a betting industry lobbying organisation.

The betting market in Romania is huge, with over [2.4 billion euro](#) spent gambling in 2022. The two biggest Romanian betting companies, Superbet and Betano, between them spent over 10 million euro on digital advertising in 2021.<sup>1</sup> There have been several efforts to tighten gambling regulation, most of which have stalled in parliament as a result of intense lobbying by the industry. Tension flared over in October 2023 when the government raised taxes on gambling, but not before the prime minister Marcel Ciolacu accused the betting industry of having too much power, of threatening politicians, and of firing journalists, a direct reference to the departure of Cătălin Țepelin from GSP.

It has since been revealed that the founder of Superbet, Sacha Dragic, purchased a 40% share of Romania's news agency [News.ro](#) and launched a news aggregator, [informat.ro](#).

Ringier's connections to the gambling industry do not end in Romania and Bulgaria. In 2022 Ringier SA invested [50 million GBP](#) in the UK based LiveScore Group, creating a 'strategic partnership' between the betting industry and Ringier's Sports Management Group. LiveScore's CEO, Sam Sadi, makes no secret of the advantages of the partnership [setting out his plan](#) for LiveScore to become the world's number one sports media operator through "the convergence and symbiosis between the sports media and the betting industry".

Cătălin Tolontan set out the dangers of merging sports journalism with the interests of the betting industry in an [editorial](#) column in Libertatea a month before he was removed from his position by Ringier management.

Tolontan's dismissal only adds to the concern around the ability of not only Ringier's sports journalists but journalists across their media empire to report independently on the gambling industry.

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<sup>1</sup> Romanian joint industry committee for print and internet (BRAT)

# LEGAL THREATS AND OBSTACLES FACING ROMANIAN JOURNALISTS

## Vexatious Lawsuits: Strategic Litigation Against Public Participation, or SLAPPs

SLAPPs is a term used to describe the deliberate misuse of the courts by powerful individuals to silence journalists and other activists who seek to expose wrongdoing, hampering their participation in public debate. SLAPPs are often taken by the powerful who use their extensive resources to intimidate journalists. The lawsuits are often vexatious and without merit. SLAPP offenders' purpose is therefore not necessarily to win the case but to exhaust the media and drain them of their finances so that they settle out of court and think twice before reporting on the person again. Sometimes just the threat of legal action, through for example, cease and desist letters, can be sufficient to persuade journalists to give up their public interest reporting. MFRR has worked hard to raise awareness of the threat SLAPPs pose to journalism. We work closely with [CASE](#), the Coalition Against Slapps in Europe, which coordinates advocacy and campaigns among a broad network of NGOs.

The use of SLAPPs has become an increasingly regular feature of Romania's media landscape since 2021. The mission spoke with numerous journalists who had first-hand experience of vexatious lawsuits and one of the few lawyers in the country who specialises in the issue. At least 12 journalists reported that their media receive an average of one or two lawsuits each year.

The typical plaintiffs are [politicians](#) and powerful [businesspeople](#), and claims for damages have ranged from one lei to one million euro. Most SLAPPs are typically [civil defamation cases involving reputation or privacy \(GDPR\)](#).

The vast majority of cases are won by the media, but not without them first incurring considerable loss of time and resources and having to bear their own legal costs. On the few occasions where media have lost, it has usually been as a result of an error in their defence and they have subsequently won on appeal.

Reassuringly, most journalists expressed guarded confidence in the courts in ruling on SLAPP cases, at least in Bucharest. Concern, however, was expressed that outside of the capital local courts were more likely to be both less familiar with the rights of journalists and more susceptible to external pressure. Protection against SLAPPs is hampered by a lack of specialist media lawyers.

While SLAPPs are mentioned as one of the practices undermining journalists in a number of reports, including the [2022 Media Pluralism Monitor](#), the lack of qualitative and quantitative data makes it hard to assess the full impact of legal threats on the Romanian media. Gathering data can be very difficult, in part because the courts do not label defamation cases against journalists in their public records. Instead, they fall into general civil case categories, such as tort liability and others. Additionally some journalists are reluctant to publicise when they are being sued, either because they do not realise it is a SLAPP or out of fear of jeopardising the case.

