

EFOR Annual Report
2025

The crisis of the Romanian State



EXPERT
FORUM

Authors:

Otilia Nuțu

Sorin Ioniță

Septimius Pârvu

Mădălina Voinea

Graphic design: Ștefan Popa

© EFOR, January 2025

Report published at https://expertforum.ro/en/efor_2025_annual_report/

The analysis and opinions included in this report are those of the authors and do not necessarily reflect the official policy or position of EFOR's donors and partners

Table of Contents

Argument	4
1. Reaping the grapes of wrath: how Romania went off the rails in 2024	5
2. Timeline of electoral events and EFOR actions	11
3. The 2024 electoral fiasco. The institutional and legal failure	16
4. Elections: what happened online, and how can similar disruptions be prevented in the future?	33
5. The regional energy crisis: will Romania be swept in its vortex or defy the Russian aggression?	39

Argument

The electoral debacle in Romania last November sent shockwaves through both domestic society and international public opinion, exposing chronic dysfunctions within public institutions that now threaten the state and its democratic foundations. Unlike the broader sovereignist trends seen in other countries, Romania faces unique vulnerabilities, extending beyond the narrow domain of manipulation on social networks.

Two months after the elections, critical questions remain unanswered: who orchestrated the destabilization of the electoral process, what resources were deployed, and why public authorities failed to detect and neutralize the threat in a timely manner. Instead of addressing these pressing concerns, the state and political elite appear preoccupied with sweeping the episode under the rug, evading accountability for both institutional and individual failures.

Under these circumstances, the risk of a repeat disaster looms large as Romania prepares for the postponed presidential elections in May. This report aims to clarify the sequence of events, dissect the causes of the 2024 electoral chaos, and offer lessons to prevent a recurrence. It includes dedicated chapters analyzing flaws in the electoral legal framework, failures in enforcement, and the role of online manipulation during the campaign. A detailed timeline outlines the key developments in the three fatidic months from mid-September to December, interwoven with actions taken by EFOR during this period. The report concludes with specific recommendations for urgent reforms at every level examined, directed at the authorities – though the good faith in implementing them is, regrettably, a heroic assumption.

Beyond the electoral fiasco, the report also analyzes a number of broader issues highlighting the severe deterioration of governance in Romania. These structural weaknesses form a troubling backdrop to the electoral process and are inextricably linked to the unprecedented debacle we witnessed at the end of 2024.

1. Reaping the Grapes of Wrath: How Romania Went Off the Rails in 2024

To the external observer not familiar to the Romanian daily political circus, the results of elections at the end of 2024 must have come as a complete shock. Far-right extremist parties secured more than a third of the seats in Parliament, while a little-known, red-trousered champion of outlandish conspiracy theories, virtually invisible to opinion pollsters just a few weeks before the voting day, won the first round of the presidential elections by a comfortable margin. Neither presidential candidate of the two parties in the governing coalition PSD - PNL made it to the second round. The most plausible far right “challenger” candidate from AUR barely made it fourth. It seemed that Romania’s voters out of the blue slapped a gigantic vote of no confidence in the face of the entire mainstream political class, and did so while embracing openly anti-Western, pro-Russian candidates. How was the result even possible?

There was certainly no prior evidence of a widespread distrust in the Romanian society on the country’s EU and Western partnerships, nor were concerns about the economy far off from what Europeans feel in general, nor do Romanians seem to be less confident in domestic political institutions than the average European. The latest Eurobarometer from autumn 2024¹ shows that Romanians’ trust in Brussels is even a notch above that of other EU-27 citizens (56 vs 51%), while confidence in the national Parliament and Government, astonishingly, remain in line with everyone else’s (even though overall EU scores are similarly low, at 33-37%, indicating the potential for anti-system votes across the continent). Romanians seem indeed more dissatisfied with their personal financial status and jobs than other Europeans; but are more optimistic that their own economic situation, the country’s economy and EU’s economy would improve over the next year. According to the poll, more Romanians (53%) have a fully positive view of the EU than other Europeans (44%). So neither pessimism, nor a sudden wish to change the country’s strategic geopolitical partnerships seem to be the causes that triggered this sudden, wholesale rejection of the mainstream political class. The explanations must therefore be sought somewhere else.

In our previous EFOR Annual Report 2024² we sent an early warning on the possible outcomes of the increasing divide between society and political elites. It had been gaping wide in the unusually long interval that had lapsed since the previous elections in 2020. This 3-4-year interval overlapped with the most socially-divisive part of the pandemic in Romania, with extreme polarization around vaccination and social restrictions. The social anger emerged forcefully not in the initial months of the outbreak, when people were too scared of the unknown and more readily complied with social distancing, but a few months later, when other concerns, such as on economy, employment, long-term societal effects of isolation made the tradeoff health/normal life increasingly unbearable. Compared to other countries with better education scores and higher levels of social

¹ <https://europa.eu/eurobarometer/surveys/detail/3215>

² <https://expertforum.ro/en/efor-2024-annual-report>

capital, but also more public government accountability for policies, in this period freakish conspiracy theories spread like fire, and Romania remained the country with the lowest vaccination rate – just above 40% of the total population – and the highest Covid-related mortality. The war in Ukraine soon followed, then a full-fledged energy crisis and then inflation.

Facing unprecedented external challenges, a certain decline in the popularity of politicians in power is natural, and this is again in line with what we see in other countries. What made Romania really stand out, though, is the **incredibly inept response of the state** to the societal anxiety and the **perceived fracture between priorities of the politicians and daily worries of the common folk**. 2020 had already signalled that this disconnect could unleash populism in politics. Romania's government implemented in early 2020 quite absurd restrictions, communicated publicly with no empathy, in garrison-style language and deviating even from the somewhat exaggerated (in retrospect) measures most democratic countries were recommending at the time. Harsh fines and penalties, set out in ad hoc, frequently amended legislation, were applied arbitrarily on the helpless, while certain political and public figures defied the law with impunity. It is no wonder that the far right party AUR, missed by polls precisely like Georgescu in 2024, got an unexpected 9% of the vote for Parliament in December 2020. AUR had gained popularity by opposing pandemic-related measures that many found absurd or unbearable. Still, in 2020 they gained only a minority in Parliament and all the other parties refused to form any alliance (a cordon sanitaire).

With a stable mainstream configuration in Parliament and no difficulties to form governing majorities, the “election-free” 2021-2024 interval would have provided ample opportunity and sufficient time for difficult political reforms, particularly on issues requiring a thorough analysis and public debate. Crucial topics to be acted on included electoral legislation, administrative reform, post-pandemic fiscal consolidation, absorption of EU funds, reduction of social inequalities (which happened to some extent, but only in a spontaneous manner), elimination of barriers to economic development and sustainable growth no longer driven primarily by consumption, dealing with the negative trends in demography and human capital, healthcare, environment, as well as many others. Instead of sound policies, the actions of the ruling coalition created in society **a sense of increasing inequity of treatment**. Special categories obtained ever-increasing privileges, in defiance of the public. State employees from the intelligence community, magistrates, military, law enforcement structures got vaccinated in secret special centers ahead of other “non-priority” groups, though the latter included high-social-interaction categories such as teachers or postal workers. Later on, “special” pensions (meaning non-contributive retirement payments, lower contribution interval and lower retirement age, regardless of semantics) were increased successively.

Moreover, the arrogance of senior politicians over the past four years, coupled with their increasingly dubious educational credentials and even questionable basic literacy, has further fueled public anger. Examples include the president's obstinate refusal to limit, or at least disclose transparently, his expensive flights in private charter planes accompanied by spouse and paid for from the budget; or the expensive vacation flights of

the prime-minister, organized and sponsored by a highly influential real-estate company caught in a fraud scheme. “Election-free” did not even guarantee political stability. On the contrary, the president and PNL, which had secured victory in elections in 2019-2020 on an “anti-PSD” platform, did not hesitate to blatantly overturn the people’s vote by forming an alliance precisely with the PSD, the previous year’s arch-rival. PSD was thus preferred over the pro-reform party USR with which PNL had formed a short-lived coalition for less than 10 months after the 2020 elections. This outright betrayal of voter’s clear preferences grieved many supporters and was a turning point for the trust in political parties in general: the country’s president and a select few heads of the intelligence services could apparently carve any majority in backstage negotiations, regardless of what people voted. Thus was formed the oversized PSD-PNL coalition in November 2021, allegedly “for the sake of stability”, as pro-government pundits framed it.

To add insult to injury, spindoctors in government-financed media later on attributed to the increasingly detached president brilliant foresight powers. Apparently, president Iohannis had pushed through the alliance as he knew in advance, probably ahead of US or even Ukraine, of the impending Russian aggression, hence the need for “stability” and the wise creation of this un-natural coalition. Later on, the propagation of the “stability narrative” was greatly facilitated by the budget-sponsored party financing. Party leaders decided to generously invest taxpayers’ money in friendly media, distorting the electoral landscape and the whole political consulting profession, as we argue further in this report in Chapter 2. Little wonder that all such actions, as well as many others, became a perpetual source of public frustration. In the end, the frustration exploded in a big vote against: the total participation was 52%, significantly higher than the 40% in the last pre-pandemic elections in 2016.

What is worse, all the practices mentioned before continued unabated even after the elections ended in scandal. This is how Romania’s results of 2024 superelectoral year look today: a broad majority of angry Romanians, be they “extremists” or “reformists”, voted out the PSD-PNL supercoalition, which got a mere 35-36% of the vote, and wanted to finally wish farewell to the increasingly unpopular president Iohannis. Instead, they got an unspecified – and constitutionally dubious – amount of time with the same duo at the top: Iohannis president and Marcel Ciolacu prime-minister. Elections were cancelled, following investigations that suggest also a Russian trail, but these investigations presented by authorities as public evidence were done by journalists and watchdogs, not by the well-paid “specials” in the intelligence, police, or judiciary. To say as we speak, two months after the electoral mishap, there is zero follow-up on these investigations. We do not know who is responsible for this unprecedented move to cancel elections among the politicians, chiefs of intelligence or public authorities who contributed to the mess with their passivity. There is no resignation in the Permanent Electoral Authority, despite its repeated failure to properly do its job and examine political financing. It is the PEA’s failure that it allowed Georgescu to claim zero political spending for his entire campaign. It is also PEA’s failure that allowed PNL, in violation of the legislation concerning campaign financing, to run a TikTok campaign either intentionally favoring Georgescu, or

“highjacked” by Georgescu’s supporters, domestic or foreign. Still, PEA’s president keeps his position.

The present report highlights in Chapter 3 the loopholes in the legislation and implementation of social media related regulations which made Georgescu’s campaign so successful. Two of our previous papers published before the events showed how Georgescu and his related party POT spiked in visibility weeks, or indeed months before the elections. The poor understanding and implementation of EU rules at national level for social media platforms is one of the causes for the surprise result. It is convenient for authorities to brush off the Georgescu’s success as an one-off aberration on TikTok, and come up from the top of the hat with legal provisions to “make TikTok report to PEA”; it is a completely different matter to understand what national vs EU institutions can do about the influence of social media on politics, especially when it comes to the large operators (VLOPs), within the existing legal framework. Also, Georgescu did not just “win because of TikTok”, but benefitted from a significant “offline” support, carefully built over time. Various alternative medicine groups, religious communities, Ponzi scheme gurus, unions, NGOs, established years ago, suddenly mobilized to support the candidate. Were these groups “genuine”, and then only the leaders should be persuaded, or were these groups created from the very beginning with the purpose to which they were used in December? These are precisely the types of questions that authorities needs to provide transparent answers to.

On the contrary, the impunity and inaction appear absolute. President Iohannis has disappeared from public view from the day in which he announced the inevitability of his staying in power until new elections. He is also quarantined by international peers, to the detriment of Romania’s interests during momentous events on the global arena. The Constitutional Court recently blocked the progressive taxation of “special pensions” of magistrates, in the process reversing one of the key milestones in the National Reform and Resilience Plan agreed with Brussels and blocking the latest tranche of EU funds. Chaotic legislation continues, with emergency ordinances issued overnight, with no proofreading for grammar, not to mention effective time for consultation with those most affected. Chapter 2 describes the chaotic process of planning for the elections in May: few lessons have been learned from the experience in December. When no one is held accountable for any of the big mess-up that just happened, and all remain in their positions despite a clear vote of non-confidence from the people, why would one expect that the results would not be even more extreme in May?

The political developments are particularly worrying as Romania’s macroeconomic stability and prosperity crucially depend on sound institutions, a well-functioning rule of law system, and legislation that carefully weighs the concerns of all stakeholders to find an acceptable, transparent, and predictable compromise. As highlighted in [last year’s EFOR Annual Report](#), Romania’s systemic main macroeconomic challenges come from soaring twin deficits of the current account and consolidated budget; high inflation; and unsustainable economic growth model based on consumption, rather than investments and exports. These are direct consequences of poor governance: excessive, pro-cyclical spending from public budgets and waste of funds; populist or clientelistic hikes of

pensions; preference for poor quality and clientelistic local investments over the EU-funded projects. Table 1 summarizes the average forecasts of macroeconomic indicators from the rating agencies, World Bank and Ecofin. It should be noted that two rating agencies revised downwards their rating for Romania in December 2024 and January 2025: the main risks are related to political uncertainty and the fact that the extension of the electoral calendar means the country’s leadership would have little incentive to adopt significant fiscal stabilization measures.

Though the level of Romania’s public debt is still moderate so far, the combination of high budget deficits expected in the medium term and the revisions of the country’s ratings means that interest payments and the costs of refinancing the public debt will keep rising. Since 2020, the debt-to-GDP ratio has increased by no less than 15%. In case Romania does not adopt credible measures to reduce deficits below 6% in 2026, by 2027 the public debt would already pass the 60% mark. Populism and bad governance are costly, both for us and for the generations to come. What is more, the growth projection of 2.3% in 2025 is regarded by analyst as widely optimistic; half of this level would be a good achievement, and even this is hard to reach.

Table 1. Key macroeconomic indicators

	2024	2025
Inflation	5.5%	3.9%
Consolidated budget deficit	8.1%	7.7%
Current account deficit	8.3%	7.6%
Public debt	52%	56%
GDP growth	1%	2.3%
Unemployment	5.5%	5.5%

Romania’s economic growth in 2024 was lower than expected, given the economic contraction and reduced demand in several key European partners, notably Germany; well integrated in the European economy, we are vulnerable to external shocks, as well as critically dependent on cooperation with and credibility in countries in the West. The most affected sectors were industrial production, constructions, IT, agriculture, while retail sales accelerated in proportion with higher disposable incomes. There is a consensus that Romania’s growth would continue also in 2025 to be driven by wage growth and higher pensions, and most forecasts in December and January revised downwards their GDP growth projections for 2025-2026 given the unsustainability of the model already in the short term.

Romania’s ability to absorb EU funds in the next few years, as well as private sector investments, is crucial to increase the sustainability of economic growth and avoid the economy’s overheating triggered by higher consumption, which in turn would fuel inflation. But higher absorption of EU funds for infrastructure requires higher administrative capacity and the adoption of reforms that condition the funding in instruments such as the Recovery and Resilience Facility (NRRP). Private sector investments are also forthcoming where legislation is clear, predictable and fair. Chapter

4 demonstrates in the case of energy that we are at a crossroads: Romania either adopts and implements sound policies, or it will lose opportunities it is unlikely to have for many years ahead, as most EU funds have clear deadlines for implementation (e.g. NRRP - 2026; Operational Programs - 2029; Modernization Fund - 2030).

For sure, the reduction of budget deficits would require significant increase of taxes and reduction of expenses. Both measures are unpopular and require careful considerations of fairness in burden-sharing: while it is easier to overcharge those who already pay, and cut expenses from those least able to protest, general compliance with a country's fiscal framework requires a sense of justice and equal treatment both from the contributors and receivers. "Special pensions" (in the broadest sense) represented in 2022³ about 1% of GDP; and only a fraction of the about 1 million beneficiaries really receive what any person would consider outrageous privileges. For example, the roughly 10,000 magistrates get just 10% of this amount, or about 0.1% of GDP. Their privilege is not destabilizing the economy, but triggers public indignation because they can retire at the peak of their career (mid-40s), are eligible to a pension 10 times above their actual contribution to the public pension system, and benefit a pension/salary rate of above 80% unlike the average citizen who gets 40%.

Indeed, it is not the magnitude of the public spending that exasperates the public but the glaring inequities of the system, plus their self-perpetuation. The problem feeds on itself: magistrates sue in courts for additional benefits which are decided on by other magistrates, creating a closed loop of privilege. A fundamental principle of voluntary tax compliance—and, by extension, effective state revenue collection—is the perception of fairness. Likewise, the rule of law can only be truly internalized as a societal value if those entrusted with upholding it serve as models of integrity. Neither tax compliance nor trust in the judiciary can thrive when those dispensing justice are seen as indulging in privileges the public finds indecent. Given this reality, it is hardly surprising that the mass protests in defense of judicial independence, once common before 2020, would be unthinkable today.

As always, EFOR's Annual Report does not claim to offer solutions to every pressing issue of the year. Instead, our primary goal is to foster rational debate and well-reasoned discussion in the spirit of enlightened liberal democracy. This approach may seem out of step with the times – an era of global upheaval, where truth and falsehood often hold equal weight, might seems to make right, and people retreat into echo chambers rather than engaging with differing perspectives. Yet we firmly believe that the core values upon which the European Union was founded – freedom, solidarity, the rule of law, liberal democracy, the protection of rights, and responsible governance – are not only worth defending but essential to our collective future. The three areas we explore in this report, namely the electoral framework, social media, and energy, demonstrate, in the most practical and pragmatic terms, why good governance and European solidarity are not just ideals but effective foundations for a functioning society.

³https://mmuncii.ro/j33/images/Documente/MMSS/PNRR/BM_Raport_analiza_impact_reforma_pensiilor_speciale_2023.pdf

Timeline of electoral events and EFOR actions

Sep 2024

26th of September

EFOR releases a report analyzing the Kremlin's propaganda strategy in Romania, warning that covert pro-Kremlin narratives are gaining traction and spreading rapidly, similar to those later adopted by Georgescu.

[Link here](#)

Oct 2024

5th of October 2024

The Constitutional Court of Romania (CCR) rules to disqualify Diana Șoșoacă from running in the presidential elections, citing her failure to meet the criteria outlined in the Romanian Constitution.

25th of October 2024

The presidential election campaign has officially begun and is scheduled to conclude on November 23rd

Nov 2024

10th of November 2024

EFOR publishes a report analyzing party expenditures during the electoral campaigns for parliamentary and presidential elections.

[Link here](#)

Sep - Dec 2024

EFOR launches votcorect.ro to **provide relevant information** to all those interested in the electoral process.

Citizens can submit reports on electoral irregularities. Over **1680 reports** are sent in November and December.



11-12 of November 2024

EFOR requests meetings with the Central Electoral Bureaus for the parliamentary and presidential elections; both requests are denied on the grounds that the institutions do not see the "necessity of such a meeting." This signals a lack of transparency within these bodies. In contrast, meetings were successfully held before the elections with the PEA, the electoral commissions for overseas voting, the Post Office, and the Ministry of Foreign Affairs, all of which provided the requested information.

