



SUBSIDIES FOR POLITICAL PARTIES: The European experience and the situation in Romania

State subsidies to political parties:
the European experience and the situation in Romania



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Executive summary

This research has the purpose of analysing different models of allocation of state subsidies across the EU member states and to provide a more in-depth analysis of the Romanian model and its issues. Secondly, it aims to provide recommendations drawn from international standards and good practice, as well as from the models provided by other countries.

The allocation of state funding for political parties has become common in most EU member states in recent decades and in many cases, subsidies have become the main source of party income. Positively, this increase could reduce the high dependency on major private or commercial donors; increase political competition; increase the transparency of the political scene and could boost the capacity of political parties to develop policies and communicate with the public. On the other hand, bigger political parties could receive even more resources to boost their influence, while smaller and newer parties remain vulnerable and the already weak connection with political parties' members could be reduced even more.

There are significant differences when it comes to the amount of funds provided, regulations, oversight and transparency. The use of subsidies is not extensively defined by international standards and the different legal and practical arrangements are rather determined by the internal decision of the states. However, international standards and good practice underline the need of ensuring balance between private and public resources, and ensuring fair grounds for political competition and underline the need for proper oversight and transparency of these funds.

In Europe, there are different criteria in place related to eligibility, value, allocation of funds, timing of distribution, level of funding or ear-marking of funds. Furthermore, the funds can be managed and distributed by different types of institutions, including election authorities, ministries or other departments within the Government or the Parliament.

Regulations differ when it comes to the allowed expenditure of state subsidies. 16 countries do not have regulations regarding the use of funds. However, the practical experiences show that funds are used mainly for campaigning (many countries allow the use of subsidies for election campaigns), propaganda and staff.

Specifically, in Romania, the value of subsidies has increased significantly after 2018 and is one of the highest in Europe, generally considered too high for the financial landscape in the country. Furthermore, the Permanent Electoral Authority (PEA) which acts as the oversight body for political finance has an outsized discretion to set the budget compared to many other countries within the established very generous limits and lacks transparency in its budget design, having a potential politicized behavior.

Additionally, the particular case of Romania shows that the high value of subsidies has allowed political parties to use these funds for massive media buying campaigns outside the electoral periods with no transparency mechanisms. The issue of

transparency, together with the manner in which these funds reduce the independence of the media, have also been underscored in several international monitoring reports. Although the parliament drafted a bill to regulate some of these issues, the context indicates that there may not be sufficient political support to fully improve transparency.

In short, the major issues in Romania, detailed in the report, are that:

- The value of subsidies has constantly increased in recent years
- The PEA is increasing the annual value of public subsidies with little to no transparency or public justification
- The PEA acted in the recent years more in the interest of the political parties than an independent oversight body
- Parties are continuing to receive heightened funding from the state, and some of them are amassing these resources which are not returned to the government if they are unused;
- Public subsidies are increasingly being used to influence media coverage or political parties, even between elections; and
- The general public cannot clearly understand if the news or other media productions are genuine or paid materials which reflect political goals.

The scope of the research

This research has the purpose of analysing different models of allocation of state subsidies across the EU member states and some other European states and to provide a more in-depth analysis of the Romanian model and its issues. The structure of the report aims to answer key questions regarding the approval, allocation, expenditure, management, transparency and oversight of these funds. The final section provides recommendations drawn from international standards and good practice, as well as from the models provided by other countries.

Principles of state funding in Europe

Council of Europe Recommendation Rec(2003)4 establishes that "the state should provide support to political parties" and "State support should be limited to reasonable contributions." Furthermore, "State support may be financial. Objective, fair and reasonable criteria should be applied regarding the distribution of state support. States should ensure that any support from the state and/or citizens does not interfere with the independence of political parties."¹

The *2020 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation*² underscores that allocation of state support for political parties has become a standard practice, seen as a means to reduce corruption and to remove undue reliance on private donors. However, the allocation of subsidies should also aim

¹ See Recommendation Rec(2003)4 of the Committee of Ministers of the Council of Europe to member states on common rules against corruption in the funding of political parties and electoral campaigns, adopted by the Committee of Ministers of the Council of Europe on 8 April 2003.

² See [2020 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

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to ensure a level playing field, while the mechanisms through which the funds are allocated should ensure clarity on the amounts. Funds need to be allocated to recipients according to objective and unbiased criteria. Furthermore, the legislation should ensure a balance between private and public funding, while the allocation of public funding should not affect the independence of the political party.

Secondly, the *2009 Venice Commission Code of Good Practice in the field of political parties* underlines that “political parties must have access to it [public funding] subject to possible minimum requirements. The latter must be reasonable and non-discriminatory.”

The *2020 Guidelines on Political Party Regulation* emphasize that “legislation should put in place review mechanisms aimed at periodically determining the impact of current public financing and, as needed, altering the amount of funding allocated. Generally, subsidies should be set at a meaningful level to fulfil the objective of providing support, but should not be the only source of *income or create the conditions for over-dependency on state support.*”³

The ascension of state subsidies

The allocation of state funding for political parties has become common in most EU member states in recent decades. In many cases, state subsidies have become the main source of income for political parties, sometimes exceeding 90% of total party income.⁴ At global level, there have been two main periods when direct public funding was introduced: the first was between 1965 and 1980, while the second one started in 1989 and lasted until 1998. The number of countries which adopted such systems increased from seven in 1964 to 36 in 1988 and 69 in 1998. Europe had the highest increase in introducing public funding systems, while after 1989 Central and Eastern Europe were the leading areas.⁵ See *appendix B for the year of introduction of subsidies.*

The European history of political funding from the recent decades has highlighted two currents: the one more frequent in many Western countries, where political parties had a stronger membership and started allocating public funding since the '60s and '70s and the second one, in post-communist democracies, where newer political parties had to develop their support steadily after the '90s. Historically, in some established democracies such as Germany, the Netherlands and some Scandinavian countries, the members of political parties, unions or other legal entities have heavily

³ [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2020\)032-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2020)032-e)

⁴ The report “[Financing of political structures in EU Member States](#)”, published by the European Parliament in 2021 shows that in many of the EU countries the proportion of subsidies (either for annual financing or for elections) represents over 60-70% of the political party funding. See pages 15-16 for an estimated share of public funding in total income of political parties. See also statistics for 1990-2012 in Ingrid van Biezen, Petr Kopecký, [The Paradox of Party Funding: The Limited Impact of State Subsidies on Party Membership](#) in Susan E. Scarrow (ed.) et al., “Organizing Political Parties: Representation, Participation, and Power”, 2017.

