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Demystifying Lobbying in Romania: Towards Ethical Governance and Transparency

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**Decebal-Mihai Mohîrță**

Government Relations & Public Affairs | History Fanatic | Knowledge Addict |

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The profession of lobbying, integral to the democratic fabric, often finds itself misunderstood, shrouded in misconceptions and undue skepticism. In Romania, where the lobbying industry navigates through evolving legal frameworks and strives for higher standards of self-regulation, it's crucial to illuminate its legitimate role in shaping policy and enhancing governance. This article delves into the legal contours that define lobbying in Romania, the industry's commitment to self-regulation, the persistent challenges it faces, the stringent compliance measures upheld by entities like Public Affairs Solutions, and the essential role of advocacy beyond private interests.

The Legal Framework of Lobbying in Romania: Aligning with European Norms

Romania's approach to lobbying is underscored by its efforts to align with European policies and requirements, emphasizing transparency and the active involvement of civil society in the policymaking process. This alignment is evident in the legislative and administrative measures designed to foster an open and participatory decision-making environment.



Attendance at an Event

At the Parliament Level

The legislative process in Romania is marked by its transparency and verifiability. Sessions of the plenum and the two chambers, the Chamber of Deputies and the Senate, are public, allowing anyone to attend and follow debates and voting. The entire legislative process is accessible online, detailing the journey of a bill from its initiation, through various reports and opinions from specialized committees or involved institutions like the Legislative Council and the Competition Council, to its final form sent for promulgation to the President of Romania. No stage or decision in the law-making process is hidden from public view, with transcripts and video recordings readily available on the chambers' websites.

The possibility for interested individuals to participate in public decisions at the level of the Romanian Parliament is not only guaranteed by the constitutional right

to petition, as stated in Article 51 of the Constitution, but also by the regulations of the two parliamentary chambers. These regulations recognize the legitimacy of representing personal or group interests in the legislative process and establish mechanisms through which interested parties can assert their legitimate interests.



Meeting with President of the Romanian Senate for OECD accession topics

At the Central and Local Administration Level

Ensuring the transparency of decision-making acts is a constant focus, supported by significant legislative measures such as Law 52/2003 on decisional transparency in public administration, Law 544/2003 on free access to public information, Government Ordinance No. 27/2002 on the activities of addressing petitions, and Law 62/2011 on social dialogue. These laws create legal mechanisms that not only provide the right to access public information, including decision-making processes, but also outline how this right can be exercised and defended in court if necessary.



Meeting with Public Stakeholders on Advocacy Issues in the Educational Domain

There is no doubt about the Romanian legislator's awareness and recognition of the importance of decisional transparency, as demonstrated by the adoption of laws aimed at ensuring and guaranteeing the right to participate in and access the decision-making process. The legal right to participate in public authority decisions is a given, not a privilege.

Formal Recognition of the Legality of Lobbying Activities

Lobbying activities in Romania have received both legal and judicial recognition. The legality of these activities is acknowledged by O.M.F.P.S. 1832/2011, an order approving the Classification of Occupations in Romania (COR), which legally recognizes and attests to the activity of a "lobbying specialist" at position 243220. Judicial recognition has been granted through the decision of a court to approve the establishment of an association of lobbying companies and professionals, namely the Romanian Lobbying Registry Association.

The Role of Self-Regulation: Elevating Standards within the Lobbying Industry

Recognizing the absence of a larger and comprehensive legislative framework specifically tailored for lobbying activities, the Romanian lobbying industry has taken significant strides towards self-regulation. This initiative is aimed at establishing ethical standards and practices that sustain public trust and uphold the integrity of democratic institutions.

Meeting at Ministry of Economy

Establishing Ethical Guidelines and Transparency

The self-regulatory framework comprises the Code of Ethics for Lobbying and Advocacy Practitioners, the Transparency Register for Lobbying and Advocacy Activities, and the Supervisory Commission of the Transparency Register. The Code of Ethics mandates that practitioners conduct themselves with the utmost ethical consideration, promoting transparency, honesty, integrity, and professionalism. By adhering to these principles, lobbyists and advocates contribute to a more informed and ethical public policy environment.

More about this at: <http://registruldelobby.ro/autoreglementarea-activitatii-de-lobby.html>

Addressing Misconceptions and Highlighting Compliance

The path of a lobbyist is fraught with misconceptions and skepticism. Upon revealing our profession at business events, questions immediately arise: Isn't lobbying illegal? Are we engaging in influence peddling? Who do we represent in Romania? Such queries not only demonstrate a widespread misunderstanding of our role but also highlight an industry-wide challenge: we excel at enhancing the public images and positions of various industries, yet we've somewhat overlooked our own. Each time the media conflates influence peddling with lobbying, associating our profession with negative connotations, it underscores our failure to communicate the legitimate and constructive nature of our work.

Networking

Consigliati da LinkedIn

Ensuring lobbying is open, transparent and legal

James Boyd-Wallis · 3 anni fa

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Luis Ramiro Díaz Briceño · 10 mesi fa

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Jakub Olek · 9 anni fa

The Compliance Advantage with Multinational Companies

In contrast to the misconceptions, our association with multinational companies serves as a testament to our industry's commitment to legality and ethical conduct. Most of our clients are multinational corporations with intricate due diligence and compliance policies. As third-party vendors, we are subjected to thorough checks and audits to ensure that our operations align with their stringent standards. This rigorous vetting process by our clients not only affirms our adherence to the highest levels of compliance but also enhances our credibility. It's a significant aspect of our operations, underscoring the fact that multinational companies, with their comprehensive due diligence and compliance frameworks, verify and validate our commitment to conducting business ethically and legally.