[Link here](#)

Nov 2024

18th of November 2024

EFOR urges PEA to publish data on the revenues and expenses of all electoral competitors. Although such data had been released weekly in the past, no updates are published after November 8. Despite repeated requests, EFOR receives no response from the PEA until Nov 25.

[Link here](#)

22nd of November 2024

EFOR asks once more PEA for transparency on financing of electoral campaign.

[Link here](#)

23th of November 2024

EFOR releases a report on Călin Georgescu's rapid rise in the polls, analyzing his social media and TikTok campaign. The report highlights his artificial growth on TikTok and points out that he is using the platform for political advertising, despite TikTok's policy prohibiting such activities.

[Link here](#)

24th of November 2024

The first round of the presidential elections concludes with a surprising outcome: Călin Georgescu comes on first place, garnering nearly 23% of the valid votes. Elena Lasconi comes in second, edging out Prime Minister Marcel Ciolacu by a narrow margin of 2,740 votes.

24th of November 2024

On Nov 23-24, EFOR operates a call center to provide electoral support, **resolving over 400 inquiries. The elections are monitored by more than 500 independent observers** accredited by the VotCorect coalition.

25th of November 2024

EFOR releases its second report on the financing of the presidential elections, based on data published by PEA. The report reveals that Călin Georgescu failed to declare any revenues or expenses during the campaign.

[Link here](#)

Nov 2024

26th of November 2024

EFOR urges PEA to take immediate action regarding Georgescu's failure to submit campaign revenue and expense reports in compliance with the law. EFOR also calls on the public to demand accountability, resulting in over 5,000 petitions being submitted to the PEA.

[Link here](#)

Additionally, EFOR issues a public statement reinforcing its demand for PEA to address Georgescu's non-compliance with campaign finance regulations.

[Link here](#)

Furthermore, EFOR calls on the European Commission and the national regulator (ANCOM) to intervene and halt illegal activities on TikTok and other social media platforms

[Link here](#)

27th of November 2024

PEA issues a statement that they will check the financing reports of Georgescu's campaigning after the elections

28th of November 2024

CCR decides to order a recount of votes from the first round of the presidential elections following a complaint from one of the candidates. Cristian Terheş requested the annulment of the first round, citing discrepancies in some polling stations where corrections were made to the vote count for Ludovic Orban.

Meanwhile, a **meeting of the Supreme Council for National Defence (CSAT)** addresses concerns over cyberattacks targeting the integrity of the electoral process. CSAT instructs the national security authorities, electoral oversight bodies, and criminal prosecution agencies to take immediate and appropriate action to investigate and resolve the issues raised during the meeting.

[Link here](#)

27th of November 2024

EFOR and VotCorect coalition publish a preliminary observation report on the presidential elections

[Link here](#)

28th of November 2024

EFOR publishes its third report on the financing of parliamentary elections, based on data released on Nov 25, covering contributions up to Nov 22 and expenses up to Nov 19. We reiterate our call for updated financial data to be made publicly available before the elections to ensure transparency and accountability.

[Link here](#)

29th-30th of November 2024

The Central Electoral Bureau (CEB) rules that observers are not permitted to participate in the vote recount process.

CEB issues instructions to county-level election administrations, directing them to deny observer access to the recount proceedings. This decision came despite some institutions initially showing willingness to allow monitoring.

Dec 2024

**1st of December
Parliamentary elections take place**

**2nd of December
CCR validates the results of the first round of the presidential elections,** following the vote recount conducted by the electoral administration. This decision is made despite the findings presented during the CSAT meeting on Nov 28, which highlights concerns about the electoral process.

29th-30th of November 2024

EFOR and Rădăuțiul Civic files lawsuits at the national level to compel county electoral bureaus to grant independent observers access to the recounting procedures. Despite our efforts, EFOR manages to secure observation rights only in Ilfov (with limited access) and Sector 4 of Bucharest. Many cases are rejected, while the majority are assigned excessively long and impractical deadlines, rendering them ineffective as the tabulation process is already completed by Dec 1. This underscores the challenges of accessing timely justice in such cases.

Out of 30 lawsuits filed by EFOR, only three are resolved through emergency procedures, with courts issuing decisions before the end of the recounting process.

1st of December

On Nov 30 and Dec 1 EFOR operates a call center for electoral support, successfully resolving over **300 inquiries**. Independent observers accredited by the VotCorect coalition monitor **more than 730 polling stations**.

EFOR also publishes an in-depth analysis of TikTok's role in Romania in the context of the parliamentary elections. The report identifies the POT (Young People's Party) network and its direct connection to the information and content promoting Călin Georgescu, along with the trends and virality surrounding his campaign. The analysis extensively documents TikTok's regulatory gaps and the platform's pressing need for more robust oversight mechanisms.

[Link here](#)

4th of December

The President of Romania agrees to declassify the information and reports presented during the CSAT meeting. These reports, provided by intelligence services, confirm foreign interference in the first round of the presidential elections. The interference is said to have followed a pattern similar to tactics previously identified in Ukraine prior to the Russian Federation's invasion.

[Link here](#)

5th of December

Three days before the second round of the presidential elections, CCR issues a press release clarifying its position on electoral disputes. It states that all petitions and requests related to the presidential elections would be analyzed during the process of validating the elections, and further stress that, at this stage, the Court can only examine complaints submitted by candidates who qualified for the second round. In essence, CCR explains that it lacks the legal authority to reexamine the results of the first round of elections.

[Link here](#)

6th of December

CCR decides to annul the first round of presidential elections based on the declassified information presented in CSAT.

[Link here](#)

3rd of December

EFOR publishes a report on the financing of parliamentary electoral campaigns, based on data available up to Nov 28 and released by PEA on Dec 2.

[Link here](#)

4th of December

EFOR and the VotCorect coalition publish their preliminary observation report on the parliamentary elections.

[Link here](#)

In a separate development, 13 NGOs publicly call on the President of Romania to declassify the information discussed and presented during the CSAT meeting.

[Link here](#)

6th of December

EFOR, along with over 30 other civil society organizations, call for the **resignation of Toni Greblă, the president of PEA**. The demand is based on concerns over his questionable impartiality and integrity, as well as the PEA's failure to publish timely data on Georgescu's campaign financing and inability to enforce legislation regarding false submissions.

3. The 2024 electoral fiasco.

THE INSTITUTIONAL AND LEGAL FAILURE

This chapter will be elaborated and released in the publication "Attention! Democracy is falling", edited by the Konrad Adenauer Stiftung (February 2025).

Assessing the fairness and competitiveness of elections depends on many factors. Although one tends to analyze only the election day, the context in which elections are organized is just as important. Even if voting proceeds smoothly and without interference, decisions made by authorities in advance can create an uneven playing field, favoring certain candidates or falling short of international standards.

Through its membership in organizations such as the Council of Europe, the European Union or the OSCE, Romania has undertaken to uphold human rights and election standards based on principles without which elections cannot be considered free and fair. For example, the state must guarantee the right to vote universally and secretly, ensure a transparent process, and demonstrate that the institutions make decisions objectively and fairly. Voters must participate freely and without constraint and their vote must be properly reflected in the timely announced, credible results. States should undertake measures "to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."⁴ **In this section of the report we raise the crucial question if the Romanian state has managed to organize free and fair elections.**

3.1. The general context

While the polling day of the 2024 presidential and parliamentary elections did not reveal any significant issues that would cast doubt on the integrity of the process, violations of some of these principles created a climate of suspicion. There was no international election observation mission - such as the OSCE/ODIHR⁵ - but several non-governmental organizations observed election day with hundreds of people deployed in territory.⁶

On the one hand, the process was flawed by a long list of decisions taken by the authorities, be it the Government or the Constitutional Court (RCC), and by certain political strategies that affected the conduct of the vote. Before discussing the events in

⁴ See Article 3 of the Additional [Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms](#)

⁵ Although the [ODIHR Needs Assessment Mission](#) recommended the deployment of a limited observation mission (LEOM), including media monitoring and 24 long-term observers, due to lack of funding, the ODIHR was unable to observe the elections.

⁶ Vot Corect Coalition is composed of Expert Forum, Center for Civic Resources, Civica Association, Center for the Study of Democracy, Rădăuțiul Civic, Observatorul Electoral and Code for Romania. See the two monitoring preliminary reports on the 2024 [parliamentary](#) and [presidential](#) elections.

November and December, one should note that these stages of the process need to be analyzed and evaluated.

The first malign decision was to interpolate the elections. The repeated and untimely change of the electoral calendar in 2024, including the merging of local and EP elections in June, created instability and unpredictability. Presumably, one of the aims was to provide the winners of the first round of the presidential elections an advantage in the parliamentary ones. The decision was publicly criticized, including by several civic organizations⁷. Organizing the parliamentary elections on the National Day should have been avoided. The overlapping of the campaigns significantly limited the visibility of the parliamentary campaign in favor of the presidential one. The results of 24 November vote harmed the parliamentary elections, probably greater than initially estimated and with the opposite effect than that expected by the ruling parties, i.e. the loss of votes in favour of the extremist parties.

The overlapping of the two calendars also involved a significant administrative effort. In practice, two central electoral bureaus (CEB) and two sets of constituency-level administrations were set up, which limited the possibility of following their work coherently. The work of the CEBs was generally transparent, but their meetings were not public, contrary to the standards prescribed by the Venice Commission's Code of Good Practice in Electoral Matters. Neither of the two CEBs "identified the need" to meet with *Vot Corect* observers who had requested meetings with several electoral institutions⁸. Their transparency, largely achieved through the publication of meeting agendas and press releases, is insufficient, as it is not clear whether the work is based on collegiality, equal access to information or informed decisions by all members of the CEBs. Several civic organizations requested access to CEB meetings⁹. None of the CEBs allowed observers to attend the meetings. Moreover, the CEB for parliamentary elections (CEB PA) has secretized the minutes of the meetings through its rules of organization.

The electoral legislation has not been significantly changed for these elections. EFOR submitted comments as part of the decision-making transparency process related to the drafting of the GEO for the parliamentary and presidential elections. Among the issues mentioned were the administrative difficulties raised by the organization of parallel elections, the request that the meetings of the electoral administration be public, the clarification of modalities and time limits for challenging the decisions of all electoral bureaus, the improvement candidate registration and the possibility to observe the full electoral process¹⁰. None of the recommendations were included. On July 25, GEO 98/2024 was issued, introducing rather technical changes.

⁷ [EFOR, PSD and PNL are once again mocking the rules of democracy](#), 9 July 2024

⁸ [VotCorect, The two BECs for parliamentary and presidential elections refused to meet with Vot Corect, as they did not identify a "need"](#), 12 November 2024

⁹ [EFOR, We have requested the Central Electoral Offices for parliamentary and presidential elections to allow observers access to the meetings](#), 5 September 2024

¹⁰ [EFOR, Comments on the draft GEO for the 2024 parliamentary and presidential elections](#), 23 July 2024

The decisions issued by the two Central Electoral Bureaus (CEBs) also drew criticism. The absence of an Electoral Code, compounded by political interests, contributed to this situation. The CEB for Parliamentary Elections (CEB PA) faced the task of defining what constitutes an independent candidate – whether this is about the registration process or party affiliation – particularly under the pressure of a potential candidacy by President Iohannis on a party list. **Such a concept should be clearly defined by law, not through ad hoc decisions with limited applicability.**

Another controversial ruling (5H/20.09.2024¹¹), challenged in court, (re)defined what a parliamentary party means. It states that parties that did not obtain parliamentary representation in the previous elections but have seven senators or 10 deputies at the start of the electoral calendar must maintain this number of MPs throughout the electoral period. The CEB's decision, in fact, adds to the text of the law, which refers only to the date on which the electoral calendar begins. On 23 September, EFOR requested CEB to amend the decision.¹² DREPT, which lost representatives in the electoral commissions after this decision (the party excluded five MPs after obtaining representation in the BEC), challenged it in court. The case was registered in September, but the High Court ruled in the party's favor only on December 19, long after the election date¹³. **This context illustrates the limitation of real and timely access to justice.**

3.2. Problems with the party and campaign financing

A key issue undermining the integrity of the electoral process is the financing of election campaigns. The most contentious case centers on the Permanent Electoral Authority's (PEA) failure to take timely action in overseeing the (non-)financing of Călin Georgescu's campaign. The PEA, tasked with ensuring transparency in political and campaign finance, was the only institution positioned to identify a glaring irregularity: a candidate polling at nearly 10% just a week before the election had reported neither income nor expenses—an implausible scenario¹⁴. Under electoral regulations, the PEA must be notified by candidates of any income or expenses within three days of their occurrence, making this oversight all the more troubling.

Worse, PEA stopped publishing the weekly income and expenditure reports that it had confirmed to publish regularly, even in the absence of a specific legal provision¹⁵. This lack of transparency is a fundamental failure of integrity. EFOR did not receive any official response from PEA until 26 November, when it was notified that the data had been published; no official written justification was provided for not publishing the information.

Even after some indications of possible illegalities circulated in public and some

¹¹ See [the decision](#).

¹² See EFOR's [request](#) and the [report on candidate registration](#).

¹³ [See the High Court's decision](#).

¹⁴ Campaign financing is carried out exclusively through bank accounts and any expenditure is made by the electoral competitor. Goods or services (including video production) may not be self-produced and must be contracted on the market. Third party campaigning is not allowed.

¹⁵ On November 18, EFOR requested the PEA to publish these data, which had not been accessible since November 8

complaints were lodged with the PEA, its reaction was muted and the information on the criminal complaints made by the institution was unclear. EFOR referred the matter to PEA and requested an investigation into the financing of Călin Georgescu's campaign – latter joined by thousands of citizens -, submitting several analysis reports and clues gathered from various sources. At the time of publication of this report, PEA has not provided a registration number for the request. The president of the institution later stated that criminal investigation bodies had been notified about the existence of unmarked posters and that the fiscal authorities were notified about the unlawful activity of some influencers¹⁶.

Despite widespread criticism of the institution's leadership, including indications of possible links with people in the entourage of candidate Călin Georgescu, President Toni Greblă refused to step down. Greblă's resignation was requested by over 30 civic organizations¹⁷ on 6 December and by a Declic petition signed by tens of thousands of citizens¹⁸. These was connected to his participation in an event in 2022 with persons with legionary sympathies or pro-Russian connections, at the informal campaign headquarters of Călin Georgescu¹⁹.

Another concerning element remains the fundamental divide between the six parties that received 387 million lei in subsidies in 2024 (some 77 mil. EUR) and the other political parties that campaign with very limited resources. The subsidized parties have spent more than half of the money on media and propaganda contracts²⁰, much of it before the campaign started, distorting the electoral competition, the public agenda and undermining media independence. Subsidies and expense reimbursements for contestants who obtained more than 3% in the elections amounted to more than one billion lei in 2024. In other words, Romanian politics has become almost entirely financed by the state, turning political parties into entities that depart from their fundamental role and definition.

The situation is no better in 2025. According to GEO 156/30.12.2024, the subsidy allocated to political parties is reduced by 25% compared to the level granted in 2024, without any justification as to how this amount was reached. If the 25% reduction is applied to the 2024 total budget, it would reach **290 million lei**, an amount that is still very high and unjustified. In early January, Expert Forum called on the Government, the Parliament, and the PEA "to take measures as soon as possible to increase the transparency of political financing and to make political parties accountable for the allocation and spending of public funds."²¹ No reply was received.

The irresponsible spending of subsidies has been highlighted in numerous EFOR

¹⁶ <https://agerpres.ro/politic/2024/11/28/grebla-aep-a-sesizat-organele-de-urmarire-penala-sa-verifice-afisele-electorale-fara-cod-de-identifi--1394550>

¹⁷ See the resignation request.

¹⁸ <https://facem.declic.ro/campaigns/fara-cumetrii-la-aep>

¹⁹ Read [Adevarul](#) and [Snoop.ro](#) investigations.

²⁰ Contracts with the press for the promotion of political parties and promotional materials, including tents, banners, etc.

²¹ [EFOR, Money for parties, an unresolved problem](#), 6 January 2025

reports and journalistic investigations.²² The most recent and perhaps relevant example was uncovered by a Snoop.ro investigation showing that the TikTok promotion of Călin Georgescu was possibly built on a campaign paid for by the PNL itself.²³ Although the consultancy company (Kensington Communication) that prepared the campaign claimed that it did not notice that part of the message was changed by influencers paid through the FameUp platform (*#echilibrusiseriozitate* was transformed into *#echilibrusiverticalitate*), the silence of the Liberals and the payment of a compromised campaign raises questions. It was claimed to be a civic campaign - hardly credible. It's difficult to believe that a political party would spend millions on a civic campaign, in the run-up to an election, to portray what an ideal president looks like in theory. Therefore, the PEA should check what political parties spend their money on - not only financially but also on content, as this may be contrary to legal regulations.

There seems to be a pattern where the Liberals try to circumvent campaign finance rules. In the summer elections, the party ran an aggressive subsidy-sponsored campaign in parallel with the election campaign (now under investigation by prosecutors), claiming that it was not an election campaign but a promotion of a book by Nicolae Ciucă (who was not a candidate). One of the sources of the problem is the very narrow definition of election campaign materials²⁴, which allows parties to juggle expenses and claim that it is not election campaigning, but party promotion. EFOR has shown in several reports how parties spend funds on party promotion during the election campaign, without labeling them as election materials in any way. During the November campaign PSD and AUR spent some 13 million lei for media and propaganda, for the promotion of the party, which was not declared as campaign finance.

The sources of private income, which accounted for the majority of funding in the 2024 elections, need to be scrutinized much more carefully through institutional collaboration. EFOR has shown that in the parliamentary elections, there were candidates who declared no income in their assets declarations, but registered campaign contributions of 40 thousand EUR, which should be impossible²⁵. These activities are not the sole responsibility of the PEA, but must be carried out in partnership with the National Integrity Agency, the banks, or the anti-money laundering office. If the oversight only involves looking at invoices or contracts declared by competitors but does not put them in context to confirm that they are true, Romania risks having a very crooked system of political financing. In addition, the state returns all these expenses, so we are providing clean money to candidates or parties that do not have a very transparent financing record.

²² See [EFOR's reports and database on state subsidies](#).

²³ See [Snoop.ro investigation](#)

²⁴ According to Law 334/2006, art 36: "(7) Any written, audio or video material is considered electoral propaganda material, which fulfills the following conditions: a) it refers directly to a clearly identified candidate or political party participating in elections or referendums; b) it is used during the electoral campaign period, established according to the laws on the organization of elections; c) it has an electoral objective and is addressed to the general public; d) it goes beyond the limits of journalistic activity of informing the public."

²⁵ [EFOR, Financing the electoral campaign for parliamentary elections: source of income](#), 16 December 2024

3.3. Problems of legality and legitimacy

Probably the most important element that affected the electoral process and public confidence was the issuance of the **rulings by the Constitutional Court on the registration of candidates, the recount of votes and the annulment of elections**. All three should be considered as interrelated.