⁵ Dr. Magnus Öhman, “[Global Trends in The Regulation of Political Finance](#)”, 2011, pp. 5-6.

supported the activities of the parties. In Finland, more visibly, most of the funding of political parties came from state subsidies.⁶

This was generally not the case in former socialist countries, where political parties had to build up their base and gather comparatively sparse public support. Furthermore, struggling democracies also had to fight the dominant influence of oligarchs, which controlled political parties. Therefore, the importance of subsidies in Central and Eastern Europe or the Balkans seemed to be heightened for a number of years compared to the more consolidated democracies. Indeed, research published in 2017 highlighted that the value of subsidies tends to be higher and more regulated in some recent democracies from Southern and Eastern Europe.⁷ At this point, countries in which member fees still play a primary or pivotal role in party financing are rather limited. Even democracies with consolidated party history such as Germany, the Netherlands and Denmark, have experienced a relative decrease of financial support from members.

The increasing import of state subsidies has positive and negative aspects. Positively, access to subsidies could in principle: reduce the high dependency on major private or commercial donors; increase political competition; and increase the transparency of the political scene. Furthermore, the allocation of public funds could boost the capacity of political parties to develop policies and communicate with the public.

On the other hand, bigger political parties could receive even more resources to boost their influence.⁸ The increasing allocation could further reduce the already weak connection with political parties' members. The increased infuse of public funds into big parties, with less attention towards the more vulnerable ones, could reduce political competition and increase the gap between established and newer parties, if allocation criteria are not inclusive. Lastly, the high percentage of subsidies from the total income of political parties could generate a dependency of the party from the state. However, each of these aspects need to be taken into consideration individually for each country, as there is no single pattern governing political finance throughout Europe.

The European experience of state funding

Most countries, with very limited exceptions, allocate subsidies to political parties. Italy removed such mechanism in 2017, a measure that was criticized by many.⁹ Malta provides only parliamentary support and not direct subsidies according to election results. Hungary underwent a major cut of subsidies (50%) in 2020, a measure which

⁶ Jon Pierre, Lars Svåsand & Anders Widfeldt, ["State subsidies to political parties: Confronting rhetoric with reality"](#), 2000, p. 6. When introduced, more than 90% of the funding received by political parties came from state subsidies.

⁷ *Ibidem*, pp. 84–105.

⁸ See Vít Šimral, ["The Funding and Oversight of Political Parties and Election Campaigns in East Central Europe"](#), 2015, p.8.

⁹ See [2022 Early Parliamentary Elections ODIHR Needs Assessment Mission Report](#) for Italy

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was considered to affect mostly the opposition parties.¹⁰ There is also no direct public funding of political parties in Belarus or Switzerland.

State support can be allocated for different purposes: to support contestants which are part of an election campaign (e.g. Serbia, Hungary), to fund political parties or independent candidates according to the election results, or to reimburse the election expenditure (e.g. France, Romania, Ireland, Czech Republic).

From the organizational point of view, support can be provided to political parties, organizations connected or set-up by political parties, or to parliamentary groups.¹¹ More rarely, such as in Denmark, subsidies can be provided to lists of candidates. Some countries, such as Sweden have dedicated funds for women's wings of political parties,¹² while others, such as Spain or Austria, allocate funds for political organizations (foundations or similar entities) which are related to the political parties. 19 of 23 EU member states for which data was available for 2020, provided direct support for parliamentary groups. In 2021 a total of 22 EU Member State provided free airtime for political parties during the election campaign.¹³

Overall, there are significant differences when it comes to the amount of funds provided, regulations, oversight and transparency. The use of subsidies is not extensively defined by international standards and the different legal and practical arrangements are rather determined by the internal decision of the states. International standards and good practice do not define specific limits; however, they refer to ensuring balance between private and public resources, and ensuring fair grounds for political competition¹⁴. Furthermore, standards underline the need for proper oversight and transparency of these funds.

Eligibility and allocation of state funding

The European experience

The practice of allocating state subsidies may differ from one country to another and there are several examples across the Europe. Differences occur when it comes to eligibility, allocation criteria, timing of distribution, level of funding or ear-marking of

¹⁰ Freedom House, [Freedom in World 2021, chapter on Hungary](#).

¹¹ Firstly, subsidies were allocated to political groups in parliaments, while the support of the national political organizations developed afterwards.

¹² In [Sweden](#), 55% of the funds are allocated to basic support and 45% according to mandates obtained by political parties. Funds are allocated for women's organizations within or in connection with political parties that are represented in the Parliament. Funds are approved by a [Party Subsidy Board](#), composed of judges and appointed for six year mandates. In 2023, the women's organizations of the parliamentary parties [received](#) SEK 14,999,660 (EUR 1.3 mil.). For more models of gender targeted funding see Dr. Magnus Öhman, ["Gender-targeted Public Funding for Political Parties. A comparative analysis"](#), 2018.

¹³ European Parliament, [Financing of political structures in EU Member States](#), 2021, p. 15.