There are currently no legal provisions in place to counter SLAPPs, but in 2023 the Romanian government responded to the 2022 European Commission's anti-SLAPP recommendations by establishing a SLAPP [focal point at the Romanian Institute for Human Rights](#). The Institute recently published a [call](#) to collect data on SLAPPs and has announced plans for awareness raising campaigns as well as [training](#) for journalists and human rights defenders.

## Examples of Romanian SLAPP Cases

Daniel Băluță, mayor of Sector 4 in Bucharest, developed a reputation as a [serial litigant](#) having issued eleven different cases against [Libertatea](#) and its staff between 2020 and 2021. Libertatea had written extensively on Băluță's and the local government's ties with criminal groups. Băluță also sued Newsweek.ro and a local NGO seeking to silence public watchdogs. Most of Băluță's cases have been dismissed by the Court of Bucharest, while some files remain [pending](#).

In 2021 a former bishop [sued](#) three journalists from Dela0.ro, Ovidiu Vanghele, Vlad Stoicescu, and Diana Oncioiu after they [exposed](#) sexual abuse crimes by the bishop against his former pupils. He charged them with defamation for destroying his reputation and demanded the immediate removal of the reports. The trial is in its final stage. Two years earlier in 2019 Diana Oncioiu received a death threat by phone [warning her against investigating further the Orthodox Church](#).

Demands for compensation made against media can vary widely. G4Media was sued by businessman Bogdan Chirieac who requested the removal of an article, a public apology, and 1 leu in damages. The lawsuit was dismissed in 2020. Other claims for damages, however, can threaten the financial stability of an outlet. In 2023, Radu Mateescu demanded one million euro from the Rise Project over an [investigative piece](#) into shady procurement of medical masks during the COVID pandemic. The case [is still ongoing](#). In 2021 the Rise Project defeated another defamation case brought this time by [Simona Ciulavu](#), demanding [488,000 euro for journalist Ana Poenariu's reporting on suspect procurements for medical equipment](#).

The Rise Project, together with OCCRP, were also sued by [Israeli businessman Benyamin Steinmetz](#) in early 2023. Steinmetz had been convicted by Romania's Supreme Court in 2020 to five years in prison for having set up a criminal organisation. Steinmetz demanded the removal of investigative articles related to his mining and real estate businesses, as well as a pledge to publish no further articles about him. The lawsuit was [dismissed by the Bucharest court in April 2023](#).

Local media face extra challenges when facing a SLAPP due to the lack of specialised lawyers and their reluctance to represent media in local communities where business and political interests are closely intertwined. Furthermore, the legal costs of lengthy trials, even when confident of eventual victory, is often too high a risk for [small media outlets](#) to bear. In 2014, Viața Liberă, a media outlet from Galați county, was sued by Mihail Boldea, an influential lawyer and former member of the Romanian Parliament. Anca Spanu, their deputy chief editor, explained how they engaged a law firm in Bucharest fearing that a local firm may be pressured by the plaintiff: "He sued us over an article about a fake sale of public property. He had very good connections and managed to move the hearings to Iasi [more than 400 km North of Galati and the newsroom]. It took five years for us to win every instance of the lawsuit, but we received only a partial financial compensation because the plaintiff claimed he had no income. Combining legal fees and travel we ended up spending about 60,000 Euros to defend ourselves." Spanu added "It really put pressure on us, financially, we could not invest that money in the people, in tech development, it drained us for five years."

The mission also found an example of transnational SLAPPs. In 2018, Elliott Broidy, Donald Trump's fundraiser, [sued G4Media journalist and founder Dan Tăpălagă](#) in London. Tăpălagă had authored four articles investigating corruption around military contracts between the US and Romanian governments, allegedly facilitated by Broidy and Liviu Dragnea, former leader of the Socialist Democratic Party. Broidy dropped the case after Trump lost the 2020 election.

## Conclusions

SLAPPs pose significant threats [to democratic rights](#), including the right to information, freedom of expression, and public participation, heavily affecting media reporting. Legal threats and vexatious lawsuits demanding content removal and substantial damages create a chilling effect on press freedom. While most journalists the mission spoke to did not consider SLAPPs to be a critical issue, the research shows a steady accumulation of cases that are costly, stressful and lead to a climate of self-censorship. While the courts generally find in favour of the media, the purpose of SLAPPs is often not to win cases but to exhaust the media and silence the journalists.