Procedurally, the decisions and rulings (*decizii și hotărâri*) of the Constitutional Court are published in the Official Gazette, are generally binding and have force only for the future. They cannot be challenged. The acts and documents based on which the Constitutional Court delivers its decisions and judgments are not intended for public publication. Sittings are, by law, open to the public unless the Court of Cassation decides otherwise for justified reasons. The hearings on these judgments were not public

The first controversial decision was the elimination of the candidate Diana Șoșoacă by **Ruling no. 2/5.10.2024**²⁶. The decision was taken with five votes in favor, two votes against, while two RCC judges were absent from the meeting. The judgment was criticized by several non-governmental organizations, as it affects the essence of democracy and represents a serious deviation²⁷. It was noted that the rejection of the candidate was based on the assessment of certain behaviours, as well as by reference to what the candidate might do after taking the oath. The RCC held that "the elements contained in the oath of allegiance are conditions of eligibility and substance for running for the office of President of Romania, which the candidate must fulfill at the time of submitting his candidacy" and that "the examination of these conditions can only be carried out by the Constitutional Court". These are new criteria, defined by the RCC as a constitutionality criterion, not provided by the electoral law. Even if Diana Șoșoacă has committed several acts that are the subject of criminal cases and often tests democratic values, her elimination from the electoral race is not the result of a court decision or of facts provided for in the electoral law or the Constitution, but of a moral judgment made by the RCC.

How will the RCC handle the situation if Diana Șoșoacă or Călin Georgescu re-register in the 2025 elections and there are no court decisions prohibiting their participation in elections following a conviction? Moreover, they are not the only candidates who could be eligible to be removed for breaking such principles. Romania risks ending up in a situation where the electoral legislation becomes futile as candidates are eliminated on vague, unregulated grounds. The stability and predictability of legislation are fundamental elements that the Constitution and therefore the RCC must guarantee.

The role of the RCC is to settle appeals against the registration or rejection of the registration of candidates by the Central Electoral Bureau. An important part of the registration of candidates is the verification of **the supporting signatures submitted by**

²⁶ [See Ruling 2/5.10.2024](#)

²⁷ [EFOR and others, The arbitrary elimination of an opposition candidate from the electoral competition is unacceptable in a democracy](#), 8 October 2024

candidates, which has proven to be inefficient on numerous occasions. Although there are constant doubts about the veracity of the way signatures are collected, the number of signatures (200,000) was not reduced for the presidential or the EP elections. In all types of elections, the CEB verifies the documents and supporting signatures submitted by candidates only administratively, in particular as a result of the RCC Ruling no. 4/2019. In short, it limits the right of the CEB to reject signatures if it deems them to be untruthful, on the grounds that the institution does not have the means of graphological verification. Evidence of the inefficiency of the current system can also be seen in the large number of criminal complaints filed, which are investigated by prosecutors' offices over several years. In the 2019 elections, the CEB filed eight criminal complaints, the outcome of which is unknown. This year, criminal complaints were filed regarding the legality of the lists of supporters, with suspicions being raised in the case of the lists for the EP elections submitted by Silvestru Șoșoacă, SOS Romania, and also regarding the SOS Romania lists for the parliamentary elections²⁸. There are very limited legal means to sanction a candidate who has endorsed such behavior and has been elected as a result of the submission of signatures of support obtained by illegal means.

The second controversial Ruling of the RCC is No 30/2.12.2024, related to the full recount of ballots, following a request for annulment of the elections made by the candidate Cristian-Vasile Terheș on 26 November²⁹. The complaint included several superfluous arguments, including the continuation of the electoral campaign and the use of bots by Călin Georgescu, the transfer of some votes from Ludovic Orban to Elena Lasconi or the high number of invalid votes. For the argument regarding the transfer of votes, the weak complaint is based on protocols from only three polling stations. Compared to 2009 when 12 files of evidence (statements, minutes, reports) were submitted, this time the complaint included only 20 pages of screenshots or documents that do not support the allegations of fraud.

The initial deadline for the recount was November 28 (the second day after the ruling), which is completely unrealistic, and was eventually extended to 2 December. The Court found that there was no fraud affecting the order of the candidates, but "some organizational and administrative shortcomings in the electoral process"

The motivation of the ruling was not unanimous. Elena Tănăsescu considered that the application should have been rejected as inadmissible, given that it was made by a person who has no interest in the application – the RCC ruling establishes that any candidate could have submitted an application for annulment of the elections - and that it was not reasoned, accompanied or based on evidence, nor did it mention or prove any fraud that could affect the order of candidates who could enter the second round. Another concurring opinion was expressed by Judge Laura Scânteii, who noted that "there was no

²⁸ See details on Silvestru Șoșoacă, PEA press release 13.12.2024 regarding the investigation on SOS Romania. In the case of the parliamentary election, the CEB filed a criminal complaint in September 2024 regarding possible forgery offenses.

²⁹ See Ruling 30/2 December 2024. Several applications to intervene submitted by natural or legal persons were rejected as inadmissible.

substantiated evidence attached to the request for annulment".

By comparison, in the 2009 elections, the RCC decided to recount invalid votes, by Ruling No. 39 of December 14, 2009.³⁰ The Social Democrat Party noted that "In the second round of the elections for President of Romania, there were double the number of invalid ballots, i.e. 138,476 invalid ballots, compared to the first round of the elections, even though the procedure was much simpler". The recount validated 1,260 votes for Traian Băsescu and 987 votes for Mircea Geoană.

The recount is not regulated by law, and the CEB issued brief instructions shortly after the RCC communication³¹. The recount is regulated only at the polling station level, on election day, and at the level of the county electoral bureau, but for situations where there are irregularities in the process of tabulation and drawing up the protocols. The procedure was not transparent, and the process could not be observed. Even worse, the CEB instructed the county electoral bureaus responsible for the recount not to allow observers access, even though some of them - contacted by the *Vot Correct* coalition - would have agreed to observers. However, it is not obvious why the CEB was able to quickly produce a recount procedure - incomplete and outside existing regulations in the electoral law - but could not allow observation, although it was not banned and several non-governmental organizations showed proactive interest.

Expert Forum and Rădăuțiul Civic sued most of the county bureaus to allow observation, but only the Ilfov and Bucharest Tribunal (for Sector 4) decided on the same day to permit the access of observers; later on, the access to the Ilfov DEC was removed as a result of an appeal. While the complaints were filed on 29 and 30 of November, most of the decisions were taken on 2 and 3 December and in some cases even later. They were dismissed as no longer relevant, as the counting was finished and the RCC decided upon the validation of the first round. **This situation illustrates the lack of access to timely and efficient judicial remedy, especially that during the electoral periods the deadlines are much stricter than in other cases.**

The RCC validated the first round on 2 December, based on a partial recount; out-of-country votes were recounted in only 161 out of 950 polling stations. Partial data showed that the order of candidates who would have entered the second round did not change, although there were small differences in the valid votes recorded for the candidates. Organizing such an ample exercise without strong evidence contributed to the lowering of public confidence in the elections.

At the same time, on 28 November, the Supreme Council of National Defence (SCND) met to discuss election-related risks.³² It noted that there had been cyber-attacks aimed at influencing the fairness of elections, that a candidate had benefited from massive growth on TikTok, and that there were violations of the electoral and campaign financing

³⁰ [See RCC Ruling 39/2009](#)

³¹ See the CEB [Decision No 205D/28.11.2024](#)

³² Press release, [28 November 2024](#)

legislation. The "actions of state and non-state cyber actors on IT&C infrastructures supporting the electoral process" were pointed out. Although the Council requested urgent action from several authorities, a week later this was still pending. The STS publicly stated the same day that although there were attacks on the electoral infrastructure, they did not affect the integrity of elections³³ - which, after all, are conducted on paper, with printed ballots and protocols filled in by polling station members.

Amid the whirlwind of confusion created during the two election weeks of November-December 2024, the RCC received several requests to annul the elections³⁴. On 5 December, it announced in a statement that it "may examine appeals lodged by qualified candidates in the second round of the presidential election." At the debate organized by the national television the same evening, Elena Lasconi said she would not contest the election. However, on December 6, the RCC took the matter into its own hands and annulled the elections through Ruling No. 32, based on regulations stating that it oversees the procedure for the election of the president and not on complaints.³⁵ It is not very clear what are the strong reasons behind the annulment even one month after the elections, the intelligence reports do not provide sufficient arguments that would have led to the annulment of the entire electoral process. We do not know whether the RCC has received more information than is contained in the reports made public. **Elections should not be annulled on the grounds of illegal funding (which is a criminal offense) or because one candidate promoted himself on Tik Tok more than others.**

The RCC judgment has harmful effects with long-term impact and produces concerning precedents. The RCC has annulled the entire process based on a role and rules that are not clearly regulated by the electoral law or the Constitution. The law establishes very limited conditions to request the cancellation of elections, by a limited number of stakeholders (competitors) and it is not regulated if and how the Constitutional Court could take such decisions *ex officio*. The regulations invoked by the RCC are too broad and do not provide clarity. There is no appeal mechanism. There is no deadline to cancel elections by the RCC using the *ex officio* option, which could create the potential for an arbitrary decision and bring irrelevancy in practice to the entire complaints mechanism. **All these aspects are not regulated and bring lack of predictability and fair conditions for all competitors.** The Venice Commission report regarding the cancellation of elections published on 27 January highlights many of these issues³⁶.

The ruling did not set a new date for the elections and left it up to the government to make that decision. The lack of a timeline was concerning as the only limitation was the minimum period of 75 days needed to organize the process – therefore there was no

³³ [STS press release](#), 28 November 2024

³⁴ SNSPA, National Institute for the Study of Totalitarianism, Calea Europeană and Cristian Terheş.

³⁵ According to art.146 lit.f) of the Constitution, art.37 (1) of Law no.47/1992, art.3 of Law no.370/2004. The annulment was made by [Decision No. 32 of December 6, 2024](#).

³⁶ [Venice Commission](#), CDL-PI(2025)001-e, "[Urgent Report on the cancellation of election results by Constitutional Courts](#)"

prescribed deadline. This lack of predictability only further undermined confidence in the institutions and the electoral process. Subsequently, the ruling coalition has been circulating several deadlines, while setting the final date for 4 May.

The RCC explained that the President's term of office is extended in line with Art. 83 para. (2) of the Constitution, according to which the incumbent President "shall hold office until the swearing in of the newly elected President". **According to paragraph (3), the term of office can be extended in the event of war or disaster, but only by an organic law, by the Parliament.** In the absence of a constitutional text specific to this situation, the RCC ruling seems to be more like a disguised extension of President Iohannis' mandate, without very solid arguments. Extending the term of office, which expired on December 21, without limits, by such a contrivance seems to be a borderline interpretation of the Constitution; in fact, it is less an interpretation than a substantial addition to the Constitution, i.e. an act that may have consequences that are difficult to anticipate in the future.

3.4. Problems with (non)action by the authorities

The activation of Călin Georgescu's and extremist parties' voters in the parliamentary elections was also prepared in offline communities. TikTok was rather a communication platform, which doubled the efforts of some religious as well as of other communities to attract voters and build a platform for Georgescu and indirectly for the Young People's Party. There, one should not put all the blame on TikTok, without looking at the mobilization on the ground, which the authorities should have seen.

One of the recurring themes of the public discussions was foreign influence. Much has been pointed to Russian interference - very possibly real - and to mechanisms similar to those used in Bulgaria or the Republic of Moldova (financing, organization and mobilization through Telegram, disinformation campaigns, etc.), one has to admit that this process was strongly supported by internal actors. **Today, two months after the events, it is still not sufficiently clear how much was foreign interference and how much electoral engineering was orchestrated by various local actors.**

At the request of 13 non-governmental organizations, the reports of the secret services were declassified on 5 December³⁷. What was already known in the public space was largely confirmed: G4media had written about the TikTok campaign, Gândul had investigated the illegal funding by BOGPR (an IT entrepreneur), and Expert Forum had released a comprehensive analysis of the TikTok campaign before election day³⁸. The CEB issued a decision on 20 November (Decision 175D/20.11.2024) attesting the illegal campaign on TikTok. EFOR had also lodged a request to the PEA to launch an investigation into the financing of Georgescu's campaign on 26 November. This whole chain of events is incomprehensible: most of the information was partially public or

³⁷ [See the desecretization request.](#)

³⁸ See the [request for an investigation](#) and [EFOR's report on Tik Tok.](#)

pointed out by some authorities, but it did not reach the RCC, the prosecutors³⁹ or the public until very late. What would have happened if there had not been that request for declassification?

The lack of appropriate, timely and proportionate action, even though these facts were known, indicates either the incompetence of the institutions that should have been in charge of ensuring election security, or worse - a deliberate non-action, in full knowledge of the facts. More seriously, no resignations were submitted after these events, suggesting a worrying institutional failure that is now being covered up and forgotten.

3.5. Cancelled elections: a few case studies

The annulment of elections is not, and should not be, a common or trivial decision. It is an extreme measure, which should be very well motivated and based on irrefutable evidence. While such decisions have been made in countries around the world, they remain relatively rare within the European Union, where experience with this practice is limited.

After 2000, some 20-30 parliamentary or presidential elections were annulled. This does not take into account those cancelled or postponed due to the Covid pandemic. Most of the cases are related to states that have social and political instability, and in some situations, the cancellation occurred as a result of protests, coups, or such extreme situations. In some situations, the annulment occurred as a result of a court decision.

In Georgia, parliamentary elections in 2003 were canceled following protests over allegations of fraud, leading to the Rose Revolution. Among the major issues were the deficient electoral lists, abuse of public resources (including by media), and defective organization of the election day (multiple voting, destroyed ballot boxes, intimidation, etc.). The second round of the 2004 Ukrainian presidential election was also annulled due to fraud, spawning the Orange Revolution. In 2005, the Kyrgyz parliamentary elections were also canceled due to fraud, leading to the Tulip Revolution. In 2010, the elections for a constituent assembly in Iceland were annulled for technical reasons: the ballot boxes were not appropriate, the ballots were numbered, the booths did not ensure the secrecy of the vote, etc. In 2011, the Greek president proposed a referendum regarding economic measures which was cancelled.

Austria (2016)

The second round of the presidential election on May 22 was annulled due to procedural irregularities, in particular, related to the administration of postal votes and the opening of ballot boxes ahead of the deadline. The request for annulment was filed on June 8 by Norbert Hofer (FPÖ), who polled almost 30 thousand votes less than Alexander Van der

³⁹ The General Prosecutor's Office initiated an investigation on 5 December for electoral crimes that would have influenced the voting process through methods such as bribing voters, including online, to induce them to vote for a particular candidate, but also for money laundering or illegal campaign financing.

Bellen, who ran as an independent candidate in the second round. The application challenged the rules on postal voting, as well as the fact that partial results were forwarded by the Federal Electoral Commission to the media before the end of voting across the country.

The Court found a variety of procedural violations in “counting of voting cards used for postal voting, including: premature opening of voting cards by District Election Boards (DEBs) or by civil servants when received from the post office (prior to the 23 May 09.00 legal deadline); the opening of voting cards by the DEB chair and auxiliaries without inviting the DEB members; not informing the DEB about the reasons for invalidating voting cards; preparing official minutes of electoral board proceedings which had in fact not taken place.”⁴⁰

The irregularities affected 77 thousand votes, which is more than the margin of victory, which led the Court to consider that there was a potential for rigging to have influenced the election, whether or not the manipulation took place. The election was to be re-organized in its entirety and not partially. The decision was made on 1 July⁴¹. **Important to note that the decision is 175 pages long, compared to only four pages in the case of the RCC ruling no 32.**

The government set a new date for 2 October, but for logistical reasons related to the quality of voter cards on 21 September, the Parliament decided to hold the elections on December 4.

Berlin (2021)

The Constitutional Court of the Land of Berlin has annulled the elections for the House of Representatives and 12 district councils on the grounds of poor organization: the Court gave a deadline of 3 months for the reorganization of the elections by the electoral law, which took place on 12 February 2023⁴². In addition, the Federal Constitutional Court ruled on 19 December 2023 to repeat the federal (Bundestag) elections in 455 of 2,256 electoral districts in the state of Berlin, to be held on 11 February 2024⁴³. Over 1700 complaints were raised regarding the elections. Among the reasons given for the annulment were long queues, ballot shortages, wrong ballots, voting extended beyond the closing time, insufficient staff, and poor organization, all of which impacted the election. Interestingly, the effects of holding elections over 1.5 years included the possibility of a change in the political configuration of the parliament. The FDP lost a seat in the Bundestag, while three other seats were moved from Berlin to different states⁴⁴. **In this case, the decision was also rather lengthy, spanning on over more than 300**

⁴⁰ [ODIHR, Austria, Presidential Election, Repeat Second Round, 4 December 2016: Final Report](#)

⁴¹ [See Constitutional Court Decision of 1 July 2016](#)

⁴² Press release [Elections to be repeated in Berlin: different polling dates for Land and federal elections](#), 17 November 2022

⁴³ See [Constitutional Court Decision](#) and [press release](#)

⁴⁴ [ODIHR Federal elections, 23 February 2025, Needs Assessment report](#)

paragraphs.

Maldives (2013) - The Supreme Court on September 27 annulled the first round of the September 7 presidential election charges of fraud and other irregularities. Elections were held again in November.

Thailand (2014) - Elections were annulled by the Constitutional Court as they were not held on a single day throughout the country, contrary to constitutional provisions. The elections could not be held at the same time due to protests that were organized by the opposition.

Kenya (2017) - The Constitutional Court annulled them due to irregularities and violations of the law in the centralization of results⁴⁵. The Electoral Commission - the Independent Electoral and Boundaries Commission (IEBC) - was accused of failing to follow the law and constitutional principles. The elections had been held on 8 August and new elections were set for 17 October. The court's decision was taken on 1 September by a 4-2 vote. The decision is a first in the region and was seen as a sign of judicial independence following recent reforms.

Nigeria (2007) - partial - the court annulled presidential elections in several states on grounds of widespread irregularities (fraud, intimidation)

Bolivia (2019) - Elections have been rerun following allegations of fraud related to the vote count and centralization of results on election night. The Organization of American States (OAS) concluded in an audit that there was "clear manipulation" of the vote-counting process⁴⁶.

3.6. What happened after the elections?

This election year has left Romania grappling with deepened social polarization and a further erosion of trust in the state. Restoring public confidence will require significant political and institutional effort to rebuild faith in procedures, enforce accountability for offenses such as illegal campaign financing and the glorification of fascism, and prioritize merit over clientelism and political maneuvering in public institutions. Additionally, Romania must work to regain the confidence of its international partners, including NATO and the EU, who are likely perplexed by the current political turmoil. Achieving these goals will not be swift or straightforward, especially given the return to power of PSD and PNL—the very parties that spurred widespread public discontent and a wave of anti-establishment votes. Despite public outcry, these parties show little inclination for genuine reform. On the contrary, their actions suggest a resistance to meaningful change.