¹⁴ References to subsidies are included in the 2020 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation, the 2009 Venice Commission Code of Good Practice in the field of political parties, The 2020 Guidelines on Political Party Regulation.

funds.¹⁵ For example, when referring to eligibility, most European states allocate funding based on representation in elected body (26 out of 44 countries), share of votes in previous election (28), share of seats in previous election (14) or participation in election (12) or a mix of these practices.¹⁶ In most cases, there is actually a mix of different criteria. The most frequent combination involves the representation in elected body and the share of votes in previous election. While all countries take into consideration the results from parliamentary elections, the schemes are rather different when it comes to other types of elections.

*Table 1: Eligibility criteria for political parties to receive subsidies, 44 countries.
Source of data: [International IDEA](#)*

Eligibility criteria	Country (ies)	Total countries with stated criteria
No data	Monaco	1
Not applicable (no state funding)	Belarus, Italy, Malta, Switzerland	4
Representation in elected body	Belgium, Finland, Spain, United Kingdom	4
Representation in elected body, Participation in election	Montenegro	1
Representation in elected body, Share of seats in previous election	Bosnia and Herzegovina, Liechtenstein	2
Representation in elected body, Share of seats in previous election, Number of members, Registration as a political party	Netherlands	1
Representation in elected body, Share of seats in previous election, Participation in election	San Marino	1
Representation in elected body, Share of votes in next election, Participation in election	Croatia	1
Representation in elected body, Share of votes in previous election	Austria, Czechia, Luxembourg, Norway, Sweden, Ukraine	6
Representation in elected body, Share of votes in previous election, Number of candidates nominated	Greece	1
Representation in elected body, Share of votes in previous election, Number of candidates nominated, Participation in election	Portugal	1
Representation in elected body, Share of votes in previous election, Participation in election	Iceland	1
Representation in elected body, Share of votes in previous election, Registration as a political party	Lithuania	1

¹⁵ See more about these differences in Elin Falguera, Samuel Jones, Dr. Magnus Öhman, [“Funding of Political Parties and Election Campaigns”](#), 2014, p. 25.

¹⁶ See International IDEA [Funding of Political Parties and Election Campaigns](#) and [Political Finance Database](#).

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Representation in elected body, Share of votes in previous election, Share of seats in next election, Participation in election	Serbia	1
Representation in elected body, Share of votes in previous election, Share of seats in previous election, Participation in election, Registration as a political party	Estonia, Germany, Moldova, North Macedonia, Slovakia	5
Share of seats in previous election	Cyprus	1
Share of votes in previous election	Bulgaria, Denmark, Latvia, Russia, Slovenia	5
Share of votes in previous election, Number of candidates nominated	France	1
Share of votes in previous election, Registration as a political party	Andorra, Ireland	2
Share of votes in previous election, Share of seats in previous election	Romania	1
Share of votes in previous election, Share of seats in previous election, Number of candidates nominated	Hungary	1
Share of votes in previous election, Share of seats in previous election, Participation in election, Registration as a political party	Poland	1
Share of votes in previous election, Share of votes in next election, Share of seats in previous election	Albania	1

When it comes to the allocation calculation, equal allocation is to be found in 15 countries, proportional to votes received in 26 states and proportional to seats received in 20 countries, while different combinations are found in most cases. The most frequent combination is between proportional to votes received and proportional to seats received.

*Table 2: Allocation calculation for political parties to receive subsidies, 44 countries.
Source of data: [International IDEA](#)*

Criteria for allocation calculation for political parties to receive public funding	Country (ies)	Total countries with stated criteria
Equal	Cyprus, Latvia	2
Equal, Proportional to seats received	Bosnia and Herzegovina, Greece	2
Equal, Proportional to seats received, Number of members	Netherlands	1
Equal, Proportional to votes received	Belgium, Liechtenstein, Luxembourg, Montenegro, Norway, Portugal, Slovenia	7
Equal, Proportional to votes received, Proportional to seats received	North Macedonia, Serbia	2
Equal, Proportional to votes received, Share of expenses reimbursed	Ukraine	1

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Flat rate by votes received	Denmark, Russia	2
Flat rate by votes received, Proportional to seats received	Germany	1
No data	United Kingdom	1
Not applicable	Belarus, Italy, Malta, Monaco, Switzerland	5
Proportional to candidates fielded	Andorra	1
Proportional to seats received	Finland, San Marino, Sweden	3
Proportional to votes received	Bulgaria, Iceland, Ireland, Romania	4
Proportional to votes received, Flat rate by votes received, Proportional to seats received, Share of expenses reimbursed	Albania	1
Proportional to votes received, Other	Lithuania	1
Proportional to votes received, Proportional to seats received	Austria, Croatia, Czechia, Estonia, France, Hungary, Moldova, Poland, Slovakia, Spain	10

The appendix to this report details some of the diverse models used in the EU states and highlights, where possible, the positive and negative impact of the respective formula.

The Romanian experience

In **Romania**, subsidies are allocated according to the number of votes received in the most recent parliamentary and local elections, under the following formula:

- 75% of the annual budget granted to parties in proportion to the number of votes received in the parliamentary elections if they have passed the 5% electoral threshold
- 25% to parties which received in the election of county councilors and general councilors within the municipality of Bucharest, if they have obtained at least 50 mandates. The later provision does not necessarily provide smaller political parties with access to funds.

After the 2020 elections, only two political parties received subsidies based on local election results. These two parties (Pro Romania and Popular Movement Party - PMP) had previous parliamentary representation and barely missed joining the newly formed parliament.¹⁷

The subsidy is paid monthly. Pulling from the budget of the PEA, each party's subsidies are deposited into a dedicated party account. These revenues have to be marked distinctly in the accounting records of political parties. The Romanian legislation does not provide for an exact amount per vote and prescribes an interval from 0.01% to

¹⁷ The threshold for parliamentary elections is five%. PMP obtained 4.82%, while Pro România obtained 4.09%. A list of political parties which received subsidies since 2006 [can be consulted on www.banipartide.ro](http://www.banipartide.ro).