This relationship with multinational clients reflects positively on our industry, showcasing our dedication to transparency and ethical practices. It's a clear indication that, despite the challenges and misconceptions we face, our work is grounded in integrity and aimed at fostering productive, lawful engagements with public stakeholders.

Ensuring Compliance and Integrity: The Bedrock of Our Operations

Public Affairs Solutions embodies a culture of unwavering ethics and integrity, standing firmly against any form of bribery and corruption. This commitment is not just a statutory obligation but a core ethos that permeates every aspect of our operations. Our anti-bribery and anti-corruption policy lays the foundation for this

commitment, mandating adherence to the principles of integrity and transparency from every member of our team.

A Zero Tolerance Approach

The management of Public Affairs Solutions unequivocally demands compliance with legal norms, promoting a culture where bribery and corruption find no refuge. Our stance is clear: we maintain zero tolerance towards any act of bribery or corruption. Every reported, detected, or suspected violation undergoes thorough evaluation and investigation, leading to appropriate disciplinary measures in line with legal sanctions.

Safeguarding Whistleblowers

We ensure the protection of our employees against retaliation for refusing participation in corrupt practices or for reporting them. Encouraging the reporting of corruption-related concerns is integral to our ethos, fostering an environment where employees can voice suspicions without fear of repercussion. This open-door policy strengthens our compliance framework, ensuring that integrity remains at the forefront of our operations.

Risk Management and International Standards

Our commitment to combating corruption is supported by a robust risk management framework and the implementation of an Anti-Bribery Management System, compliant with ISO 37001 standards. This strategic initiative aims for "Zero Incidents of Bribery," reflecting our dedication to maintaining a clean slate of ethical conduct and legal compliance.

The Public Affairs Solutions Team

Empowering Our Anti-Bribery Manager

The enforcement of our anti-bribery measures is spearheaded by an Anti-Bribery Manager, who is endowed with the necessary authority, independence, and resources to effectively coordinate and oversee the anti-bribery management system. This role is crucial in ensuring that our commitment to integrity and compliance is not only professed but practiced, safeguarding our reputation and the trust of our stakeholders.

Public Affairs Solutions aspires to be a beacon of best practices in preventing and combating corruption. We are committed to not only adhering to applicable laws and regulatory requirements but also to continuously enhancing our performance in

this critical area. Our resolve extends to our partnerships, where we advocate for the same high standards of ethics and integrity. We reserve the right to terminate or avoid collaborations where corruption or fraud is suspected, underscoring our commitment to ethical business conduct.

More about our internal policy here: <https://publicaffairssolutions.ro/anti-bribery-policy/>

Advocacy Beyond Private Interests: A Focus on Preventing Ill-Conceived Legislation

In Romania, the lobbying industry, while still in its developmental stages compared to countries with a long-established tradition in this field, plays a crucial role in safeguarding the legislative environment against potentially harmful or inadequately researched laws. Unlike more mature markets where lobbying efforts might encompass broad, complex campaigns, in Romania, the focus is predominantly on a fundamental aspect of democratic engagement: ensuring that the private sector's perspective is accurately represented in the policymaking process.

Social Event

The Essential Role of Public Affairs in Romania

In approximately 80% of cases, the aim of lobbying in Romania is not to champion specific private interests but to ensure that the viewpoints of the private sector are adequately considered by the authorities. Too often, regulations are drafted without a comprehensive understanding of their potential impact on the ground, lacking thorough consultations with those who will be directly affected. Our role, then, transcends mere advocacy, we facilitate critical discussions and ensure the proper representation of the private sector in front of public stakeholders, enabling them to make more informed decisions. It's a personal belief of mine that engaging the private sector and investors in the legislative process enriches democracy, leading to more comprehensive and effective laws. This approach underscores the value of lobbying as a tool for enhancing the legislative environment and contributing to the democratic process.

Looking Forward: Regulation and Consultation

We welcome Romania's commitment, as part of its OECD accession process and National Resilience Plan, to introduce regulations governing the lobbying industry. It is crucial that these regulations are developed in consultation with industry

veterans who have over two decades of experience. Such collaboration will ensure that the legal framework reflects the industry's realities, promotes transparency, and upholds the highest standards of ethical conduct.

Conclusion

The journey of lobbying in Romania is a testament to the profession's commitment to enhancing democratic governance through transparency, ethical practices, and informed advocacy. By shedding light on the legal framework, self-regulation efforts, and the broader purpose of lobbying, this article aims to foster a deeper understanding and appreciation of the lobbying profession's role in shaping public policy and legislation.



Consiglia



Commenta



Condividi



41 · 6 commenti

Margareta Mucibabici

2 anni

Business & Public Affairs Leader | Board Member | Studying Migration | Ex UiPath | Tech for Good | Social I...

Well said, [Decebal-Mihai](#). Without communication and proper dialogue between the public and private sectors, I cannot see how sound policies and projects cognizant of actual needs can come to life.

Consiglia · Commenta | 1 reazione

Public Affairs Solutions

2 anni

An article worth reading! Check it out 🔍

Consiglia · Commenta | 2 reazioni

Teodor-Alexander Fabian

2 anni

Strategic Communications Associate

A really insightful perspective! Kudos, Decebal!

Consiglia · Commenta | 2 reazioni

Vedi altri commenti

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