Prime Minister Ciolacu's recent behavior underscores this disconnect. His appearance in

⁴⁵ <https://commonslibrary.parliament.uk/kenyan-presidential-election-2017-why-is-there-a-re-run/>

⁴⁶ https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-109/19

a TikTok video alongside Alfred Simonis, where he casually admits that PSD may have directed votes to AUR—later dismissing it as a joke—is emblematic of the disregard for the gravity of electoral integrity. Elections and public trust should never be reduced to a punchline. Compounding the issue is the ruling parties' increasingly visible use of TikTok for propaganda, even amid discussions about imposing sanctions on or banning the platform due to security concerns. Despite widespread criticism of the app, political leaders have amplified their presence on it, further undermining public confidence.

Expert Forum (EFOR) and other organizations have called for a decisive response from the European Commission, as the Digital Services Act (DSA) coordinator, to investigate Very Large Online Platforms (VLOPs) and their role in the Romanian elections. They also urged ANCOM to document and analyze the ways in which VLOPs have negatively impacted their users in Romania. Immediate action is needed to address these risks and ensure the integrity of the country's democratic processes.

Furthermore, the legislative process proved to be even more opaque and controversial than in the case of previous elections. While preparing the previous emergency ordinances, the government allowed for some transparency and debate. Now, there was none. The government prepared in early January the emergency ordinance regulating the May elections in utmost secrecy and the PEA published the project after it was approved by the government. The GEO contains several regulations that were criticized by civil society, including those on changing the composition of electoral commissions to favour parliamentary parties and reducing the voting schedule for out-of-country voting in Western countries, by setting the Romanian time (and not the local one) as the closing time for polling stations. Furthermore, it introduced controversial regulations on online advertising, which could affect free speech and infringe the political debate.⁴⁷

3.7. Conclusions and recommendations

Civil society and that part of the media that is not enslaved by political parties with generous contracts have drawn attention over the years to the negative effects of the politicization of key institutions and power struggles within the secret services, directly or through their clients in politics, media or business; now perhaps these effects have become clearer. It is more obvious than ever that their proper functioning is also essential to the integrity of the electoral process, not just what happens between elections.

EFOR is advancing a list of objectives that need to be discussed and adopted as a matter of urgency to restore the credibility of political funding:⁴⁸

1. **Subsidy budget cut in 2025**
2. **Changing the mechanism for setting the annual budget for subsidies and**

⁴⁷ <https://expertforum.ro/ouq-alegeri-2025-abrogare-reglementari/>, <https://expertforum.ro/ouq-alegeri-2025/>

⁴⁸ The list in the report can also be found at

regulating more predictable criteria. Currently, the allocation is approved according to the results of parliamentary and local elections, within an annual budget range of 0.01% - 0.04% of GDP. However, this formula leaves a lot of undesirable flexibility and may lead to much larger budgets than currently approved. Allocations could reach almost **700 million lei** if parties allocate the maximum amount. *See a more detailed analysis on alternative regulatory models in the EFOR report [Subsidies for political parties: The European experience and the situation in Romania](#)*

3. **Develop a solid rationale on how annual budgets for subsidies are set.** In general, the amount has been set by the PEA (in whose budget these funds are included) based on the income from the previous year, which is not nearly a sufficient standard. So far, EFOR has not seen a reasoned or convincing rationale as to why these significant annual budgets are necessary.
4. **The government should abandon the harmful practice of amending annual budgets in a non-transparent way through budget rectifications and there should be a clearer regulation regarding the situations in which the annual budget can be amended (especially increased).** Recall that in 2021, [the PEA requested](#) to supplement the budget by up to 446 million lei, without a clear justification or request.
5. **Return unspent subsidies to the budget at the end of the year.**
6. **Making contracts transparent by disclosing all service providers, introducing frequent reporting, and marking all promotional materials.** The parliamentary debate should continue on the draft [PL-x no. 516/2023](#) (stuck in the Chamber of Deputies since October 2023), which would introduce obligations for marking all political advertising materials (including outside the election campaign period) and introduce requirements for parties to report regularly about expenditure. The EU Regulation on transparency and targeting of political advertising will enter into force anyway this year, therefore political parties and responsible institutions need to take the necessary measures to ensure transparency.
7. **Introducing a legal requirement for intermediary financial reporting during the campaign period.** The PEA should be required by law to report the income and expenditure of competitors, weekly and before the election day. It is not acceptable that the PEA can restrict the publication of this data based on political pressure.
8. **Strengthening the control of expenditure** by the Permanent Electoral Authority, **including through the verification of the content of the promotional campaigns that political parties run.** Even if the parties decide how they spend the money, the correctness of reporting and compliance with legal requirements should be established through rigorous and timely checks and

should not be limited to financial verification only. The PEA's methodology for monitoring income and expenditure needs to be updated and the institution should be more efficient in dealing with third-party complaints.

9. **The rules on election propaganda during the campaign and the pre-campaign period** - when significant sums of money are spent in a non-transparent way - and the definition of election propaganda materials, which are outdated and restrictive, **need to be amended**. These loopholes have allowed political parties in 2024 to abuse the rules and principles of transparent and fair financing and monopolize the election campaign.
10. **Strengthen mechanisms to verify private funds that are declared into campaigns and subsequently reimbursed.** EFOR pointed out that in the last parliamentary elections there were candidates who did not register any income in their declaration of assets, but brought tens of thousands of EUR to the campaign, funds that are reimbursed from public money.

In addition, other steps should be taken to at least partially repair the democratic and credibility erosion of the Romanian state produced at the end of 2024:

11. The responsible institutions need to communicate clearly, timely and credibly about the events of the past months - who is guilty, for what - and sanction through dismissals or administrative and/or criminal proceedings those who have broken the law. Ideally, a parliamentary committee of inquiry could facilitate such an exercise - in the current political context, the success of such an exercise is questionable. We would like to see a public report at least as detailed as the one published by the Moldovan Secret Service (SIS) after the October elections that explicitly tracks the foreign influence and domestic mechanisms that affected the electoral process.⁴⁹
12. **The leadership of institutions that have manifestly failed to fulfill their duties must be removed** - among others, the leadership of the PEA that failed to investigate campaign finance violations promptly. The appointment of a new head should not be politicized, as has consistently happened in the PEA's history.
13. **Criminal investigations with quick and credible results are required** at least for illegal funding, fascist propaganda and illegally collected signatures of support for candidates.
14. **The secret services need to be put under real civilian control** to monitor how they (don't) do their job. The lack of civilian leadership at the SRI over a long time remains unacceptable and must be addressed.

⁴⁹ https://sis.md/sites/default/files/comunicate/fisiere/Raport_SIS_Public_Interferenta_in_procesul_electoral.pdf

15. The RCC should decide objectively, with respect for constitutional principles, without political interference - but this cannot be achieved without the appointment of judges with no political background and who can demonstrate impartiality. **The appointments of judges in the coming period should not be made without these principles.**

Additionally, several legislative reforms in the electoral field should be a priority, including the transparency of electoral administration and candidate registration.

16. The legal framework related to complaints on results and cancelling elections needs to be clear and predictable, allow for appeal, establish concrete attributions for institutions, and regulate predictable timelines to remove the possibility of arbitrary interpretation.
17. The work of electoral commissions should be open to observers and electoral authorities should allow real dialog with observers. The law should provide for the possibility to observe the whole electoral process, not just the voting day.
18. A significant number of signatures are being collected without real mechanisms to confirm their veracity and without a functioning legislative framework to eliminate candidates who violate the law promptly. **This number should be reduced to increase confidence in the process and the assessment mechanism should allow the authorities to take prompt action in case of flagrant violations of the law.**
19. **The law should better regulate recounts and allow observation** - as long as it is a procedure aimed at establishing the 'truth', then it should surely be more transparent even than the original procedure.
20. Access to judicial remedy should be properly provided, in a timely manner.

4. Elections: What happened online, and how can similar disruptions be prevented in the future?

One of the critical questions surrounding Romania's political, social, and democratic crisis is: what happened on TikTok? Why is it impossible to conduct thorough research, and how we could use the [retention order issued by the European Commission](#) requiring TikTok to preserve data related to the Romanian elections?

To address this, we must consider multiple perspectives, beginning with the current challenges researchers face in accessing social media data and the role of regulators, such as the European Commission and national Digital Services Coordinators (DSCs), in enforcing the Digital Services Act (DSA). This section is an attempt to shed some light into this complicated situation. In brief, this is what we advocate for and why:

- Enhanced transparency in data access: platforms must provide comprehensive access to data through APIs and other tools. Scrapeable information should be made systematically available to researchers.
- Transparent political content moderation: TikTok's lack of transparency is particularly concerning. Its Ad Library is dysfunctional, with no clear verification of advertiser identities or spending. This opacity undermines accountability.
- Independent advisory boards for DSCs: national DSCs tasked with implementing the DSA should include advisory boards comprising civil society organizations (CSOs) and private sector experts. These boards would regularly engage with authorities to build capacity in digital regulation, disinformation monitoring, and related fields.
- Public access to retained data: [TikTok must make publicly available the data retained under the EU Commission's order](#). This should cover not only the post-election period but ideally all of November 2024, if not the entire year.
- Exploratory research beyond APIs: while APIs provide valuable data, they are insufficient for understanding how algorithms influence user experiences and amplify content. Exploratory research into recommender systems, such as [TikTok's "heating system,"](#) where employees manually boost content virality, is crucial for identifying potential manipulation and the mechanisms driving engagement.

4.1. What is the future of platforms providing public data access for monitoring and researching information threats?

Romania stands at a critical juncture, grappling with one of the most challenging moments in its recent history. The annulment of the November 2024 elections, following allegations of Russian interference through massive campaign manipulation, has underscored the urgent need to understand, map, and collect evidence of systemic risks that threaten our democracy. This crisis has exposed the vulnerabilities of our electoral

processes and highlighted the critical role of social media platforms in shaping public discourse and political outcomes.

In this context, access to data for researchers is paramount. Civil society has been the sole provider at this point to evidence and investigations into the Romanian situations, yet access is very much under threat. [Article 40 of the Digital Services Act \(DSA\)](#) requires VLOPs/VLOSEs to provide academic and civil society researchers with data; the Delegated Act will establish a framework hopefully in mid-2025 for researchers to gain access to platform data to study systemic risks in the European Union.

However, the current approach is slow and inadequate for the urgent needs of countries like Romania, which are facing immediate threats to democratic integrity. **The process of granting researchers – both academic and civil society – access to social media data to investigate and mitigate systemic risks, particularly in light of the November 2024 crisis, should be accelerated.**

In addition, all data currently available through scraping should also be accessible to researchers via dedicated tools provided by platforms, such as Meta's Content Library. Experience has shown that APIs offered by platforms often provide significantly less data than what can be obtained through public scraping. This creates unnecessary barriers to understanding and mitigating risks. Platforms like Meta (Facebook, Instagram, Threads) and TikTok, which play the most significant role in Romania's information ecosystem, must do more to ensure that researchers have meaningful access to the data they need to investigate manipulation, disinformation, and influence operations.

Article 40.12 of DSA requires platforms to provide researchers with access to data that is publicly available through their interfaces, while Article 39 mandates the maintenance of a public repository of advertisements. Yet, platforms have been slow to comply fully with these provisions. The [forthcoming Delegated Act](#), expected to be adopted in mid-2025, aims to regulate access to non-public data for vetted researchers across the EU. However, **Romania's situation necessitates a more rapid response**, particularly regarding access to public data.

Current APIs fall short of addressing the scale and complexity of systemic risks. They offer a limited range of variables and lack comprehensive metadata, posing significant challenges for researchers. Platforms must ensure that all data accessible through scraping is equally available via APIs and that data schemas, as well as content removal processes, are thoroughly documented. Furthermore, the Delegated Act should explicitly clarify that scraping public data is compliant with Article 40.12, resolving legal ambiguities around this vital research practice.

More than that, Romania's experience underscores the need for experimentation and innovation in data access particularly in how we audit recommender systems like TikTok's. Platforms should provide both regular and stream APIs, support data donations, and allow exploratory research. Automated user accounts and sandboxes for

studying algorithms, must also be facilitated.

4.2. Vetting Researchers: A Proposal for Independent Advisory Boards to the DSCs

The collaboration with civil society must also be strengthened. We propose the establishment of an independent advisory mechanism for the Romanian DSC and others across the EU. This body would facilitate the development of common vetting standards, support Digital Services Coordinators (DSCs) in vetting processes and serve as a forum for exchange. Additionally, member states must equip their DSCs with robust research and data science capabilities to conduct analyses and support researchers.

Romanian elections will be preceded by federal elections in Germany in February and followed by the presidential elections in Poland (May 2025) and the parliamentary elections in Republic of Moldova (probably September 2025). All these events have the potential to fuel and amplify anti-EU and anti-NATO disinformation, which could also influence elections in Romania. Moreover, in the case of Moldova, this disinformation may target the Romanian-speaking public and Romanian citizens with the right to vote in the diaspora.

In the short term, the Romanian presidential elections in 2025 will be a test major test for managing the challenges of digital information. We can expect similar or amplified phenomena compared to electoral cycles previous electoral cycles, due to the rapid evolution of digital technologies and strategies information manipulation strategies. In this respect, it is essential to:

- speed up the evaluation process for researchers;
- accelerate the designation of accredited researchers by large platforms;
- ensure that a significant number are operational before elections.

Access to meaningful quantitative and qualitative data remains a significant vulnerability. A clear example is the current situation with TikTok, which fails to provide researchers with relevant and accessible data through its available API. This lack of adequate access undermines the ability to analyze systemic risks, such as the spread of disinformation or the manipulation of public discourse, and highlights the urgent need for improved transparency and data-sharing mechanisms.

An Advisory Board is needed for the implementation of DSA in Romania. The operationalization of an advisory board composed of independent experts from the media, the market, and relevant civil society organizations. The Advisory Council is not designed as a representative or political body, unlike, for example, the media councils of the media authorities regional media councils (which function as an honorary control body and should represent society at large), or the existing advisory council of the ANCOM. The tasks of the Advisory Council should be around advising the DSC in the implementation, proposing recommendations for "effective and coherent implementation"

of DSA, raise digital issues with the DSC and other authorities, including forwarding them in a coordinated way to the board.

The Romanian crisis highlights the dangers of delayed action. TikTok and Meta, as the two most influential platforms in our case, must prioritize transparency and compliance with data access requirements. For instance, TikTok must preserve internal documents and information about its recommender systems and coordinate manipulation risks, as ordered by the European Commission. Such measures are crucial for understanding how platforms may have facilitated or failed to address election interference.

We call for an expedited process to grant vetted researchers access to both public and non-public data from social media platforms. The stakes are too high, and the consequences of inaction are too severe. By leveraging the tools provided by the DSA and ensuring swift implementation, we can safeguard democracy and mitigate systemic risks in Romania and beyond.

4.3. Meta and TikTok are the most important operators in Romania. What do they offer?

While Article 40 of the Digital Services Act (DSA) outlines provisions for data access, very large online platforms (VLOPs) have found ways to slow or even reverse progress toward greater transparency. A striking example is the closure of CrowdTangle, a tool instrumental in investigating disinformation trends. Its successor, the Meta Content Library, provides an alternative, but with notable limitations. Far fewer researchers have been vetted and granted access to the new tool, though it is important to note that the implementation process is still in its early stages. For additional context, we joined others in signing an [open letter by the Mozilla Foundation](#) advocating for continued support of CrowdTangle.

The Meta Content Library, offered voluntarily as part of VLOPs' compliance efforts, is intended to enhance researchers' capacity to investigate systemic risks. However, this framework has introduced significant barriers and inequities in access. The lack of clear criteria for approving or rejecting applications raises concerns about the potential for arbitrary decision-making, further undermining the transparency goals of the DSA.

Comparison: Meta Content Library vs CrowdTangle

Feature/Aspect	Meta Content Library	CrowdTangle
Access Approval Process	Opaque criteria; limited number of vetted researchers	Open and consistent approval process for vetted researchers until they stopped the onboarding process completely
Data Download Limitations	Limitations on data that can be downloaded daily. Still, researchers can request larger data quotes	No significant limitations on data downloads per day
Real-Time Trends	Lacks real-time trend-tracking functionality	Provides real-time tracking of trends and engagement and comparison
API Accessibility	It is an additional application for API access, and inconsistent quality of data.	API access was straightforward and user-friendly granted once you had CT access.
Interface Usability	Includes features like saved searches, producer lists with up to 1000 groups, and public profiles or pages. Dashboards allow researchers to track and monitor content in near real-time. New search functions like text-in-image search unlock multimedia content on the interface	Intuitive and easy-to-use interface for researchers, had a lot more functions like country page admin, BOOLEAN search, Reports section - where you could compare the evolution of accounts, spikes and type of content that was mostly used. This feature is NOT included in Meta Content Library
Transparency in Access	Unequal access; application approvals lack transparency. Unclear access for journalists	More people onboarded, yet Meta Content Library is quite new
Scope of Functionality	Limited features initially, enhanced with dashboards and new search capabilities, but still behind what CT was.	Comprehensive tool for analyzing disinformation trends
Renewal Process	Requires annual renewal with unclear guidelines	No complex renewal process; continued access once approved

Application Process for the Meta Content Library via SOMAR

The application process for the Meta Content Library is managed through [the SOMAR platform](#). EFOR submitted its application in **July 2024** following the replacement of CrowdTangle, and it was approved. However, as of **January 2025**, the application cycle has been paused for review, causing delays for researchers seeking access.

The application file is accessible at all times through your researcher account on the SOMAR website, allowing you to review and update it as needed. Completing the application typically takes between **30 minutes to 1 hour**, depending on the level of detail provided. Once access is granted, it must be renewed annually, although the renewal process remains unclear at this time.

Applicants can select their desired level of access, either to the **Meta Content Library User Interface only** or to both the **User Interface and the API** for more advanced functionality. Before starting the application process, it is essential to familiarize yourself with the defined **roles and agents involved**, as these provide important context for navigating the system effectively.

Application Process Table: Meta Content Library

Section	Field/Question	Example/Response
Applicant Details	First Name of Applicant	
	Last Name of Applicant	
	Institutional email of applicant	
Lead Researcher	First Name of Lead Researcher	
	Preferred First Name	
	Last Name of Lead Researcher	
	Institutional email of Lead Researcher	
	Primary discipline or professional area	
	Organizational or work profile URL	
Institution Details	Facebook profile URL	
	Institution name	
	Country of institution (ISO Code)	
	State/Province	
	City	
	Department name	
	Institute/center/lab	

	name	
	Role at institution	
	Lead Researcher	
	Highest degree earned	
Collaborator Details	Are there collaborators?	Yes
	Upload collaborator details	
	Upload collaborator CVs	
Research Agenda		
	Contributes to EU systemic risks?	Yes
	Research agenda summary	(250-word limit)
	Keywords	
Funding	Sources	
Contracts	Require Information Sharing Agreement?	No
Acknowledgment	Consent to share information with Meta?	Yes
Supporting Documents	Upload any additional documentation	PDF file

Application roles and definitions

This application requires information about the applicant, lead researcher, research collaborators (optional), and institutional signatory (for MCL API access). These roles are defined as follows:

1. **Applicant:** Individual filling out the application who will serve as the main point of contact for the lead researcher and/or research team and manage this application. The applicant can be the same person as the Lead Researcher, an administrator, or a member of the research team.
2. **Lead Researcher:** Individual leading the proposed research project or larger research agenda/initiative that requires access to Meta Content Library UI and/or API. If the research project or research agenda is team-based, the Lead Researcher will be the Principal Investigator, Lead Investigator, or Research Lead, or equivalent in your organization (e.g. Social Media Monitor). In some instances, the applicant and the Lead Researcher will be the same individual.
3. **Institutional signatory:** Individuals at the Lead Researcher's affiliated institution who holds the authority to enter into legal agreements and sign contracts on the institution's behalf. Signatories typically work in a department such as the Contracts Office, Office of Sponsored Research, Research Contracts Management office, etc. The institutional signatory will have to sign the restricted data agreement(s) associated with this application. The institutional signatory will only be required if you are applying for access to the API or if the individual clickthrough agreement for Content Library UI access is not appropriate for your institution.
4. **Collaborators:** Anyone other than the Lead Researcher who has access to the data or handles the data in any capacity. If any computing staff, data librarian, research assistants (including students), or general staff will be handling the data, they must be included in this application as collaborators. Depending on institutional requirements, collaborators may be required to be officially affiliated with the Lead Researcher's institution. Please reach out to somar-help@umich.edu for any questions.