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0.04% of the GDP be set apart for political subsidies on an annual basis. A calculation for each party is performed according to elections results within these limits and as set in the annual budget, based on a formula prescribed by the law. In theory, the total subsidy budget can amount to approximately EUR 80-90 million.¹⁸

A major amendment to the Political Party and Campaign Finance Law no. 334/2006 approved in 2018 by the Parliament, which was highly criticized by the civil society and media, increased the ceiling from 0.01% to 0.04% of the state budget revenues to the same percentage reported to the gross domestic product (GDP). This amendment translates into a major augmentation of funds.¹⁹ In practice, the 2018 amendments increased the value to approximately EUR 37 million, while in 2016 all political parties received some EUR 3 million.²⁰ The ODIHR 2019 Final report for the presidential elections highlighted that the "increase could potentially affect the level playing field at the expense of newly established parties and independent candidates".²¹ According to the law, political parties could have received more public funds even before the 2016 and 2018 amendments, but it was never allocated more than 1-2 million EUR. As the data shows, some of the major parties were heavily financed by private donors, which represented the bulk of the funds, therefore the interest in state subsidies may have been more reduced.²²

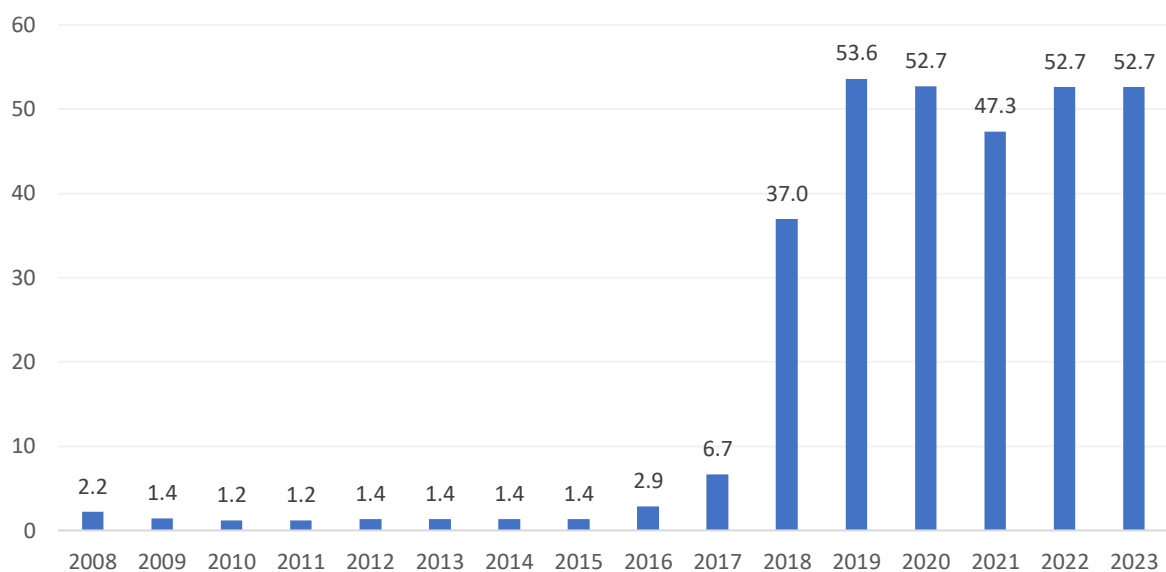


Figure 1: The annual value of subsidies, mil. EUR. Source: www.banipartide.ro

¹⁸ Expert Forum and other civil society organizations have constantly requested for the decrease of funds allocated to political parties. See the letters sent in [December 2021](#) or [August 2022](#) to the Government and leaders of political parties.

¹⁹ Paradoxically, the amendment was supported by Mircea Drăghici, the former treasurer of the Social Democrat Party, who has been convicted for illegal spending of subsidies for personal interest.

²⁰ Read more in EFOR's report [The budgets of the Romanian political parties](#), 2019. Also, consult www.banipartide.ro, a platform developed by EFOR illustrating political finance since 2006.

²¹ [ODIHR 2019 Election Assessment Mission, Romania Presidential Election.](#)

²² See EFOR's report ["Financing political parties in 2021"](#).

Some states impose ear-marked allocations of funds from state subsidies to ensure gender equality or provide bonuses for such objectives.²³ In Romania, political parties receive double proportional funds for women on election lists. However, in the Romanian case there is no direct evidence that the number of women candidates has increased or that political parties made intensive use of this opportunity. France, Ireland and Luxembourg impose penalties and reduce public funding of a party, if it fails to respect gender parity in its electoral list.²⁴ Furthermore, some legal requirements impose that political parties should spend a certain percentage on political activities or women or youth. Finnish regulations require parties to use 5% of subsidies on women's political activities, as well as 5% on the activities of the parties' district-level organizations.

When it comes to the total value of subsidies received by political parties, Romania follows closely some of the EU members states where subsidies are institutionalized since the '60s, meaning mostly the Scandinavian space, Germany or Austria, with an allocation per capita of 2,8 EUR. And the calculation does not take into consideration the funds for reimbursement and other types of subsidies, which adds an extra 2 EUR for the 2020 parliamentary elections and 1,3 EUR for the 2020 local elections. Therefore, while not reaching the maximum potential of allocation according to the cap, the Romanian political parties were very well funded in the recent years.

Further, according to some civil society representatives and other experts, the overall ceiling for subsidies in Romania could be reduced.²⁵ The current cap is currently considered to be too high, considering the increasing economic power of parties. Statistically, Romania has one of the highest values for state subsidies per capita following some of the Scandinavian countries.²⁶ So far, the allocated sums have not surpassed 50-60% of the maximum potential value. However, this does not mean that additional funds will not be allocated to parties in the near future.