Without further research, particularly outside Bucharest, the extent of SLAPPs and their impact on media freedom is likely to be underestimated. We welcome therefore the government's creation of a SLAPP focal point and we urge Romanian journalists to work together to advocate for greater protection against vexatious lawsuits.

There is an urgent need for legal reforms and extra-legal measures to protect media outlets in line with the [EU anti-SLAPP Directive](#), the EU anti-SLAPP Recommendations, and the forthcoming anti-SLAPP Recommendation soon to be issued by the Council of Europe. The Directive introduces an early dismissal mechanism for cross-border SLAPP cases and the potential for compensation for those targeted by SLAPPs. The Directive can be enhanced by ensuring the measures also apply to domestic cases, with strong early dismissal mechanisms, and safeguards for compensation and fines against claimants. Detailed recommendations are set out by [CASE](#).

## Recommendations:

- Romanian journalists should work together with lawyers and civil society groups to ensure that the highest legal protections are introduced in Romania
- They should form an 'Anti-SLAPP' working group, supported by CASE, to lead advocacy efforts to improve the protection of journalists from vexatious lawsuits
- The group can ensure the full transposition of the [EU anti-SLAPP Directive](#) into law and for the principles to be further applied to domestic cases as well as cross-border cases. They can further advocate that provisions meet the standards of the EU's [Anti-SLAPP recommendations](#) and those of the Council of Europe to be issued in 2024.
- The group can cooperate with the Anti-SLAPP focal point to develop initiatives to research and document the extent of the problem, to raise awareness around the issue, develop trainings for the judiciary, and to identify lawyers who can provide specialist expertise to journalists.



## Protection of sources

The mission found that protection of journalistic sources was also a problem for Romanian journalists. In 2022, the Iasi court requested [investigative journalist Gabriel Gachi](#) to reveal the sources for his reporting on the [activities of Romanian MEP Tudor Ciuhodaru](#). The [Romanian police](#), as well as [members of the GDPR national authority](#), have also pressured journalists to disclose their sources. These examples reveal a lack of understanding of the principles of source protection developed by the case law of the European Court of Justice and the duty of journalists to protect the identity of their sources.

Recommendation: Appropriate training should be provided to the courts, police, and other judicial authorities and where necessary, national regulation should be reformed to bring it into line with the standards set out by [Art. 10 of the European Convention of Human Rights](#) and with Art. 4 of the forthcoming European Media Freedom Act.

## Freedom of Information

The mission heard numerous complaints about the [failure](#) of authorities to respond to their information requests in clear breach of their obligations under Romania's Freedom of Information law. The law itself is quite robust, requiring authorities to respond to Freedom of Information (FOI) requests within thirty days. However, Journalists complained that in practice, FOI requests are frequently ignored or refused, often citing false GDPR grounds. Journalists can then launch legal appeals. However, this route will often take up to two years to conclude if the concerned authority appeals, and even then some authorities have been known to ignore court orders. When the information is eventually released the time lapse often renders the information irrelevant and too late to publish.

Recommendation: Governments must ensure public authorities respond to Freedom of Information requests in a timely and efficient manner within the 30-day time limit outlined in the FOIA. Government must strengthen measures to ensure respect for FOIA including internal instructions to public authorities on their obligations under the FOIA, and public authorities must be held accountable when they ignore or reject legitimate FOI requests.

## SAFETY OF JOURNALISTS

Between 2020 and 2024 the Mapping media freedom site [recorded](#) 12 safety incidents against Romanian journalists, of which only two were physical and 10 involved threats.

While there are few documented cases of serious safety incidents in recent years, the mission did discuss a range of safety and security challenges faced by Romania's journalists. These include smear campaigns, verbal and digital threats, cyberbullying, and the failure of the police or judiciary to adequately protect journalists.

**Investigative journalists** can face severe repercussions for holding the powerful to account in the form of trolling and cyberbullying. The most pressing example is that of [Emilia Șercan](#), whose exposure of plagiarism by former Prime Minister Nicolae Ciucă and numerous other political and military leaders, led to a [relentless smear campaign](#), involving threats, the publication of private photos, and a bungled police investigation that appeared more interested in protecting those behind the campaign than solving the crimes against Șercan. The subsequent closure of the investigation has provided immunity to the perpetrators and sent a message to all journalists who dare to investigate the record and actions of the country's leaders that the police cannot be relied upon to protect them from the consequences.