Source somar.infoready4.com

Application Process: TikTok Data Access

The process for accessing TikTok data involves a three-stage application, which typically takes between 1.5 to 2 hours to complete. TikTok allows researchers to request access for a minimum duration of 2 months and a maximum of 2 years. However, it remains unclear whether there is a formal renewal process after the specified period or if researchers need to reapply entirely.

The response time for applications is generally 3 to 4 weeks. Up to this point, we cannot provide an overview of the data available through the API because Expert Forum has not yet been approved for research access through the researcher API. We filled out an application on December 19th, the typical response time should have been until January 19th, but we will likely see a response in the coming weeks.

The importance of TikTok worldwide 1,9 billion users globally, and approximately 9 million users in Romania (closely second to Facebook) makes it a crucial social media tool for informing, entertaining and educating the audience. Regardless of how much the platform is keen to maintain that it's main purpose is entertaining, recent events in Romania show how it has multiple functions, such as Facebook does.

1. We believe it is the duty of TikTok to **provide data access to researchers in a timely manner, having a transparent approval or rejection process.** Delaying access to data its a way of postponing relevant investigations into systemic risks and discouraging researchers from analyzing this space. This becomes a crucial systemic risk as we've seen in Romania, when not only the platform itself doesn't monitor the space, but also creates an environment that discourages researchers from looking into TikTok.

Further compounding these issues are TikTok's Terms of Service, which have historically discouraged research by imposing unreasonable provisions. While the prior requirement to submit research to TikTok 30 days in advance has been revised to a more reasonable 7 days, researchers remain concerned about the platform's ability to intervene in their work under ambiguous terms such as "private personal data." The API itself provides less data than what is publicly available, raising questions about this stipulation's intent. Additionally, clauses permitting TikTok to license research for marketing purposes related to the API and associated services remain overly opaque. These provisions have deterred many NGOs from utilizing the API due to fears of potential misuse, such as preemptive campaigns to discredit research critical of the platform.

may create content, research, reports that do not explicitly and directly make reference through the TikTok Research Tools. You may not publish your research outputs if your outputs violate these Research Terms. You and your partners must provide attribution to TikTok in your research outputs and publications that use data derived from your use of the TikTok Research Tools. You agree to provide TikTok with a copy of any publications pertaining to or containing the results and findings of the Research outputs, and any supporting information, at least seven (7) days before publication primarily to identify any user private Personal Data that may need to be removed prior to publication or disclosure. g. **No Endorsement.** You

Source - <https://www.tiktok.com/legal/page/global/terms-of-service-research-api/en>

For example, in a worst-case scenario, if Expert Forum had used TikTok's API to expose the coordinated accounts supporting Calin Georgescu's campaign in Romania – a revelation that caused a major reputational scandal for TikTok – our findings could have

been compromised. Under the API's Terms and Conditions, TikTok could have required advance access to the research, intervened in its final version, and preemptively prepared a campaign to discredit it. They might have also restricted future data access, sued us, or forced us to take down our research. While this scenario may seem extreme, the Terms and Conditions provide a legal framework for such actions, leaving researchers vulnerable to interference. The research community cannot ignore these risks, especially when TikTok's policies allow for worst-case scenarios that threaten transparency and accountability.

In contrast, Meta does not include such provisions in its policies (see below). Instead, it frames this aspect as a recommendation, emphasizing the importance of making your research accessible to others.

c. **Publication.** You may publish Your Research Outputs, which may include making available information to support such results, to other scholars, researchers, and research organizations for purposes of verifying and reproducing those results, subject to the obligations and restrictions set forth herein. For clarity, You may not disclose any Confidential Information or any Personal Data. For publications based solely on Meta Data, Meta asks that You make efforts to provide notice to Meta upon publishing any Publications. Submission of drafts for review and notice of publication should be made by emailing research_publications@meta.com. You acknowledge and agree to comply with any attribution or other publication requirements or guidelines that Meta may make available from time to time. Unless otherwise notified in writing, You shall include the following attribution format of any and all publications and derivative works: "Meta Platforms, Inc., (Month Accessed, Year Accessed). Product Name and Version. Digital Object Identifier." Except for the foregoing attribution, these Product Terms grant You no right to use the Meta name, trademarks, or other logos or make any statement or act in any manner to imply that Meta endorses, advocates, recommends, or supports any publications.

d. You will make efforts to ensure that any published results and findings from Research are published in Open Access journals or publications consistent with the principles of "Open Science."

Source - <https://transparency.meta.com/researchtools/product-terms-meta-research>

Another example is YouTube, which clarifies the purpose of the advance notice and does not interfere in any part of the research.

d. **Advanced Notice Before Publication.** You agree to use reasonable efforts to provide YouTube with a copy of each Researcher Publication at least seven (7) days before its publication. This is meant solely as a courtesy notice to YouTube. YouTube will not have editorial discretion or input in any Researcher Publication. In addition, YouTube will not have any intellectual property rights in or to or be affiliated with any Program Derived Research or Researcher Publication including, without limitation, any recommendations or conclusions included therein.

Source - <https://research.youtube/policies/terms/>

- 2. TikTok needs to enhance the data available through its API to the data that is publicly available through scraping.** We can look at other experiences like the "Response to the European Commission's call for

evidence on a planned Delegated Regulation on data access provided for in the Digital Services Act (DSA)” uploaded by Stiftung Neue Verantwortung (SNV), a not-for-profit think tank on May 2023. According to the investigation, for videos for example, TikTok offers an API that returns 14 data points containing the most relevant information, including the date the video was created, how often it was watched, liked, or shared, the hashtags, and, if available, the transcribed audio. However, scraping the web application of TikTok returns 118 data points including effects used, flagging advertising, video comments can also be scraped with public tools, effects used. We mention that on the TikTok website, the CodeBook mentions that they make available a lot more data. How much the data access improved is yet to be tested since we haven’t received any answer from the platform regarding API access for Romanian researchers.

Another researcher’s findings, featured in an article by [Philipp Darius in Tech Policy Press \(September 2024\)](#) about the European elections, highlight similar issues with TikTok’s API for researchers. Their study observed several shortcomings, including errors in account names, difficulties in collecting follower data beyond 3,000 accounts, and discrepancies in share and view counts. Specifically, the API underreported these metrics compared to what was publicly visible on the website and application. These findings underscore significant limitations in TikTok’s API, raising concerns about its reliability and utility for research.

3. TikTok needs to develop a user-friendly interface for monitoring trends, following the model of tools like CrowdTangle or the Meta Content Library. This should become a best-practice approach for VLOPs, especially when they serve as primary or secondary communication channels in a country. Such an interface is essential for enhancing data accessibility, particularly for journalists and fact-checkers who may lack the technical skills required to work with APIs.

Providing a user-friendly tool would not only enable broader access but also foster complementary efforts in trend monitoring, communication campaigns, and quality journalism. Currently, monitoring TikTok trends in a user-friendly way is only possible through private tools, which are often prohibitively expensive and thus inaccessible to many journalists and researchers. This lack of affordable, accessible tools creates significant barriers to local monitoring efforts, as we have seen and felt in Romania.

Application Process Table: TikTok Researcher API

Stage 1. Research Tools Application Table

Section	Field/Question	Example/Response
Principal Researcher Information	Your name as shown on your professional profile	0 / 50
	Are you affiliated with an	Academic institution / Not-

	academic institution or a not-for-profit body, organisation or association whose principal aim is to conduct research on a not-for-profit basis pursuant to a public-interest mission?	for-profit body (EU-based only)
	What is your role?	Faculty member / Postdoc / Research student / Non-academic researcher / Other
	Did you receive funding to conduct this research?	Yes / No
	What is your professional email address?	Professional email address associated with academic or not-for-profit organization
	Provide a link to your professional introduction page	LinkedIn profile or institutional introduction page (0 / 100)

Stage 2: Research Tools Application Table

Section	Field/Question	Example/Response
Researcher's Academic Background	What is the name of your academic institution or not-for-profit organization?	0 / 100
	What is the address of your academic institution or not-for-profit organization?	0 / 100
	What is the link to your academic institution's or not-for-profit organization's website?	0 / 100
	What is the link to your academic institution's or not-for-profit organization's website related to your specific area of research?	0 / 100
	Where applicable, please provide your academic institution's or	N/A or provide the registration number

	not-for-profit organization's registration number	
	What is your area of expertise?	0 / 50
	Provide the name of your research team	Lab name or your name followed by the research topic (0 / 50)
	Do you work with a research team that may also need to access the TikTok Research Tools' datasets?	Yes / No
	Provide links to your past publications or attended conferences	0 / 1000

Stage 3: Research Tools Application Table

Section	Field/Question	Example/Response
Research Proposal	Which research topic category/categories does/do your proposal fall under?	Consumer trends, behavioral science, community and culture, education, radicalization, misinformation, disinformation, hate speech, violent extremism, influence operations, human rights, civic engagement and activism, algorithm, mental health, safety & well-being, other (please specify)
	Provide a summary of your project	Outline the research project, including context, importance, and potential findings (0 / 1000)
	Please provide a description of your research design.	0 / 1000
	State your access request start date	MM/DD/YY
	State your access request end date	MM/DD/YY (Maximum 2 years)
	Explain why this time period for access is necessary.	0 / 1000
	Do you have plans to	Yes / No

	share the datasets from the TikTok Research Tools with third parties?	
	Describe your data protection plans by providing the terms of your research data and privacy governance.	Include technical and organisational security measures (0 / 1000)
	What are your research hypotheses or research questions?	Explain hypothesis and provide context from current literature (0 / 1000)
	What are the expected outputs of your project?	Describe intended outputs such as blog posts, academic articles, books, or conference presentations (0 / 1000)
	Provide a summary of your literature review	0 / 1500
	Provide a list of your references or citations	0 / 1000

4.4. Paid advertising monitoring: META and TikTok

When it comes to paid content on social media platforms, TikTok's transparency can only be described as severely lacking. On October 17, 2024, [Global Witness published an investigation into YouTube, Facebook, and TikTok](#) to determine their ability to detect election disinformation ads. The investigation revealed stark differences in performance across platforms. TikTok performed the worst, **approving 50% of ads containing false election information despite its explicit ban on political ads.** Facebook demonstrated notable improvement, approving only one of eight submitted ads, while YouTube performed the best by approving 50% but requiring further identification, such as a passport or driver's license, before publication. **Ironically, TikTok is the only platform among the three that claims to prohibit political ads entirely, seemingly to avoid obligations for additional moderation and transparency.**

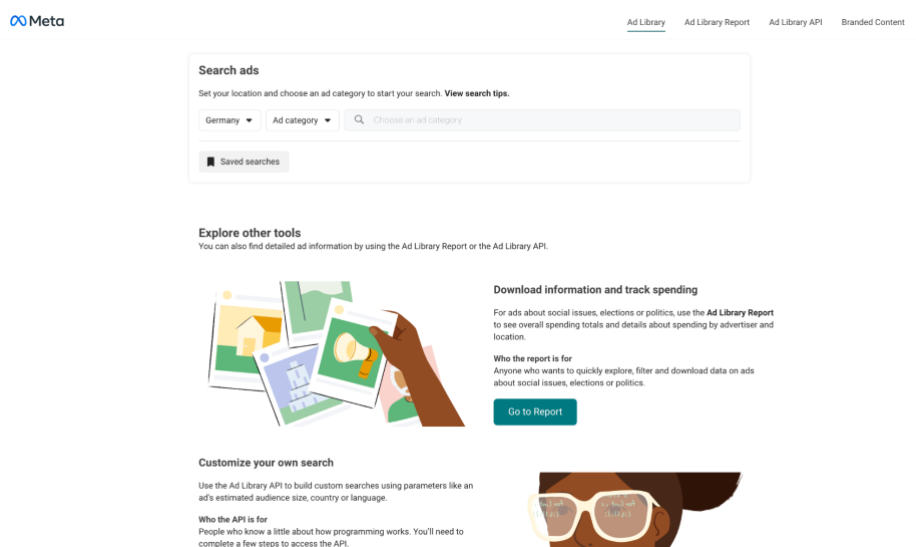
TikTok's approach of pretending to ban political ads is harmful. Content on the platform inevitably reflects audience interests, including political topics, regardless of the platform's claims. However, overregulation is not the solution either. Regulators must clarify guidelines and work collaboratively with platforms to develop practical systems for implementation. The EU's **Transparency in Targeting of Political Advertising (TTPA)** regulation, set to take effect in October 2024, addresses some of these concerns. For instance, Google considered a best-practice leader in regulation, [is expected to opt out of political advertising](#) entirely due to uncertainty about implementing the new requirements without risking fines.

In Romania, researchers have identified disinformation practices and faulty content moderation practices on both Facebook and TikTok, but the approach to addressing

these issues should differ. Facebook has improved its political content moderation standards, with increased transparency that allows researchers to access and analyze data from its ad space. TikTok, in contrast, lags far behind in both transparency and functionality.

Meta Ad Library: Interface and API

The Meta Ad Library offers a user-friendly interface with tools for researchers and journalists. Features include a spending tracker, regularly downloadable political reports, and a robust search option. This search functionality allows users to search by advertiser or keyword, filter by country and ad category, and access historical data dating back to 2018. **However, in our experience the interface shows fewer results than the API.**



Source - <https://www.facebook.com/ads/library>

In addition to the interface, the Meta Ad Library API is accessible without requiring an application process. The API supports customized searches for ads on social issues, elections, or politics that were delivered globally over the past seven years, or for all types of ads delivered in the European Union during the past year. Data available through the API includes:

- Ad details: Library ID, content of the ad creative (subject to Terms of Service), associated page name and ID, and ad delivery dates.
- Platform information: Where the ad appeared (e.g., Facebook, Instagram).
- Social and political ads: Total amount spent (range), total impressions received (range), and demographic breakdowns (age, gender, and location percentages).
- EU-Specific ads: Total impressions received in the EU (estimated), targeting and reach demographic information (estimated), and beneficiary and payer details.

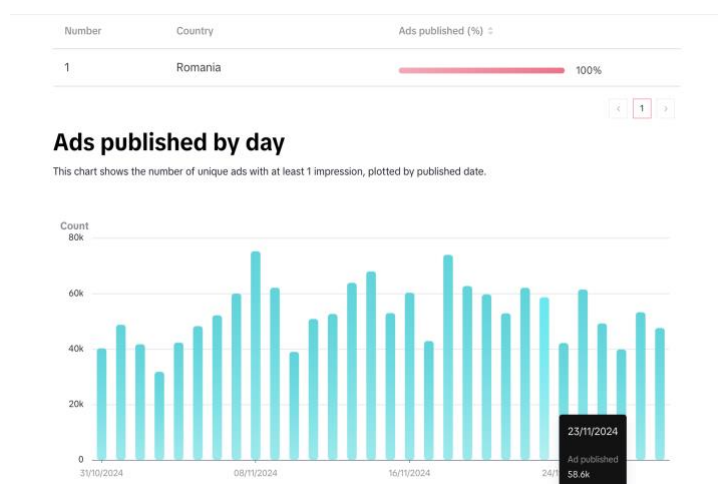
TikTok Ad Library

Since 2023, TikTok has theoretically offered an Ad Library interface. However, in practice, the tool is highly dysfunctional, with questionable accuracy. Expert Forum's

experience highlights significant flaws: **Romanian keywords or advertisers often retrieve irrelevant results, such as Chinese ads, or no results at all, even when the advertiser has active ads. Relevant information like the name of the company that is paying for ads or the amount of money spent like you do on Facebook cannot be found.**

The issue is even more serious with political ads, which TikTok claims do not exist due to its policy of not approving political content. However, in practice, political ads do appear, as seen in Romania during the first round of presidential elections. **Despite this, there is little transparency around TikTok's ad vetting and monitoring processes, leaving a significant gap in accountability.**

The TikTok Ad Library also includes a report section, but this provides limited information with little clarity about what the data actually represents. For instance, you can see how many ads were published in each country over a specific period. On November 23, 2024, the day before Romania's elections, the report showed 54,200 published or active ads. However, there is no way to identify the publishers, content, or other meaningful details. These reports are neither clickable nor downloadable, making them nearly useless for researchers.



Source <https://library.tiktok.com/ads/report>

When attempting to view ads through the main search interface, the results are similarly unhelpful. For example, searches for Romanian-specific keywords, such as "Calin Georgescu," return irrelevant results, including Asian product ads and game reviews, with no correlation to the search terms.

The Crisis of the Romanian State

Ad target country: Romania | Ad type: All ad types | Ad published date: 01/11/2024—30/11/2024 | Advertiser name or keyword: Calin Georgescu | Search

Ad ID	Ad Name	First shown	Last shown	Unique users seen
ZRZUTKA PL SP Z O O		01/11/2024	22/01/2025	10K-100K
Galaxy Navatra Invest...		01/11/2024	22/01/2025	0-1K
Galaxy Navatra Invest...		01/11/2024	22/01/2025	0-1K
Galaxy Navatra Invest...		01/11/2024	22/01/2025	0-1K

Source - <https://library.tiktok.com/ad>

4.5. The retention order imposed by the European Commission

Data preserved under the retention order issued to TikTok by the European Commission must be made publicly accessible for researchers. Relying solely on opaque internal investigations conducted by TikTok is not only dysfunctional but undermines the principles of transparency and accountability, particularly during critical periods such as elections. Also, exploratory research must be conducted to examine TikTok's recommender system, including practices such as [the "heating system,"](#) where employees manually amplify the virality of content. These practices, which are currently shrouded in secrecy, need to be publicly clarified and scrutinized. Without this transparency, the potential for manipulation and systemic risks will persist unchecked, creating vulnerabilities in civic discourse and electoral processes.

5. The Regional Energy Crisis:

WILL ROMANIA BE SWEEPED IN ITS VORTEX OR DEFY THE RUSSIAN AGGRESSION?