Table 3: Estimated share of public funding in total income of political parties²⁷

Country	Funding for ordinary activities	Funding for electoral activities	Funding for both ordinary and electoral activities	Approximate public funding of political parties per capita (EUR)
Austria			70% ^A	3.3
Belgium			80%	2.9

²³ See more statistics about gender related support on [International IDEA's database](#). Also see Dr. Magnus Öhman, [Gender-targeted Public Funding for Political Parties. A comparative analysis](#), 2018

²⁴ European Centre for Parliamentary Research and Documentation, [Statute and funding of Political parties and Foundations](#), 2021.

²⁵ See a comparison in ["Financing of political structures in EU Member States"](#), p 15-16.

²⁶ As the PEA initiated a public debate to amend Law 334/2006 regarding the financing of political parties and election campaign, a coalition of CSOs including Expert Forum proposed lowering the ceiling. Furthermore, the chair of the PEA declared in a public statement that would establish a limit of 100,000 salaries, which could mean around 50 mil EUR per year.

²⁷ The table is published in the report published by the EU Parliament, ["Financing of political structures in EU Member States"](#), pp. 15-16

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Bulgaria			80%	
Croatia			78%	
Cyprus	86%			
Czech Republic			58%	2.3
Denmark				2.8
Estonia	79%		56%	4.15
Finland			85%	5.4
France	60%	60%		1.20
Germany			30% ^B	2.30
Greece	67%		76%	
Hungary				0.35 (2020)
Ireland	84% ^C			1.70
Italy	0%			0
Latvia	94% ^D			
Lithuania	73%	62%		2
Luxembourg	55%			4.90
Malta	1% ^E			0.20
The Netherlands				0.96 ^F
Poland	75%	40%		0.44
Portugal	55%			
Romania				2.64 ^G <i>The calculations in 2023 show that the value increased to 2,8 EUR.</i>
Slovakia	63%			2.20
Slovenia				
Spain	80%	21%		1.13
Sweden				4.8 ^H

Table Notes

^A Public funding can be used for any purpose, including for financing of election campaigns.

^B Public funding can be used for any purpose, including for financing of election campaigns.

- C The figure does not include financial details for party branches or other subsidiary organisations of political parties.
- D Until the end of 2019, political parties in Latvia relied heavily on private donations, with public funding reaching some 35% of their total income. As a result of the amendment of the Law on Financing of Political Parties that entered into force on 1 January 2020, the public funding has significantly increased with objective to decrease the dependency of political parties on and lobby of external donors.
- E In Malta, there are no legal provisions related to public funding provided to political parties or candidates for their political or campaign activities. The parliamentary parties nevertheless receive €100,000 on an annual basis to support their legislative activities, which is reflected on their total income.
- F Includes funding for ancillary institutions
- G Estimate is for ordinary funding only.
- H Data is for parliamentary parties only.

Institutional mandate of distributing state funds

The European experience

The funds are managed by different types of institutions: election authorities, ministries or other departments within the Government. In many cases presented below, the value of subsidies is rather fixed and can be adjusted according to economic factors and fluctuations. In some cases, the decision to set the upper limits belongs to the Parliament or the Government. In other cases, even though there are certain lower and upper limits, the flexibility of the oversight body or the institution in charge to allocate the funds is rather limited. As the analysis shows, Romania is an example in the opposite direction, as it allows quite a discretionary authority to its oversight body to establish budgets and to increase their limits.

In Austria, the Federal Chancellery receives requests for subsidies. In Denmark, the Ministry of Interior manages national level requests, while municipal and regional councils are responsible for the lower-level requests and payments. In the Czech Republic, the Ministry of Finance receives requests and manages payments and can also suspend the payments in case of non-compliance with reporting regulations. In Latvia, calculations and the disbursement of funds are handled by the Corruption Prevention and Combating Bureau (KNAB), while in Lithuania the allocations are made by the Central Election Commission.

In Germany, political parties must request payment of subsidies from the President of the Bundestag by September for of each year. The president establishes the annual amount of funds to be disseminated, based on the limit prescribed by the law, and transfers the funds to the eligible political parties. In Finland, the parties have to request funding from the Government Office, which also transfers the funds, while oversight is performed by the State Audit Office. In Croatia, funds required for the work of political parties are allocated by a parliamentary committee²⁸.

²⁸ According to [Law on the financing of political activities, election campaigning and referendums](#)

The Romanian experience

In Romania the PEA disseminates subsidies, on a monthly basis. In practice, the PEA proposes the annual budget for subsidies²⁹ - within the limit of 0.01-0.04% of the GDP. Then the Ministry of Finances includes the proposed total in the annual budget, and the parliament can amend the total sum. The law includes a formula of allocation according to votes obtained, but it only applies when the total value of funds available for subsidies is decided. In recent years, budgets for subsidies have been quite diverse – with values trending higher.

Additionally, the PEA **has increasingly requested additional funds during annual budget rectifications**, which usually take place in August and December.³⁰ In 2021, for example, the annual value was increased from EUR 32 mil. with some additional EUR 18 mil. (some EUR 50 mil.)³¹. This was an increase of approximately 56%. However, the management of the PEA had initially requested EUR 56 mil., which would have led to a total of EUR 90 mil., the highest sum ever. The final value was limited during the approval process.³² In 2022, political parties received additionally EUR 5 mil, again at the proposal of the PEA.

In this context, civil society, including Expert Forum and the media, repeatedly contested the request for additional funds. They noted that the budget elaboration and request procedures are rather obscure, and are submitted without any explanation, which would need to be accessible to the public. Furthermore, it was not clear why political parties needed more funds considering that in 2020 and 2021, they did not spend more than 50-60% of what they have received. In this context, it is clear that the role of the PEA has become political. It can decide in quite large margins, which should not be the role of such institution, as described above.

In other words, the PEA has outsized discretion and lacks transparency in its budget design and request processes and should not decide by itself to request for more money or to significantly increase the state budgets.

²⁹ There is no public evidence on how the annual values are decided.