In 2019, Diana Oncioiu received death threats by phone warning her to stop investigating sexual abuse cases in the church, or be prepared "[to have her head broken](#)". Oncioiu told the mission that the police had at first dismissed the threat as a joke and not to be taken seriously when filing her complaint. Oncioiu and her colleagues were later targeted by a SLAPP for their investigations, referred to in the earlier section.

**Hungarian language journalists** in Romania face increasingly difficult conditions, receiving threats from both local nationalist politicians and pressure from the Hungarian government itself. In 2022, staff at [Transindex](#) announced mass resignations citing political pressure before re-forming under Transtelex. [Boróka Parászka](#), an ethnic Hungarian journalist specialising in human rights, has suffered online trolling for at least a decade. In 2022, Barna Bartha, a politician from the far right Our Homeland Movement publicly speculated about how much better off they would be if Parászka was 'hanged' or 'eliminated'. The statement was condemned by Romanian Prime Minister Nicolae Ciucă at the time.

Investigating **illegal logging** in Romania is particularly high risk. In 2021 two journalists, Mihai Dragolea and Radu Constantin Mocanu were badly [beaten](#) by 20 people armed with bats and axes while filming in the North Romanian forests of Cosna. And in May 2023, [Crina Boros](#), a freelance investigative data journalist, was intimidated, insulted, and obstructed by staff at SUMAL, the forestry department's data and IT service of the Romanian Ministry of Environment. Boros had been investigating illegal mining and habitat destruction in the country. When Boros visited the SUMAL offices upon invitation, she faced almost two hours of aggressive and humiliating behaviour by the staff.

**Family members** may also be threatened to intimidate a journalist. In April 2022, the wife of Christian Pantazi received a threatening phone call and messages from a researcher at the National Defence College in response to Pantazi's work on conspiracy theories circulating about Russia's invasion of Ukraine. Then Prime Minister, Nicolae Ciucă, called for an investigation, saying that the intimidation of journalists will not be tolerated, and the employee subsequently apologised. The case illustrates the heightened risks for journalists addressing certain topics.

Journalists working in **local media** can also feel particularly vulnerable and isolated. The news site Info Sud-Est, based in the coastal city of Constanta described the backlash against one of their junior journalists' efforts to cover the tourism industry. In July 2023, Delia Dascălu, a journalism student at Constanta University was starting an internship. Her [first article](#) described her experience of pretending to be a foreign tourist arriving in Constanta and speaking only English. Her second article '[Did the bitch get away unraped?](#)' described the avalanche of misogynistic abuse she received for having 'defamed' the city. Dascălu ends the article by citing [The Chilling](#) study by the International Center for Journalists which records that in 2020 73% of women journalists experienced online harassment and that three quarters of women have considered leaving journalism as a result.

It is no coincidence that, with the exception of the forest assaults, every case the mission encountered involved the targeting of a woman journalist, or the wife of a male journalist. So, while statistics suggest that the threats to Romanian journalists are comparatively low, it is also clear that under the surface lies a hostile culture for women journalists forced to operate in the expectation that misogynistic insults and threats of assault can be 'part of the job'. There is a freedom of expression crisis for women journalists which must be at the heart of the country's safety strategy.

The mission met with Mircea Toma, the country focal point for the Council of Europe's [Journalists Matter](#) campaign, a five year programme to promote press freedom and protect journalists from violence, threats, and harassment. Toma regretted the lack of resources committed to the campaign and the mission members committed to engage closely with Toma in the follow up work on safety.

## Conclusion:

The Romanian authorities' failure to protect journalists such as Emilia Șercan, demonstrates the urgent need for judicial reforms. The inadequate legal protection for journalists is evident in the closure of investigations and the lack of accountability for those perpetrating attacks. There is a clear need for more research into and concrete action against online threats faced by women journalists in particular. International bodies must actively engage with Romania to address these gaps in protection.

## Recommendations:

- The government should urgently act to fulfil the journalists' safety recommendations of the European Commission and those of the Council of Europe under the Journalists Matter campaign.
- As part of this, the government must review and reform its police and judicial practices for the safety of journalists to guarantee independence from political pressure along with the necessary training and resources to protect journalists.
- They must prioritise developing specific measures to protect women journalists from misogynistic attacks including holding the perpetrators accountable
- A national action plan for the safety of journalists must be developed with all media stakeholders and a dedicated body, led by journalists, but supported by the government and involving all stakeholders, should be established to coordinate action.
- Media Freedom Rapid Response members will work with Romanian colleagues to help make this a reality.