As the war rages on in Ukraine for the third year, Romania finds itself in a position in which its decisions on energy can have a massive contribution to the future security in Romania, in the region, as well as in Europe in general. Its actions can influence the situation both for better or for worse. Security, and not just energy security, can be fundamentally shattered by interruptions of energy supply or significant price fluctuations leading to social unrest and economic disruption. The stakes around network-bound energy sectors, controllable by who can foreclose access to supply – most importantly, electricity and gas – are enormous. What Romania does in energy matters for the entire effort in the region to resist Russia's aggression.

5.1. Romania's gas and electricity policy options: two options

First, Romania has indeed become the largest producer of gas in the EU, after the permanent closure of the Dutch Groningen gas field in October 2024. It opened in 2022 a new shallow offshore field (Black Sea Oil and Gas concession, 10 billion cubic meters / bcm) and will start extracting a larger deep offshore reserve around 2027-2028 (OMV Petrom - Romgaz, Black Sea Neptun Deep, 100 bcm). These developments open two possible future paths:

- a) On one hand, Romania could contribute effectively to the energy diversification in south-east Europe. It could permanently and painlessly displace most of the amounts Gazprom still supplies by pipe to countries such as Hungary (currently importing 6.6 bcm from Russia), Slovakia (4.3 bcm, considering only its domestic consumption and not transit), or Serbia (2.7 bcm). Romania's gas producers would be able to compete with other suppliers, such as Azerbaijan or LNG imported via Greece and Croatia, not only for the countries still reliant on gas shipped by pipeline from Russia, but also for countries which have already diversified away from Russian supplies, such as Moldova, Bulgaria, or Ukraine. Finding the best economic use for the gas is beneficial not only for the producing companies, but also for consumers and for the Romanian government – which collects taxes from its 20% shares in OMV Petrom and 70% in Romgaz, as well as taxes. Consumers benefit increased competition in the market and security of supply, as competition drives prices downwards and stimulates efficiency. What is more, in a regional market, the decades-long domination of Petrom and Romgaz in the relatively isolated Romanian gas sector before 2022 would no longer pose any challenges for a full liberalization of the market in the benefit of the end-user.
- b) On the other hand, the country could continue pursuing its disastrous policy, promoted since 2019-2020 and unchanged since, as if the war in Ukraine had never happened, to expand the domestic gas consumption. This policy entails

gasifying all households (mostly rural) and installing massive gas-fired capacities to replace coal units and respond to increased electricity demand. Declaratively, the policy relies on the assumption that domestic gas production would increase to cover all this additional demand, though the numbers simply do not add up. Thus, preserving the current levels of consumption, an additional 10 bcm per year, for a few years, can significantly increase gas market liquidity in the entire region and permanently displace Gazprom, while EU gradually shifts away from gas altogether in the medium term. On the contrary, the worst decision would be to take actions that extend the gas consumption way beyond what could be covered from a sudden, but short-lived, jolt in production levels. The boost in production would only be temporary, compensating for the decline in the already existing production for not more than 12-15 years. But the new gas consumption infrastructure has significantly longer lifespans: 25-30 years for gas-fired power plants, and 50-60 years for gas grids. If gas is no longer available or too expensive in the future, these become stranded assets which will never recover the investment outlay. The often-touted idea of switching such infrastructures later to other fuels, such as hydrogen, has never been grounded in thorough analysis. It ignores both the eventual costs of full conversion and the availability of sufficient hydrogen or other green gas supplies, or the logistical capacity to integrate in existing networks⁵⁰. Thus, if this second path of action is pursued, the country's current and projected gas production will not only be largely irrelevant for the regional competition, but it will also be insufficient to cover the domestic demand in any foreseeable future, medium or long term.

These are objective facts confirmed also by official data, and not just “green propaganda”. The latest development plan of Transgaz (2024-2033)⁵¹ indicates that Romania would double its gas consumption by 2028, reaching 20 bcm compared to about 10.5 bcm today⁵²; whereas the forecasted production would not exceed 14.5 bcm, with the production as of today in steady decline, as onshore deposits deplete naturally. This would leave a gap of over 5.5 bcm which would have to be sourced by domestic consumers in competition with those from all the other countries in the region, as soon as 2028: and this, assuming very optimistically that production from Neptun Deep deposit

⁵⁰ The Hydrogen Strategy is available at: https://energie.gov.ro/wp-content/uploads/2024/12/20241213_Strategia-H2_Livrabil-3_Draft-strategie_vfinal.pdf. It includes several contradictions between analysis and recommendations. E.g., it refers to international studies that indicate the limitations of hydrogen blending in gas grids, particularly relevant for household heating, where a 20% hydrogen blend is inefficient - too costly, while emission reductions are minimal. The strategy explicitly states it does not analyze gas-fired plants because of lack of data. Based on international experience, it expects hydrogen consumption by 2030 in industry, steel, and transport. But in the final recommendations the strategy follows the “politically correct line”, relegating for beyond 2030 a “gradual blending of gas” in gas grids for heating and “pilots” for gas-fired power plants, without explaining anywhere how these could be integrated in Romania's existing energy infrastructure, and partly in blatant contradiction to the strategy's analytical part just a few pages earlier. The same inclination for euphemism is notable in the Transgaz network development plan detailed below. Objective data, such as expected gas consumption for 2028, is hidden in plain sight in inconspicuous places of the report, while the main sections of forecasts, where one would look first, carefully avoid showcasing explosive data.

⁵¹ Planul de dezvoltare a sistemului national de transport gaze naturale 2024-2033, available at: https://www.transgaz.ro/sites/default/files/PDSNT_2024-2033.pdf

⁵² The gas consumption could indeed be significantly lower in 2028 if households do not connect to the new distribution grids, or if gas-fired power plants are not finalized - in other words, in the fortunate case the government's policy fails.

would start almost at the beginning of 2027 and reach peak output in 2028. It should be noted that, if Romania was virtually import-independent in 2015 for gas (with imports at just 2% of consumption), and imports in 2023 hovered around 16%, it would need to increase the share of imports to 27.5% just to cover the projected increased demand.

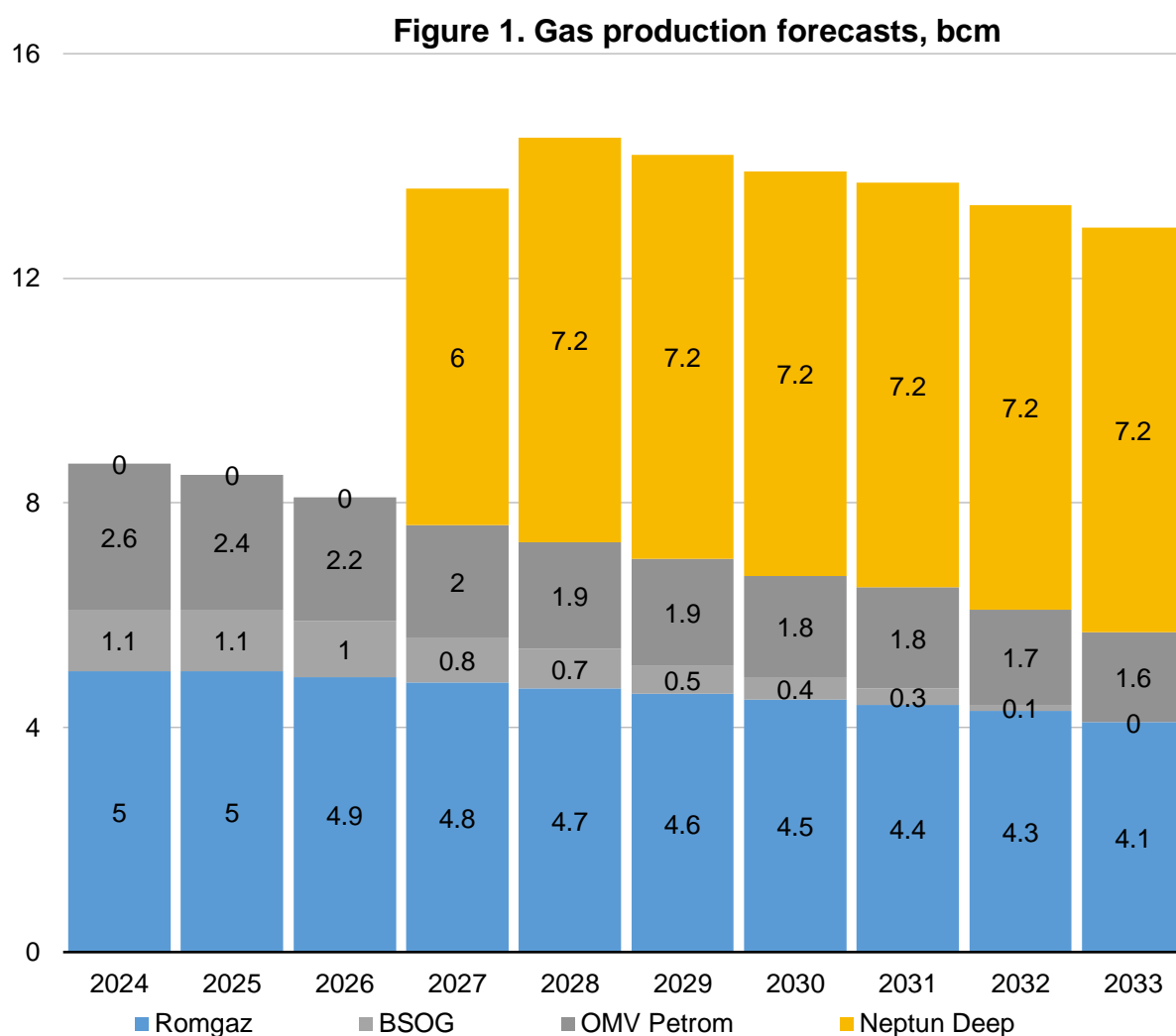
Two additional matters emerging from the plans of Transgaz raise particular concerns. First, the onshore production of Romgaz is projected to decline steadily by about 10% over 2024-2028, which means that the largely state-owned company has virtually abandoned its long-touted plans to develop the onshore deposit at Caragele, estimated at 30 bcm. This deposit is a third of the size of the Black Sea Neptun Deep reserve and could be operationalized at significantly lower investment costs than the expensive deep offshore operation. Its development has been stalling since the deposit's discovery in 2016, well before the full-scale war in Ukraine. In 2022, at the peak of the gas crisis, Romanian authorities were vowing that the field could enter production as soon as 2023. This did not happen. Also, if energy security is indeed a major concern, and the government has repeatedly expressed its view that state-owned Romgaz should play a major role in Romania's domestic production – the reason why it took over Exxon's share in the Neptun Deep project in the first place – it is unclear why the company did not prioritize this particular project. After all, the stake of Romgaz in Caragele is 100%, unlike in the Neptun Deep where it controls just 50%.

Table 1: Additional gas consumption by 2028

New source of gas consumption	Amount (billion cubic meters)
Households	3
Power Plant Mintia (1700 MW)	2.5
CE Oltenia (Isalnita & Turceni, 1200 MW)	1.5
Romgaz Iernut (450 MW)	1
Other industrial plants (chemical industry)	2
Total new consumption	10

Second, higher demand would also require a significant acceleration of investments in gas storage, for basic energy security concerns. If storage is not increased in tandem with consumption and domestic production, the dependence of gas imports would be substantially higher in winter, just to maintain operating pressure in the gas grid and to reduce the withdrawals from storage in times of peak demand. Also, the excess production in summer would have nowhere to be stored, so that it would have to be

exported at lower prices when consumption and demand are lower in the entire region⁵³. Selling at suboptimal prices would slash both the profits of gas producers and the government’s take from dividends and taxes, while households also do not consume much in the summer to reap the benefits of cheap gas. It is thus of utmost concern that almost all gas storage projects (totaling about 4.6 bcm) are delayed with 1-6 years compared to the previous network development plan, and most of this capacity (over 3 bcm) would be deployed well beyond the 2028 critical year. There is also no guarantee that next year’s plan will not project further delays in the construction of storage, in line with previous practice.

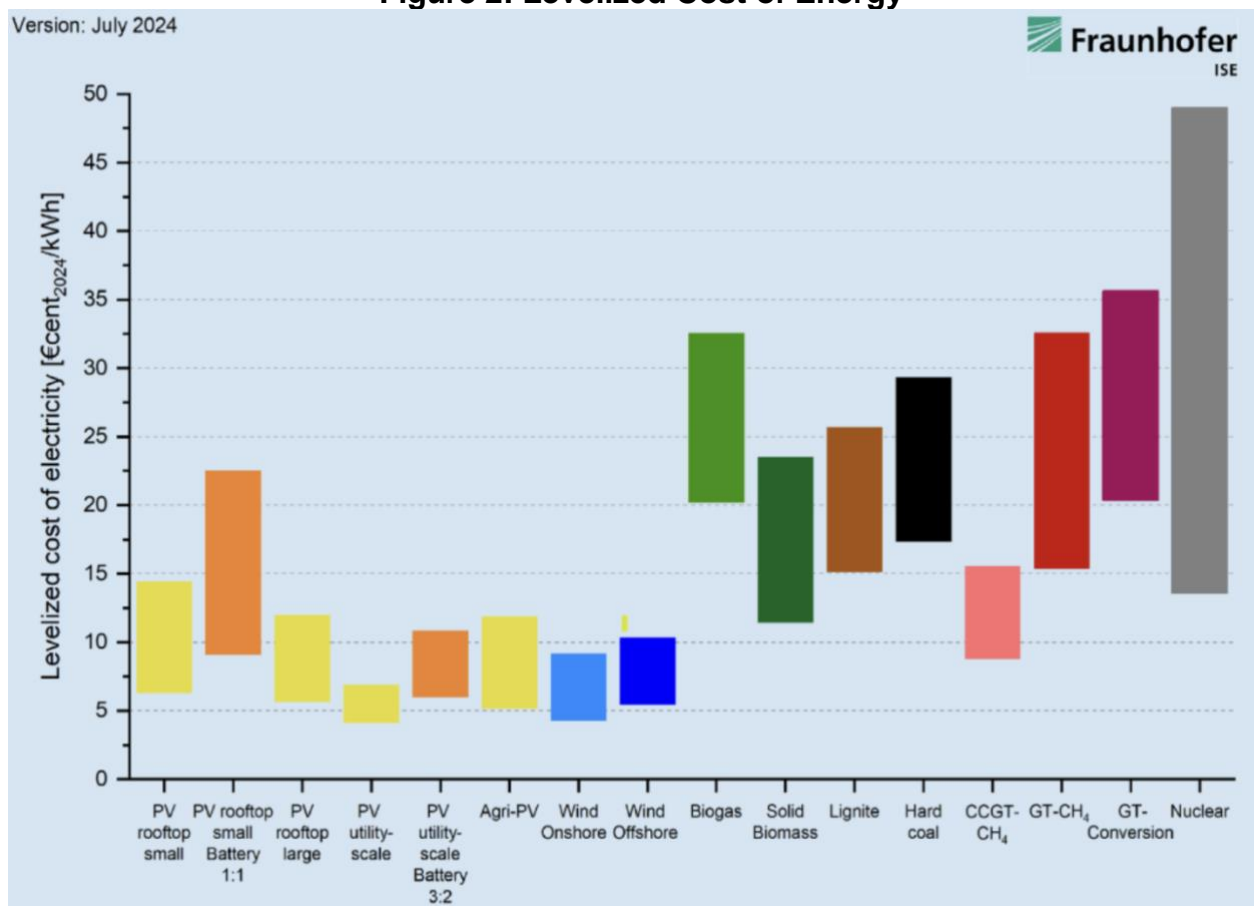


The situation in the electricity sector is at a similar crossroads. There are unprecedented conditions to accelerate the development of power infrastructure, and these options may not be on the table forever. The amounts of EU funding (NRRP, Modernization Fund, OPs) are at a historical high, with more than 18 bn EUR available before 2030. But also

⁵³ One obvious solution would be to use Ukrainian storage, which is yet another reason why Romania should be interested in a just and sustainable peace in Ukraine.

private investors would have ample incentives to develop new capacities, even without significant state aid. Renewables have become increasingly competitive in the market in recent years, having significantly lower costs per MWh produced over the whole lifecycle of the project than other technologies (see graph below). Particularly as the electricity demand would probably double or triple by 2050, in line with forecasts for the global demand, and as Romania needs to shut down inefficient, obsolete power plants, there is a significant space for investments in new capacities. Making best use of EU funds for what the market cannot cover such as grids, state-of-the-art technology or storage, and attracting private sector investments where the market already provides incentives could boost economic growth and ensure stability of supplies for the entire region. Romania's role is critical in producing sufficient energy to export to Moldova and Ukraine, particularly in the next decade - which would be a profitable business, not charity.

Figure 2: Levelized Cost of Energy



Source: <https://www.evwind.es/2024/10/21/lcoe-for-photovoltaics-pv-projected-to-decline-until-2045/101909>

Despite the hype around the NRRP, the biggest chunk of European funding for energy by far is from the Modernization Fund. It alone stands at 15.6 bn EUR, calculated on today's CO₂ prices in the ETS, which hover just above 80 EUR/certificate (a certificate is the equivalent to one ton of CO₂ emissions). These 15.6 bn EUR are entirely grants and they vastly exceed the amounts that Romanian emitters pay, as mandated by the EU's "greening policy". The fundamental principle of the Modernization Fund is that all large emitters from the European Union pay for their CO₂ emissions, and the money is divided

among 10 more emission-intensive, lower-GDP per capita countries to invest precisely in reduction of CO₂ emissions, thereby also modernizing their infrastructure. In other words, Romania is a net beneficiary from, and not a contributor to, the “greening policy”, as some voices claim in outbursts of hurt nationalistic pride. Very frequently, there are complaints from the Ministry of Energy that “coal phase-out deadline” (a target assumed, incidentally, by the government itself, in exchange for EU funds from multiple sources) should be extended. We also hear that CE Oltenia is vital for energy security (for Romania and now also Moldova) and, lately, that “though well-intended, “greening” policies of the EU risks transforming European economies in victims of bureaucracy and decisions out of touch with economic realities”. The ministry of energy also recently sought exemptions from the CO₂ certificate purchase obligations for electricity delivered to Moldova, flatly rejected because it would constitute a terrible precedent for other EU members.

But make no mistake: CE Oltenia has a list of projects approved from the Modernization Fund amounting to 991 mn EUR⁵⁴. For CO₂ certificates it receives additional state aid from the budget, 75-90 mn EUR/year in 2023 and 2024, acceptable under the same restructuring plan where it promises to invest the 1 bn EUR in renewing its capacities with gas-fired units and renewable energy. So CE Oltenia not only gets all possible support to modernize, in amounts vastly exceeding payments for CO₂ emissions which are covered in part by subsidy. Not only did the EC agree to CE Oltenia’s restructuring plan (unrealistic and not fully compliant with the principles of EU’s “greening policy”) to replace coal-fired units largely with gas-fired power plants and to finance it by grants. CE Oltenia now serenely admits its inability to finalize the investments in Turceni (475 MW) and Isalnita (850 MW), announcing a delay of at least a year and a half (by end-2027), while the Ministry calls for the extension of “coal phase-out”. It should be remembered that all of CE Oltenia’s power units are built in 1965-1989, averaging 55 years (compare it with the average age of Germany’s coal units, which is about 30); virtually no efficiency-increasing modernization has been undertaken in the past decades. Consider also that 20 years ago the coal-fired units of CE Oltenia were put individually for a competitive tender to attract private sector investors, and for each there were 6-7 prospective bidders (the tender was cancelled for political reasons). At the time, the move would have attracted economically justified investments but would have also diversified ownership in the wholesale electricity production market, which remains to this day 80% dominated by companies under the Ministry of Energy. At no point in its history has CE Oltenia applied for EU grants to invest, for example, in renewable energy, before it came up to either “bankruptcy or restructuring plan” in 2019-2020. All in all, there have been ample opportunities for the coal-based power generation in Romania to modernize to XXIst century standards, before claiming for its indispensability for the country’s energy security for many years to come.