³⁰ In September, the Government approved an increase of some EUR 5 mil for political parties. Expert Forum, supported by other society organizations requested such practice to be stopped. Furthermore, it distributed to the leaders of the political parties [an open letter](#) supporting this request.

³¹ Several CSOs [protested](#) against these allocations, especially due to the fact that decisions were taken although the prime minister publicly promised to reduce the allocations for subsidies.

³² See EFOR policy brief 153, "[Subvențiile pentru partidele politice: creșteri ale cheltuielilor, populism și rectificări bugetare fără justificare](#)", August 2023.

Clearly, the current legislation gives quite a flexible mandate to the PEA. Processes for requesting additional subsidies are not clearly regulated - and it is not clear if political parties are requesting more funds, or if the increased budget requests for subsidies are coming at the initiative of the PEA³³. In this specific case, such actions of the PEA could be perceived as biased and political, though its mandate is to act as a neutral oversight body. Under the Freedom of Information Act (FOIA), EFOR requested clarification around the impetus for, and legal grounds by which the PEA is taking such measures. This action was based on the principle that information about the public financing of political parties must be made available to the public. In response, the PEA responded without any proper justification that the requested information is not subject to public access. This is in spite of regulations of the FOIA act, according to which the PEA should justify its decisions. Subsequently, the Expert Forum contested the PEA's denial to release the information in court, and won in the first instance. An appeal was pending for June 2023 and was extended to November 2023. However, the new leadership of the PEA granted access to the requested information one day before the deadline.

Information about the public financing of political parties must be made available to the public.

The information obtained by EFOR highlights that³⁴:

- There were not requests for additional funding submitted by political parties. Therefore, it was the sole decision of the PEA to propose additional funding.
- There is no clear legal basis which allowed the PEA to request such funds, while the institution mentioned a very vague legal provision referring to the general ceilings for allocating state subsidies;
- The general unwritten rule regarding the value of annual budgets for subsidies is that the PEA tries to keep the same total allocation for parties. This does not seem to keep into consideration the actual needs or how much funds parties spend in practice.
- PEA did not act as an oversight body, but rather took decisions in the favour of political parties.

Further, EFOR has proposed an amendment to the Political Party and Campaign Finance Law no 334/2006 regarding political financing. It is aimed at preventing subjective requests for increased funds for state subsidies – and calls for all future decisions about funding levels for subsidies to be made in the Parliament: Taking into consideration that the PEA is an oversight body, *it should not have attributions to request for more subsidies on this own, without transparency and without clear legal regulations.*

³³ According to its statute, the PEA is led by a collegial council, whose meetings or meeting notes are not public. The PEA college is composed of the president, vice-presidents, the secretary general, the deputy general secretaries and the heads of departments who occupy management positions corresponding to the first hierarchical level. The council debates its work and policies.

³⁴ See chapter III of EFOR's policy brief 153, "[Subvențiile pentru partidele politice: creșteri ale cheltuielilor, populism și rectificări bugetare fără justificare](#)", August 2023.

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Oversight institutions and similar bodies that are responsible for distributing subsidies should not have the power to increase or decrease allocations based on subjective criteria. This should be the decision of the Government and/or the Parliament.

A more predictable measurement system should be included in the law, *to set clear, less arbitrary levels for subsidy allocation.* For example, the legislation could prescribe a value per vote, which could be indexed yearly by decision of an administrative institution, under a general annual ceiling, established by the law.³⁵ The downside with a system of this kind could be that (since the total cost will depend on voter turnout for eligible parties)

the total sum cannot be determined in advance, which could complicate the budgeting process. However, on a positive note, the cost per vote formula may inspire political parties to engage more with voters, in order to ensure higher turnout.

Permitted uses of state funds

The European experience

Regulations differ when it comes to the allowed expenditure of state subsidies. At the regional European level, 17 countries allow for subsidy spending in campaigns, 18 ongoing party activities, 7 refer to intra-party institutions and 11 to research and policy initiatives; in 16 countries there are no specific earmarking regulations.³⁶ These categories of expenditure may overlap, as the same country may often earmark different parts of the public funding for different purposes.

Table 4: How state subsidies to political parties may be used

Spending Category	Country (ies)	Total Country (ies) allowing spending on specified category
Campaign spending	Albania	1
Campaign spending, No earmark provision	Croatia	1
Campaign spending, Ongoing party activities	Andorra, Bulgaria, Lithuania, Luxembourg	4
Campaign spending, Ongoing party activities, Intra-party institution	Latvia, Ukraine	2

³⁵ In Bulgaria, parties obtaining 1% in parliamentary elections or coalitions obtaining 4% receive a sum per vote, established yearly through the state budget. According to the [2021 ODIHR LEOM final report](#), "In 2020, BGN 15 million was allocated to four parties and two coalitions; GERB received almost half of the amount."

³⁶ See [International IDEA's Political Finance Database](#).

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Campaign spending, Ongoing party activities, Intra-party institution, Research and policy initiatives	Moldova, Slovakia, Netherlands	3
Campaign spending, Ongoing party activities, Other	Spain	1
Campaign spending, Ongoing party activities, Research and policy initiatives	Greece, Poland, Serbia	3
Campaign spending, Research and policy initiatives	North Macedonia	1
Campaign spending, Research and policy initiatives, Other	United Kingdom	1
Ongoing party activities	Romania, Slovenia	2
Ongoing party activities, Intra-party institution, Research and policy initiatives	Ireland, Montenegro	2
Ongoing party activities, Research and policy initiatives	Liechtenstein	1
Realize the objectives and to attain the goals provided in the charter and program of a political party.	Russian Federation	1
No earmark provision	Austria, Belgium, Bosnia and Herzegovina, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Monaco, Norway, Portugal, Sweden	16
No data	San Marino	1
Not applicable (no subsidies are allocated)	Belarus, Italy, Malta, Switzerland	4