## Smear campaign against investigative journalist Emilia Șercan

In 2019, journalist Emilia Șercan received a number of [death threats](#) after she reported that the rector of the Alexandru Ioan Cuza Police Academy had plagiarised his Ph.D. thesis. In July 2022, [the Romanian Supreme Court](#) convicted the rector and his deputy for blackmail and threatening the life of the journalist, suspending them from their academic and police enforcement positions. However, the court suspended their [prison sentences](#), on the grounds that their public positions had constituted mitigating circumstances.

In 2022, Șercan became the target of another relentless smear campaign after revealing how the then Prime Minister, Nicolae Ciucă, had plagiarised his doctoral thesis. After discovering five stolen personal pictures from twenty years ago had been published on 34 adult websites, Șercan filed a police complaint for cybercrime and violation of privacy. Within an hour of leaving the station, a Moldovan website published the five stolen pictures and a Facebook Messenger screenshot she had provided to the Romanian police. The investigations have failed to identify either the perpetrator or the source of the alleged leak from within the police force. In November 2023, the investigation was [closed](#). To do so, the Prosecutor made the extraordinary ruling that ‘the offences’ – including the publication of stolen private photos and the presumed disclosure of evidence held by the police – ‘were not provided for by the criminal law’.

Șercan now faces another coordinated smear campaign aimed at discrediting her public interest journalism, which appears to have been directed by the governing National Liberal Party (PNL). It follows the publication of two articles, in September and November 2022, in which Șercan revealed that former Minister of Education Sorin Cîmpeanu and Home Affairs Minister Lucian Bode, a member and the general secretary of the PNL respectively, also plagiarised. A multitude of websites, including media outlets which receive public funding, as well as outlets run by former journalists who are now political members of the National Liberal Party, have launched a series of attacks to discredit Șercan, spreading the rumour that she has ulterior motives for writing her articles, namely that she wants to run for the Presidency of Romania.

## LOCAL MEDIA

A huge gulf exists in the conditions facing national media based in Bucharest and those in the regions which have witnessed a steep decline in professional standards, independence, and public trust. This is due to a number of exceptional challenges particular to local media.

The financial dependency on government funds is much greater at the local and regional level where 90% of media are largely or totally dependent on funding either direct from the local government, or from companies that also depend on services of the local government. This enables local politicians to buy the silence and loyalty of media which then become vehicles for their political and business interests.

The much smaller markets mean there are far fewer alternative sources from which to generate income. Moreover, private businesses dependent on local government for licensing or custom, will be wary of advertising in media that are critical of the local government. Many newsrooms feel forced to compromise their independence in order to survive.

Local media are far more vulnerable to vexatious lawsuits from powerful actors in smaller communities where lawyers and judges are likely to be more exposed to pressure. Local media also lack the resources to fight cases even when they are confident of eventual victory.

Local journalists are far more exposed to threats and intimidation, where the police are more likely to be corrupted and where support organisations providing assistance to targeted journalists are unknown or invisible.

The problem is further exacerbated by insecure contracts with low salaries and few pension and healthcare provisions furthering the pressure on skilled journalists to drop out of the profession.

As a result, objectivity and impartiality suffer as media obediently republish government press releases and report their news without criticism. Communities are failed by their media and the public loses trust in journalism.

Reforming the local media to regain its independence and its integrity is vital. To revitalise, the sector needs professional training, sustainable business models, and a conducive environment for media to operate independent of government interference.

### Recommendations

- The local government advertising budgets must be depoliticised to end the political capture of local media and ensure the fair distribution of funds. The rules for distribution and transparency outlined in the EMFA should apply to all local governments regardless of size.
- Action should be taken to ensure the professional development of journalists, the promotion of sustainable business models, and the expansion of community audiences that help guarantee their independence and integrity.

# MISSION RECOMMENDATIONS

## Media Capture

***Political Funds for ‘Media and Propaganda’:*** Policy makers must urgently reform the system to ensure full transparency over the use of the political funds in both the reporting to the PEA and the public and an obligation on all media to clearly label all content supported with political funds. Policy makers should further consider how to end the practice altogether of political funding of media and develop strict limits on expenditure and the purposes of the expenditure. To help achieve this we urge the swift implementation of the EU’s regulation on political advertising.