⁵⁴ The list of confirmed and recommended investment proposals from the Modernization Fund is available at: <https://modernisationfund.eu/investments-2/>

Only on the supply and transport side – that is, excluding demand-side measures such as energy efficiency in buildings – Romania’s energy sector could be the recipient of no less than 18.4 bn EUR from the EU, adding to the Modernization Fund the 2.8 bn EUR from NRRP (including the RepowerEU chapter) and the 0.9 bn EUR from the Operational Program Sustainable Development 2021-2027. EU funds cover, in addition, significant amounts both for energy efficiency for households (mainly the renovation of buildings); and to overcome the social costs associated with the green transition. The bulk of the funds covered by the Just Transition Fund (2.5 bn EUR) are destined precisely to cope with the economic restructuring and revitalization of depressed areas such as those that would be affected by the closure of coal mining and coal-fired power production. Only the preparation of the Just Transition Plans took years of hard work, cooperation between the Ministry of European Funds with counties, local administrations, local businesses, local communities, designing measures and interventions that fully consider local conditions, potential and preferences; delaying the coal phase-out derails also the Just Transition, and funding may no longer be available in a few years from now. Despite the availability of all these funds, absorption remains low. The JTF and the OP are not yet operational, though they should already be in year 4 of implementation by now; the NRRP has an overall absorption rate of roughly a third of the funds; and from the Modernization Fund only 4.7 bn EUR have been approved, of which little over 1.3 bn EUR was actually contracted so far.

It must be noted that EU funds are in principle supposed to support only areas where the market fails, such as grids (natural monopolies) or other services of general public interest (such as decarbonization, protection of vulnerable consumers, or universal service delivery). For the rest, the market should create opportunities for investments, and high energy prices should trigger them. In spring-summer 2024, a perfect storm (high temperatures and high consumption for cooling, an extended period of drought with low wind speeds, the temporary shutdown of several nuclear reactors for regular maintenance, but also, critically, transmission bottlenecks in Hungary’s power grid which split the Balkans from the rest of the EU energy market) put Romania at the top in EU electricity prices. That medium-term prices in Romania were projected to be slightly above the region (and therefore of interest to prospective investors) has been common knowledge for at least 5 years, well before the pandemic and the full-scale war. The significantly higher prices in the first half of 2024 is a further indication of the vulnerability of Romania’s power system to external shocks that are increasingly likely to reappear in the future, from climate change to Russia’s war, in the absence of modernization and significant investments. The solution is not, as Bulgaria, Greece and Romania claimed, to change EU’s electricity market rules and lobby in Brussels for this purpose. On the contrary, it is more than ever necessary to accelerate the investments the power sector badly needs, which would also entail letting the market signal to investors what would be the most promising projects. If anything should be lobbied for in Brussels, it should be pressures on Hungary to remove observed interconnectivity bottlenecks.

Instead of complaining that the EU energy market does not work properly, the ministry should take a stock count of the root causes for delays in investments at home: why do investors, despite persistently higher prices in the region, have such difficulties accelerating the construction of new capacities? The reasons all investors give are barriers to access to grids; and legislation and regulation. Here are some examples:

- Romania adopted in 2021-2022 a legal framework to shield consumers from the impact of high energy prices. The legislation and implementation regulations have changed more than 20 times in the first year. As of January 2025, no one knows whether electricity prices would continue to be regulated beyond March 2025; or whether the price regulations would simply cease altogether, with no other provisions. After more than 3 years of regulations, the market distortions are bound to be significant, and there is no information available to market players, producers, suppliers, traders, how to price their offers. This is why offers in the market for beyond April are almost non-existent. Normally, liberalization is a process, which means a simultaneous deregulation and market-development measures, to help players read and adjust to market signals gradually. For example, liberalization schedules were used for the deregulation of gas and electricity markets in 2012-2018 (for gas, gradual increase of prices in steps to import parity; for electricity, a gradual setup of “electricity portfolios” for suppliers, in which the regulated components’ share declined gradually, and the electricity bought on the competitive market increased). For now, few market participants make buy or sell offers for after April 1, not knowing what the final decision would be. This is one of the key reasons why private investors in new capacities face uncertainties, even though the legislation exempts new investments from the regulation. But most investments require a power purchase agreement (PPA): an advance sale contract for energy to be produced after the plant is built, to guarantee a future flow of revenues for a bank loan to build the plant in the first place. For investors, the main risk relates to finding a counterpart - a buyer of energy, considering that prospective buyers, be they consumers or suppliers, have no idea how prices or the market would look like in the next few years.
- one of the mechanisms to keep energy prices low for consumers during the energy crisis of 2021/2022 was de facto a scheme in which suppliers purchased power from the market, sold it at a regulated price to the end consumers, then submitted to the authorities a request of payment for the difference. Despite the changes in the mechanism in the autumn of 2022, suppliers are still recovering amounts for energy purchased in that period. Over 2022-2024, the arrears in payments caused cash flow problems and pushed suppliers to borrow from the banks up to the maximum exposure of the banking system to the energy sector. As of October 2024, suppliers were complaining that they still have over 1 bn EUR to recover, in processing at ANRE and ministries of energy and social protection⁵⁵.

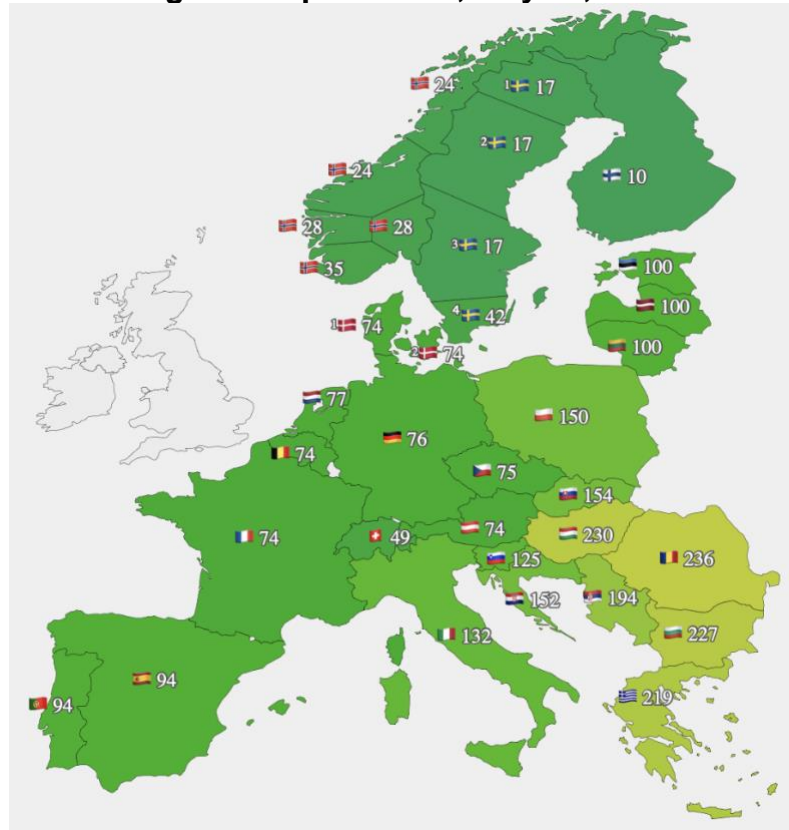
⁵⁵ <https://economedia.ro/acue-estimam-ca-datoria-statului-catre-furnizorii-de-energie-electrica-s-ar-ridica-la-1-miliard-de-euro-pentru-2024-acest-mod-de-finantare-a-ajutorului-social-trebuie-sa-se-schimbe-rolul-furnizorilor.html>

- Transelectrica delays investments in the grids, needed to integrate new capacities. The issue is similar to Transgaz: large investment projects are delayed in consecutive investment plans by several years, and connection capacity is blocked for projects that are themselves delayed, such as two additional nuclear reactors at Cernavoda, coal / gas-fired plants at CE Oltenia, Tarnita etc. Transelectrica did indeed “clean up” private investors’ projects for which connection had been approved in 2010-2015 at the peak of the renewables’ boom and never materialized. However, the projects and planned capacities of state-owned companies cannot be removed, regardless of how feasible or realistic they are, or when they would actually be built. This is why projects of state-owned companies delayed for years, or capacities that are not shut down have negative spillovers beyond their nominal capacity. Power plants “on paper” in various strategies crowd out private investors, as they are deprived of access to the grid guaranteed for these state capacities. In addition, as highlighted also by international organizations, many of Transelectrica’s projects have been delayed by 1 to 15 years⁵⁶. When examining the performance of Transelectrica in implementing network strengthening projects with EU funds, though, one must also consider the company’s governance issues. The latest NRRP installment has been blocked for the failure to appoint a competitive, professional board (as opposed to political clientele), and, to add insult to injury, the remunerations of existing board members have also been tripled in early 2025⁵⁷.

⁵⁶ <https://www.ifc.org/content/dam/ifc/doc/2023/romania-country-private-sector-diagnostic-en.pdf>

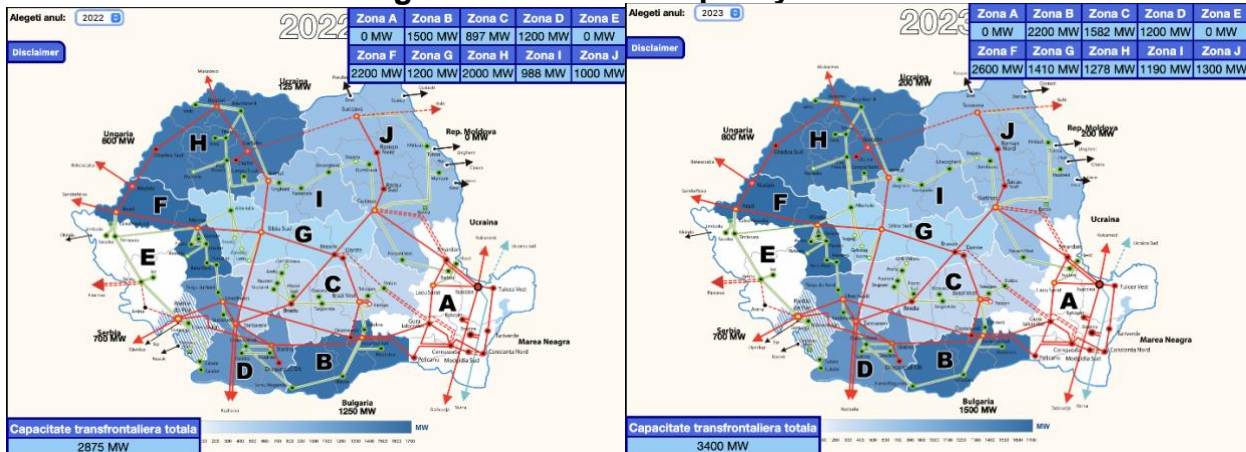
⁵⁷ <https://romania.europalibera.org/a/salarii-majorate-transelectrica/33269765.html>

Figure 3: Spot Prices, July 17, 2024



Source: <https://euenergy.live/?date=2024-07-17>

Figure 4: Available Capacity Transelectrica

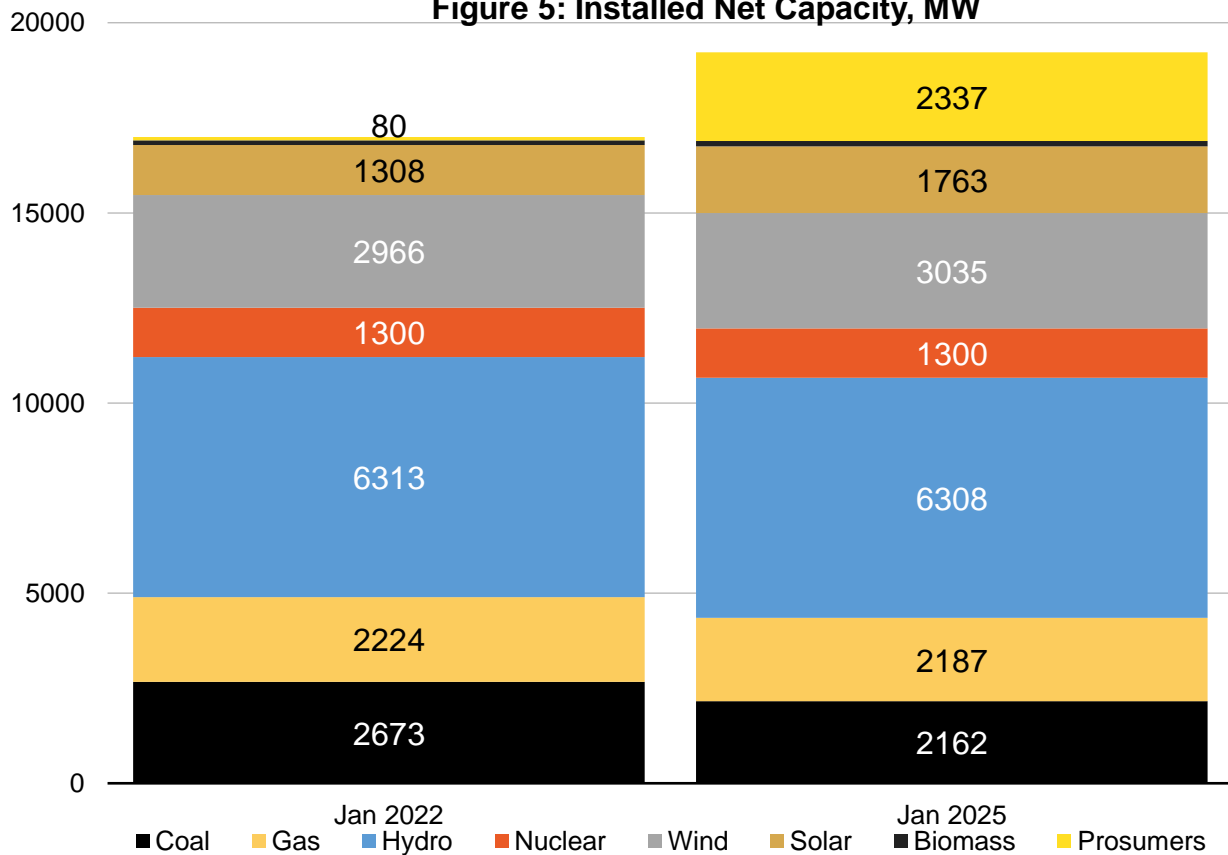


Source: Transelectrica. In the first two years of the full-scale war, Transelectrica had zero available capacity for new connections in the area most attractive for prospective investors in renewables (Zone A, Dobrogea).

To summarize, the opportunities that Romania has in the energy sector – availability of EU funds and high interest of private sector investors – are unprecedented, but can easily be missed. EU funds would not be available forever: the NRRP ends in mid-2026, the OPs in 2029, the Modernization Fund in 2030. All private investors, primarily in electricity generation, have numerous alternatives in other countries, given the expected growth of electricity consumption with the rise of AI, data centers, electromobility, or new home appliances. Romania slowly but systematically misses these opportunities: in the

three years after the major energy crisis in 2022, the only areas in which electricity investments took off seem to be those which can be done *in spite* of the state, and not so much with its active support. Even though many prosumers (about 80%) did indeed benefit grants of between 4,000 to 6,000 EUR in the programs of the Environment Fund Administration, they faced numerous difficulties, bureaucratic delays, and cost increases to be paid from their own pockets while waiting for final approvals of funding and connection approvals from distribution companies. This suggests that a significant share of those who did apply for financial support would have probably installed solar rooftop panels even if the program were not available in the first case, particularly facing a certain risk of expenses being in the end ineligible (e.g. if the connection to the grid or delivery of equipment exceeds the 12 months after signing the financing contract). Of course, one should do an evaluation of the program to see its real effectiveness, but evidence-based policy is not standard Romanian practice, and even data on the total number of beneficiaries, per year, is not readily available. It is very telling that only 455 MW of solar were installed and operationalized in the past 3 years, of which 350 non-dispatchable, likely solar capacity installed by companies for own consumption. There are also only 69 new MW of wind. Despite the billions of EUR of EU grants and commercial interest, Romania thus managed to install a commercial capacity comparable to the new renewable capacity built in the Republic of Moldova over the same period (about 400 MW)!

Figure 5: Installed Net Capacity, MW



Source: Transelectrica

The Russia factor

The failures of Romania's policy on gas and electricity would not be as catastrophic if it were not for Russia's aggression. Though the West willfully ignores the mounting evidence that Russia already considers itself at war against all of Ukraine's allies, the Kremlin got its non-military weapons, disinformation and energy, in full gear in its confrontation with the civilized world. What is worse, it successfully uses a lethal combination of energy and disinformation, leveraging both. Energy, as a geopolitical weapon, has always been essential in Kremlin's toolkit to influence politics and swing popular opinion in democratic societies, but it is only more so in the past three years:

- in various countries in the West there are powerful stakeholders, such as industrial energy consumers, who became dependent on Russia's cheap energy for decades and who even today pressure their governments for a return to "business as usual" with the first opportunity. They "nudge" politicians to reduce military and economic support to Ukraine, in the expectation of the return of energy supplies in favorable conditions and Kremlin's terms. Such stakeholders used to include, for example, former partners of Gazprom in the Nord Stream 2 pipelines, or Western investors in Russia's oil and gas industry; many have cut all ties with Russia over the past 3 years, though not all and those who did, did so reluctantly. This is why Germany's AfD promises to return to an era of Russian gas and shut down renewables has traction.
- citizens fear rising energy prices. The Russian-caused energy crisis of 2022, triggered by Moscow's unilateral decision to selectively cut supplies thereby fueling a price panic, was substantially mitigated by national and EU policies to protect consumers, particularly households. Still, energy prices continue to be above pre-war levels, fueling inflation. A turbocharged version of this fear is apparent in Moldova - where Russian propaganda and Russia's puppet politicians have been pedaling for the past 3 years on the "expensive European" vs "cheap Russian" energy supplies to fuel social conflict and destabilize the country politically.
- individual politicians can simply be corrupt or authoritarian, promoting Russia's interest for purely selfish reasons: see Schroeder in the past, but also Hungary's Orban or Slovakia's Fico in more recent instances. However, even the latter need a compelling narrative for domestic use to justify the support for Putin. Energy concerns legitimize their public position ("we need good relationships with Russia for energy / low energy prices / energy security").