Most countries allow the use of subsidies for election campaigns. Denmark has a wide definition of use of these funds, referring to “political activity”. Scandinavian states do not impose earmarking limitations. Countries such as Croatia, Germany, Hungary and Portugal allow subsidy expenditure related to the functioning of the party, and pursuit of objectives.³⁷ In Austria, political parties are allowed to use subsidies in development of their policy platforms at the federal level. In Finland, subsidies are granted to support the political activities of parties, and to support awareness raising and public communications activities. Reports from Finland show that in most parties, some 40-50% of subsidy funds are spent on staff.³⁸

In Latvia, political parties can use subsidies for their political and economic activity, including office expenses, political party activities (such as seminars, congresses, conferences, research works, surveys, youth organization events, consultations) and communication with the society, including for political agitation. Lithuanian legislation clearly defines the use of subsidies, including elections, services, social costs and others. In the Netherlands, subsidies can be spent for political education and training activities; provision of information; maintaining contacts with sister parties outside the

³⁷ European Centre for Parliamentary Research and Documentation, [Statute and funding of Political parties and Foundations](#), 2021.

³⁸ See the 2021 [reports](#) of the political parties.

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Netherlands and supporting education and training activities for the benefit of those parties or political science activities.

The Romanian experience

In Romania, funds can be used on expenditure related to the functioning of the political parties and for election campaigns, according to a series of amendments in 2019 and 2020. Currently, the law does not impose any percentual limits for certain kind of expenditure for general expenditure, but prescribes a clear list of expenses which can be made from these funds, including office related expenditure, salaries, propaganda and media, legal support and others. However, there are overall ceilings for the electoral period (how much a party can spend apart from the candidates), which also apply to expenditure connected to subsidies. Therefore, in practice, a political party could spend 99% of the funds on staff or on advertising outside the elections. Furthermore, subsidies can be used heavily in the pre-campaign period for promotion, while the legislation does require political parties to include such expenses in the election reports, but only in the annual reports, mixed with the rest of information on party expenditure³⁹.

A draft law proposed by the PEA, debated in November 2022 and submitted by the Social Democrat Party in the Parliament in April 2023 proposed the limitation for expenditure for different types of expenditure funds.⁴⁰ Most countries do not impose such limitations, as political parties should have their flexibility in deciding how to spend funds. One of these countries which imposes such limits is Latvia, where a party

In practice, there should be no issue that political parties use public funds to promote themselves. Legal frameworks in the countries referred to in this report allow the use of public funding for advertising or communication with the public. In the end, the purpose of subsidies is to support the development of parties and their communication activities with the public.

cannot spend more than 60% of funds for any kind of regulated category.⁴¹

Outside the electoral periods, political parties spend funds extensively on media and propaganda. In most cases, this translates into the two major parties – Social Democrats and Liberals – paying up to EUR 20 million yearly to consultancy companies and media outlets to promote their activity. In 2021, almost 60% of all the money spent were dedicated to this budgetary category (EUR 12 mil.). In 2022, the Social Democrat Party and the National Liberal Party spent almost 60-70% of their

³⁹ These are published the next year following the elections and the expenditure which is connected to the pre-election period is not marked separately, as it is included in the general annual expenditure.

⁴⁰ For example, if the [draft law](#) is approved, parties could spend at most 30% on propaganda from subsidies.

⁴¹ The [Law on Financing Political Organizations](#) refers to three types of expenses: 1) for the maintenance of the office and employees of the political organization (party); 2) for content provision of political organization (party) activities (for example, seminars, congresses, conferences, research works, surveys, youth organization events, consultations); 3) political organizations (parties) for communication with society, including political agitation.

expenditure on propaganda, which equals to EUR 20 out of 36 mil.⁴² In the first half of 2023, parties already spent EUR 11 mil. out of a total expenditure of EUR 23 mil, which shows an important increase in expenditure for promotional activities⁴³.

However, in Romania, the extensive use of funds without transparency and proper reporting has become worrying. A few major parties are practically buying media influence outside the election period. Why? According to the legal framework, the media outlets do not have any obligation to mark the articles as party sponsored, outside of the campaign period. Outside the electoral campaigns, political parties are not allowed to buy political advertising at TV or radio stations, therefore most of the promotion is done through online portals and social media. Of course, the message is also transmitted through radio and TV stations which are controlled by the same owners. It should be noted that the European Parliament approved in February 2023 the new package of rules on strengthening the rules regarding political advertising.⁴⁴