Media should independently ensure that all funding from political sources are fully transparent to their audience.

***State Advertising:*** Governments must put an end to the abuse of state advertising to create a pliant media sector by introducing clear rules and criteria that ensure distribution of funds is free from political control.

The European Media Freedom Act obliges member states to ensure that all public funds made available for state advertising are awarded according to transparent, objective, proportionate, and non-discriminatory criteria. It further requires that the use of these funds be fully reported to the public through an appropriate regulatory body. While the EMFA allows member states to exempt public authorities with a population of under 100,000 from these obligations, we urge Romania to introduce legislation that applies these rules across all local and regional governments regardless of size of population.

***The National Media Regulator:*** The CNA needs better resources to fulfil its mandate including ensuring ownership transparency and adherence to broadcasting rules and engagement in the work of the new European Board of Media Services to be established under the EMFA.

***Public Service Media:*** The public broadcast law reform bill must become a priority for the government to ensure that public media are fully independent and guaranteed the financial resources to fulfil their mandates. The review of any law should ensure that the principles of political and financial independence laid out in the European Media Freedom Act are fully implemented.

## Legal threats and obstacles facing Romanian journalists

***SLAPPS:*** The media should not accept the steady stream of vexatious lawsuits as the status quo. Even if the courts eventually find in their favour, it is already having a draining effect on Romanian journalists.

- Romanian journalists should work together with lawyers and civil society groups to ensure that the highest legal protections are introduced in Romania
- They should form an ‘Anti-SLAPP’ working group to lead advocacy efforts to improve the protection of journalists from vexatious lawsuits

- The group can ensure the full transposition of the [EU anti-SLAPP Directive](#) into law and for the principles to be further applied to domestic cases as well as cross-border cases. They can further advocate that provisions meet the standards of the [EU's Anti-SLAPP recommendations](#) and those of the Council of Europe to be issued in 2024.
- The group can cooperate with the Anti-SLAPP focal point to develop initiatives to research and document the extent of the problem, to raise awareness around the issue, develop training for the judiciary, and to identify lawyers who can provide specialist expertise to journalists.

*Protection of Sources:* Appropriate training should be provided to the courts, police, and other judicial authorities and where necessary, national regulation should be reformed to bring it into line with the standards set out by [Art. 10 of the European Convention of Human Rights](#) and with Art. 4 of the forthcoming European Media Freedom Act.

*Freedom of Information:* Governments must ensure public authorities respond to Freedom of Information requests in a timely and efficient manner within the 30-day time limit outlined in the FOIA. Government must strengthen measures to ensure respect for FOIA including internal instructions to public authorities on their obligations under the FOIA, and public authorities must be held accountable when they ignore or refuse legitimate FOI requests.

## Safety of Journalists:

Journalists targeted by smear campaigns and other forms of intimidation lack confidence in the authorities to provide effective action against perpetrators and protection for those targeted. The fragile journalists support groups also means there are few organisations that journalists can turn to. This will result in safety issues being largely unreported in a culture that accepts online hostility and smearing as a part of the job. With the exception of Emilia Şercan and other cases cited above, safety is not a critical headline issue in Romania. Nevertheless, there are certain actions that should be taken:

- The government should urgently act to fulfil the journalists' safety recommendations of the European Commission and those of the Council of Europe under the Journalists Matter campaign.
- As part of this the government must review and reform its police and judicial practices for the safety of journalists to guarantee independence from political pressure along with the necessary training and resources to protect journalists.
- They must prioritise developing specific measures to protect women journalists from misogynistic attacks including holding the perpetrators accountable.
- A national action plan for the safety of journalists must be developed with all media stakeholders and a dedicated body, led by journalists, but supported by the government and involving all stakeholders, should be established to coordinate action.
- Media Freedom Rapid Response members will work with Romanian colleagues to help make this a reality.

## Local Journalism:

- The local government advertising budgets must be depoliticised to end the political capture of local media and ensure the fair distribution of funds. The rules for distribution and transparency outlined in the EMFA should apply to all local governments regardless of size.
- Action should be taken to ensure the professional development of journalists, the promotion of sustainable business models, and the expansion of community audiences that help guarantee their independence and integrity.





**MEDIA FREEDOM  
RAPID RESPONSE**