

(English version)

**Question for written answer E-002121/26
to the Commission
Nicolae Ștefănuță (Verts/ALE)
(22 May 2026)**

Subject: Notification and request for clarification: potential non-compliance with the EU rules on association, privacy and the GDPR, reported by 700 NGOs

On 18 May 2026, the Romanian Senate adopted legislative proposal No L 233/2026 supplementing Government Order No 26/2000 on associations and foundations, which has now passed to the Chamber of Deputies for debate and adoption.

Over 700 organisations have flagged up incompatibilities with EU standards in a letter (attached), amid a climate of ever-increasing pressure on civil society.

The bill imposes the requirement to publish the identity of donors, along with potentially disproportionate sanctions similar to those assessed in Case C-78/18 (CJEU, 2020).

Given its consistent commitment to protecting civil society, can the Commission answer the following questions:

1. Are the clauses on automatic suspension and dissolution compatible with Articles 12 and 7 of the EU Charter of Fundamental Rights, and might the requirement to publicly disclose a donor's identity constitute a disproportionate processing of data in the light of Article 5 of the GDPR?
2. What steps is the Commission planning to take to ensure that this legislative initiative is compliant with the European Democracy Shield and the EU Civil Society Strategy?
3. Should there be a risk of incompatibility with EU standards, what recommendations would the Commission make to the Romanian authorities to ensure that this legislative act does not unduly restrict civil society activities?

Submitted: 22.5.2026

**Answer given by Mr McGrath on behalf of the European Commission
(31 August 2026)**

The Commission acknowledges the crucial role that civil society plays in vibrant democracies, as underlined in the EU Strategy for Civil Society ⁽¹⁾ presented by the Commission in November 2025.

In particular, this Strategy puts forward a framework for action at EU and national level to engage with, protect, and support civil society. In this context, the Commission encourages Member States to provide for an open, safe and enabling environment for civil society.

As set out in the European Democracy Shield ⁽²⁾, engaged and empowered citizens and an active civil society are the backbone of democracy.

The Commission is aware of the Romanian draft legislation referred to by the Honourable Member and of the concerns expressed by a large number of civil society organisations.

The Commission is closely monitoring these developments, including when it comes to compatibility with EU law. The Commission also follows the situation regarding the role of civil society organisations as essential checks and balances in the context of the Rule of Law Report. The 2026 edition of the report was published on 17 July 2026.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025DC0790>.

⁽²⁾ https://commission.europa.eu/publications/2026-rule-law-report-communication-and-country-chapters_en.