The list of Russia's abuses include the artificial gas storage in Europe in 2021/2022, Moscow's unilateral cuts of gas supplies in 2022 to individual countries (from Poland to Germany), propaganda to instill fear in European consumers and to mobilize turbo-patriots at home ("Europe will freeze"), sabotage (from the repeated severing of electricity cables in the Baltic Sea this year to, more likely than not, the explosion of Nord Stream pipelines in September 2022). But the termination of the gas transit via Ukraine at end-2024 sparked an unprecedented attack on the energy battlefield, even by Russian standards.

Figure 6. Russian Gas Routes, 2025

Source: <https://www.dw.com/en/eu-prepares-for-russia-to-cut-off-gas-supply-over-sanctions/a-62493092>. Nord Stream 2 still has one viable pipeline, which could be put in operation if Germany's future policy would be to return to "Business as usual" with Russia.

In brief: the transit contract for Russian gas on Ukrainian territory was due to expire at end-2024, and Kyiv has made no secret, at least from 2023 onwards, that it has no intention to renew it. Ukraine's argument is simple: after Gazprom's repeated violations of any possible agreement, with any of its clients in Europe, there is no way a new contract with Gazprom would be worth more than the paper it is signed on. But beyond the basic contractual justification and the moral argument (it has been always a matter of controversy that Ukraine continued the transit despite the war), Ukraine made the right financial decision. Namely, the amounts of money that Ukraine stood to gain from transit represent less than a tenth of the amounts that Russia would continue to make from selling that gas (400 mn USD vs 4.5 bn USD at a very conservative estimate of 300 USD/1000 cubic meters)⁵⁸. Putin is indeed furious. The EU did not take any radical steps to sanction Russia's gas after 2022, and Russia lost almost 80% of its lucrative gas market with Europe exclusively by its own design - cutting unilaterally deliveries to most of its European customers except a select few, in the hope of quickly splitting the West in its support for Ukraine. That strategy utterly failed. After record profits in 2022 on the background of price panic, Gazprom is now making huge losses: 7 bn USD in 2023 and 5.5 bn USD in the first half of 2024, whereas the EU continues to support Ukraine.

The biggest pain for the Kremlin is not only the amount of loss in billions, but the fact that Gazprom was until recently a highly profitable company which already decades ago had the ambition to become the first global, "trillion-dollar company". As a state-owned company in a dictatorship, Kremlin's primary financial stake is not how profitable a company is, but how much money could be syphoned off from it to private pockets, such as by onerous billion-dollar contracts to build pipelines or new gas deposits, including

⁵⁸ <https://carnegieendowment.org/russia-eurasia/politika/2025/01/russia-ukraine-europe-gas-transit?lang=en>

loss-making mega-projects such as the “Power of Siberia” pipelines. If Gazprom cannot hold on to at least a part of the European market for survival, it will no longer be able to keep alive two well-crafted illusions which are central to its propaganda. First, targeted at international audiences, is that Gazprom is a global player able to underpin Russia’s overhaul “pivot to Asia”, with the gas deal with China presented as a partnership in equal terms in a multipolar world; the Kremlin cannot accept that in reality it has become China’s vassal, at least in economic terms. Second, propaganda for domestic consumption, relates to the widespread practice of cross-subsidy: Russian households heated with gas were paying tariffs heavily subsidized from Gazprom’s earnings from its richer European clients. If Gazprom makes losses, and without budget payments, people would have to pay higher gas prices and face some discomfort related to a war they stubbornly struggle to ignore. Thus, the Kremlin’s propaganda faces a difficult choice. It could admit Gazprom’s de facto bankruptcy and keep it alive by state subsidies, so that the company, which owns gas grids and supplies to Russian end-users, can continue delivering gas to domestic buyers at affordable prices, but this would signal weakness and failure of one of Russia’s imperial ambitions. The alternative is to do whatever possible to bring Gazprom’s profits back, ideally in cash, but at least on paper.

“On paper” is the obvious first choice, and 2024 was a year in which the Kremlin spared no effort to keep the illusion of greatness and control of the situation. For domestic audiences, the Kremlin reported via TASS a “record-high EBITDA for Gazprom group” in 2024 of 28 bn USD - a figure which in reality consolidates the losses with Gazprom with the profits of Gazpromneft, a valuable oil producer and refiner, and is based on Russian financial reporting standards. This “news” never made it as such in the West, where people have some understanding of reasonable accounting and could easily see through the lie. In contrast, for international audiences, it spread rumors via respectable publications such as Wall Street Journal and Financial Times of a potential merger of Lukoil, Gazpromneft and Rosneft in a giant oil company. There is likely some truth in the story, such as the ambitions of one or other of the oligarchs, primarily Rosneft’s Igor Sechin, for more control and a bigger cow to milk.

However, what international readers miss is that this way of reporting also unwillingly passes on carefully crafted propaganda. The reader is thus exposed to the idea that the new company could become the next “crown jewel”, a world-class energy giant second only to Saudi Arabia’s Aramco, which would have an uncanny force to negotiate better prices with Chinese and Indian clients and would better weather Western sanctions by virtue of its enormous size and the inability of the world to dispense at once with the full amount of Russian oil production. This is of course nonsense - Lukoil is much more “market-oriented” and profitable than Rosneft, the typical crony-administered state-owned company which squanders enormous amounts of public money in white elephant projects. A typical example is the 100 bn USD Vostok Oil project, which would need more than the entire ice breaker fleet of the planet to deliver 30 million tons of oil per year, way

beyond the realistically available oil reserves in the field⁵⁹. Merging Lukoil and Gazpromneft into Rosneft would be as rational as Romania's ideas back in 2008 to create a "national champion" merging Hidroelectrica and coal-fired units to cross-subsidize the coal's inefficiencies with hydro profits, which magically multiplies economic weight. On the contrary, in the Russian government-controlled media the idea that the giant would be comparable to Aramco and able to withstand sanctions is laughed at, indicating precisely the above-illustrated short-comings of the merger concept, and making Western media's theories an object of ridicule in the process. In this way, Russian propaganda "segments" its market and conveys precisely targeted messages for each audience, depending on the final influence it seeks to achieve.

Real cash, however, would be a much better solution; and the bonus that pipeline-dependent puppet regimes in Europe continue to remain loyal and divide Western unity is also not to be dismissed. This is why the Kremlin and Gazprom can simply not accept the idea of losing half of the pipeline gas it still delivered to Europe in 2024, and why the end of the Ukrainian transit is such a devastating blow. To understand the stakes better, below a short recap of the major events leading to the end of the transit.

Ukraine has stated for the past more than two years that its gas transmission company GTSU does not intend to renew the transit contract with Gazprom when it was due to expire at end-2024. Various options to continue the transit were explored in the EU during 2024 (this does not speak in favor of many of Gazprom's European clients, who remain Putin-Verstehers and advocates for the "return to business as usual" to the end). One solution long discussed would have been for European consumers to buy gas at the border between Ukraine and Russia and conclude separately a contract with GTSU for the transit of the now "European-owned" gas. A second idea was to "buy Azeri gas" and transit it via Ukraine. Thus, Azerbaijan would allegedly produce more gas, introduce it in Gazprom's pipelines, and Gazprom would deliver an equivalent quantity of gas via Ukraine (a "swap"). This scheme made no sense, and would have simply been a "Azeri-washing" of Russian gas: Azerbaijan could not physically increase the production by another 15 bcm in 2025 compared to 2024 to displace indeed Russian gas from the Ukrainian transit. In reality, Azerbaijan would have had to purchase Russian gas and sell it to Europeans as "Azeri". Reaching such an agreement would have been a disastrous hypocrisy for all parties involved.

These options, European purchases at the Ukraine-Russia border and the "Azeri-washing" of Russian gas, collapsed for two primary reasons. First, Ukraine occupied the Sudzha gas measuring station at the exit point of Gazprom to GTSU's pipeline in August 2024 and never let go. The Kursk invasion meant more than just a powerful blow to Putin's image as protector of the "Russian fatherland", it involved also contractual uncertainty for post-2024 as to where the border between Ukraine and Russia is, and what quantities of gas really pass through Sudzha (one of the measuring components

⁵⁹ <https://vot-tak.tv/83461699/afera-sechina>

was also “damaged” during the invasion). The second was the tragedy of the downed Azeri plane in December 2024 and Russia’s botched cover-up attempt. The public outcry in Azerbaijan prompted President Aliyev to unexpectedly take a hawkish stance towards Russia. The idea of “Azeri-washing” Russian gas for Putin’s benefit would now be unpalatable for his own domestic public, even though in autumn, before the plane crash, Putin and Aliyev had had fruitful discussions on the topic in Baku.

A further reason, but probably less important than the other two above-mentioned, was the spat between Austria’s OMV and Gazprom in mid-November 2024. OMV won an arbitration case for irregularities in past supplies in a German court, which ordered Gazprom to pay to OMV 230 mn EUR in damages. OMV, with an ongoing contract until 2040, simply seized the latest Gazprom’s gas deliveries on account of the 230 mn EUR granted by the arbitration. In its turn, Gazprom considered the seizure as non-payment and stopped further delivery. Given the significance of OMV as a single major European client (6 bcm/year, of the total of 14-15 transited via Ukraine), the abrupt termination of deliveries tipped even further the balance of stakeholder interests in EU against the continuation of the Ukrainian transit. Already in December, it became more likely than not that the Ukrainian transit would be discontinued after all.

This was also the moment in which the Kremlin went in overdrive to push any possible button for the continuation of transit, or for the transit to be resumed, after being permanently halted in January 1. As a result:

- Slovakia’s Fico launched a furious campaign against Ukraine, showed up in Moscow via an unspecified route to “secure gas supplies”, then disappeared for almost two weeks except for a video message to threaten Ukraine with power cuts in retaliation. The location of the video recording was later discovered by OSINT investigators as a 6000 USD-a-night hotel in Hanoi, Vietnam. Over November-January, Fico flatly refused alternatives proposed by the EU and Ukraine - including compensation for foregone profits in Slovak’s transit of Russian gas to other countries. The retaliation threats against Ukraine - cuts of electricity supplies or reprisals against Ukrainian refugees in Slovakia did not fare well either with the public or with other EU members. Poland went as far as stating publicly it can compensate the shortfall in Slovakia’s electricity deliveries to Ukraine and closed its airspace when Slovak MPs tried to travel to Moscow over its territory. Fico’s desperate moves resulted in defections of his own MPs from his narrow Parliamentary majority, massive street protests, and complete isolation from other EU members (even Orban preferred not to be associated with Fico on his latest initiatives).
- the more experienced Hungary’s Orban played a longer game. In fact, Hungary’s imports via Ukraine were negligible in 2024, the country using the alternative Turk Stream route for most of its supplies. This did not stop Hungary to push along with Slovakia, Austria and, to a lesser extent, Italy for Ukrainian transit to be continued. Less vocal and more calculated than Fico, Orban suddenly threatened to block the

renewal of EU sanctions on Russia in January unless the Ukrainian transit is resumed, which prompted an immediate strong rebuff from Poland. Probably also Trump's statements in recent days, which surprised observers as more hawkish on Russia than expected, made Orban think twice about his position. After all, Trump would be unhappy if a EU member state weakens his bargaining position with Putin in a measure that continues Gazprom's dominance in a market which could be displaced instead by US supplies. However, Hungary is likely to play a much more strategic, long-term role seeking to re-consolidate Russia's energy grip in the region.

Why the transaction EON-MVM in Romania may be part of Russia's playbook

In summer 2024, the company EON initiated the sale of most of its Romanian supply business, which consists of about 50% of households and 8% of non-households for gas, as well as 17% of the total number of electricity buyers. Romgaz and OMV Petrom were interested in the takeover, but their offers in the tender amounted to some 120 mn EUR. This is what most analysts consider roughly the economic price of EON's share of the supply business, including EON's receivables from the state. Their offers were substantially outmatched by MVM, which offered over 200 mn EUR. The transaction, which now pends on a review of a committee for foreign direct investments (CEISD), was expected to be finalized after elections, when it could be easily passed below the radar. Even though elections were spectacularly botched, which meant that the main parties would still be in an electoral campaign for another few months and should not inflame the already nationalistic public opinion, PM Ciolacu made the mistake of welcoming Orban in Bucharest in December, likely to endorse the MVM deal. Several questions could not be avoided:

- why was MVM willing to pay double the market price for EON's supply business? Is a state-owned energy company in an authoritarian regime a purely commercial interest, or were there other reasons behind?
- why was another project, the gigantic (1770 MW) gas-fired plant to be built in Mintia get in December a special regime as a "project of national importance for Romania's energy security", which by coincidence preceded Orban's visit by a couple of days?

The scandal was significant enough to prompt a reaction from the intelligence community (which leaked info that they could spot a "Russian trail" behind the deal), and of the minister of energy, who became the most active warrior against the transaction, calling on both the EC and the CEISD committee to review it carefully. The ministry promoted quickly another piece of legislation which allows the state to essentially "de-privatize" certain assets. Whether the MVM-EON transaction was the real reason behind the law or not is an open question. It is

unclear how the Ministry of Energy, if so willing, could find the money to repurchase privatized companies, regardless how “strategic”, considering it is still 1 bn EUR behind payments to suppliers. Probably the most relevant question in the first place should have been: why was EON so eager to sell, if not precisely because it cannot recover receivables from the government within a reasonable timeframe?

The most worrying scenario is that MVM would have pushed for extended gas imports via Ukraine to deliver to EON’s current consumers. In the longer term, MVM would contribute to bridge the country’s gap between gas consumption and production (5.5 bcm by 2028, as explained above) with Gazprom’s output. Mintia, with a consumption of up to 2.5 bcm, would be one of the obvious clients in this case. To close the circle, this scenario would also explain why MVM was still pushing in 2024 for the Ukrainian route, while it procured gas almost exclusively via TurkStream.

- Last but not least, Russia sought to weaponize Moldova’s energy supply against Kyiv. After Gazprom’s unilateral cuts of supplies to the right bank in 2022 in violation of the existing contracts, Russian gas was being used only in Transnistria, which however sold electricity to the Chisinau-controlled part of the country. The deal was an apparent win-win: the right bank got cheaper energy, the left bank money needed also for the preservation of the status quo. From November-December, as discussions on the termination of the gas transit via Ukraine became more intense, it seemed increasingly likely that Gazprom would also stop deliveries for Kremlin-loyal Transnistria. Moldova’s energy minister Parlicov met with Gazprom in Sankt Petersburg to discuss the supply for the left bank, to which the Russians replied, in this precise order, that (i) Chisinau should pressure Kyiv for the extension of gas transit, and, only when this was rejected, (ii) that Chisinau should pay over 700 mn USD, a so-called historical debt not recognized by Chisinau after an international audit. In other words, the first condition was the continuation of the Ukrainian transit, and the second an alleged debt of 700 mn of the right bank for the deliveries on the left bank, which itself owes more than 11 bn never requested by Gazprom. No deal could be reached. Several points should be clearly understood from here. First, Transnistria could be easily supplied by alternative routes, on Turk Stream via Bulgaria and Romania, and Gazprom had the contractual obligation to do so. Second, that the alleged “breach by Chisinau” of the gas contract (non-settlement of the debt) would at most entitle Gazprom to cancel the contract altogether and seek redress in court, not to arbitrarily cut supplies as it has done since 2022. Third, that the “recovery of debts” is not for the alleged best economic interests of Gazprom’s shareholders: the company is more than willing to forego Transnistria’s 11 bn USD in non-payments and continued to supply the separatist region for decades without ever mentioning the increasing debts.

What Moscow wanted to achieve is first of all to mobilize the reformist government in Chisinau into leveraging additional pressure on Zelensky for the gas transit, as Orban and Fico were less credible in Kyiv. Of course, unleashing a completely avoidable humanitarian crisis in Transnistria, turbocharging Transnistria's so-called president and Moldovan pro-Russian politicians against the current pro-European government in Chisinau, and agitating the whole Moldovan public ahead of parliamentary elections in 2025 is also a valuable goal. Russian propaganda now blames Chisinau for "blocking gas access in Transnistria", whereas Chisinau mobilizes EU support for humanitarian aid to help people who found themselves stuck in cold and darkness, as well as jobless on the left bank. Whether Chisinau would be able to get to the hearts and minds of the people on both banks breaking through the thick veil of Russian propaganda is an open question. The more complicated matters of possible reintegration, recovery of illegally privatized assets such as Transnistria's power plant at Cuciurgan or the cement and steel industries, de-criminalization of the region, demilitarization and democratization, are incredible challenges to which few politicians and bureaucrats across the globe could find a solution. Last but not least, the frictions between pro-European political forces on precisely these topics play first of all into Kremlin's hands, rather than holding accountable in an effective manner the decision-makers in Chisinau.

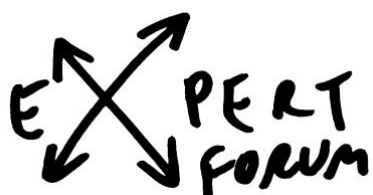
This is the landscape in which Romania has to think of its energy policy. Would Bucharest be able to rise to the challenge? To do so, it must focus its strategic vision on just a few matters.

1. **View Romania's energy sector regionally.** Our goal is not to have the best "national champions" or "domestic supplies for domestic consumption", but to ensure that the entire region, which includes EU and non-EU neighbors, part of a common European market, has access to energy supplies in the most competitive and liquid markets where no single supplier could call the shots. There is enormous potential for investments, justified both by the availability for a few years of almost 20 bn EUR free or cheap money, and by market conditions. Permanently displacing Gazprom and adjusting to the expected explosion of electricity demand in the next two decades mean that investors in gas and electricity have all possible economic incentives to rush to fill in the gap.
2. **Open the market.** In its previous iteration, liberalization of the gas and electricity market meant immediate and substantial price declines⁶⁰. Energy prices in recent years increased for one single reason, Russia's manipulation of supplies in the attempt to choke EU's economy and refocus it on internal problems rather than support for Ukraine. As explained, this strategy has largely failed consistently over the past 3 years. Market liberalization would accelerate investments thereby solving the fundamental underlying cause of high energy prices: the mismatch between demand and supply. The market would tighten further even without Russia's aggression, as

⁶⁰ In our Annual Report of 2022 we illustrated how gas market liberalization for households led to an immediate 20% decline in prices. <https://expertforum.ro/raport-anual-2022/>

explained, while the demand for electricity in particular will increase 2-3-fold in the next decades because of its new uses, from AI to electromobility or heating/cooling.

3. **Play on the European team.** So far, EU's experience during the energy crisis of 2022 and beyond shows that solidarity pays off, whereas playing against Brussels and for Putin leads to isolation, energy security risks or, at the most extreme, complete cuts of energy with little available alternatives - see the unfortunate Transnistria, where the Kremlin could not care less it starves also its own loyal citizens. Romania must avoid the trap to increase its own vulnerability for gas supply shocks by excessively increasing demand, exposing its energy sector to hostile takeovers by Russian interests, limiting the expansion of energy capacity by poorly designed policies, legislation and regulation, or fighting the very source of EU funds in the Green Deal.



Semilunei nr 7, apt 1
București, Sector 2
www.expertforum.ro