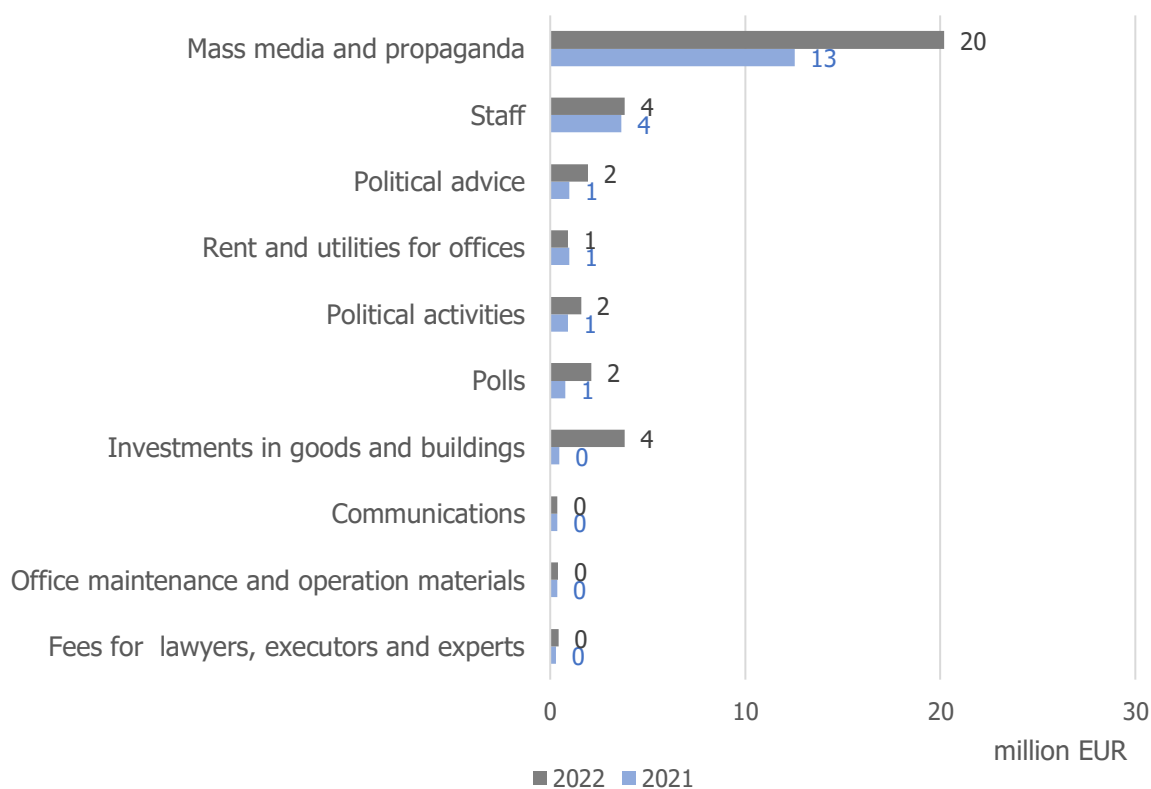


Figure 3 Expenses from annual subsidies in 2021 and 2022, which were non electoral years (top 10 categories). Source: www.banipartide.ro

⁴² See the situation [here](#).

⁴³ See EFOR policy brief 153, "[Subvențiile pentru partidele politice: creșteri ale cheltuielilor, populism și rectificări bugetare fără justificare](#)", August 2023.

⁴⁴ See the press release [here](#).

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The "State of Democracy in 2022" report underlined that "Public subsidies allocated by Government for the media have altered the editorial independence of a large number of publications, and extensive investigations published by the independent press showed how the parties' political funding have massively influenced editorial policies of newsrooms with large audiences."⁴⁵ Investigations published by Radio Europa Liberă, Libertatea or Recorder have further emphasized the negative effects of this issue.

Therefore, the major issue is that the general public cannot clearly understand if the news or other media productions are genuine or paid materials which reflect political goals.

Further, the very high sums which are paid to service providers, in most cases through intermediary agencies, have a negative effect on the independence on media. This kind of media buying shapes the public agenda, without the full knowledge of the general public: political parties can pay for campaigns which praise their activity or can pay to block a piece of news from being published, without any kind of transparency.⁴⁶ Further, funds are not allocated only to providers media providers in Romania, but also outside the country. For example, the Social Democrats paid EUR 16,600 for an article to an Austrian newspaper to publish a letter of the leader of the party in the context of the failure of Romania's accession to the Schengen space.⁴⁷ Taking into consideration that the campaign of a political party starts the next day after being elected, the constant contracting of media to build the image of the two main political parties can create false premises for a competitive and fair campaign in 2024.

The case of PNL's financing policies for propaganda in 2022 is revealed in a report published by EFOR: "almost 85% of the expenses are paid from state subsidy, and the rest from own sources [...]. Even if we can observe the companies that received the money, we cannot understand what they are actually spent on. For example, Inventus Strategy Design S.R.L received 31 million lei, but we do not know which platforms received the money further. Moreover, for the 4-5 companies which received 40 million lei [EUR 8 mil.], we cannot even consult a public web page to better understand their activity and history"⁴⁸

⁴⁵ NGOs for the Citizen" Group, ["The State of Democracy in 2022"](#)

⁴⁶ The legal framework does not explicitly prohibit provision of, or acceptance of payments from public subsidies to prevent publication of news stories. The legislation specifies that subsidies can be allocated for media and propaganda, but it is the decision of the party's management how funds are spent. This loophole can be exploited by political actors, who may use funds provided through state subsidies to prevent publication of unfavorable media.

⁴⁷ See Libertatea, ["PSD a dat 16.500 de euro unui ziar din Austria pentru un articol, după eșecul Schengen. Cum împarte partidul banii alocați de la buget"](#), 05.05.2023.

⁴⁸ Expert Forum, ["The financing of political parties in 2022"](#), May 2023.

*The issue of transparency, together with the manner in which these funds reduce the independence of the media, have also been **underscored in several international monitoring reports.***

The 2022 EC Rule of Law Report noted that “there is not enough transparency about how much various parties paid to which channels and for what content. Attempts by journalists to investigate how these funds were used by the media to broadcast political content faced resistance by some political parties.”⁴⁹ Furthermore, the Council of Europe remarked

in 2022 that “The situation concerning media freedom and pluralism needs to be strengthened. In particular, the use of public funds by political parties to finance media and influence their content on the basis of secret contracts is of utmost concern. It potentially undermines the principle of free media and the proper functioning of democratic institutions.”⁵⁰ The PEA initiated a draft law in November 2022 to amend the Political Party and Campaign Finance Law no. 334/2006, through which aims to define political advertisement in line with the European Commission proposal announced in 2020⁵¹ and to impose a marking and reporting mechanism, although the political support for such amendments seems to be rather limited.⁵² However, the law was not promoted by the Government and had to be promoted by the social democrats.

While Romanian parties spend yearly up to EUR 20 million on advertising outside the electoral periods, as if they would run constant campaigns, in other countries we can see certain differences between electoral and non-electoral years. In Estonia, the data published on the website of the oversight committee per three major categories illustrates that political parties spend some 60-80% of funds for political activities in electoral years. In non-electoral years, the percentage is lower, ranging from 20 to 60%.⁵³ In Lithuania, in 2021 (non-electoral year), costs production and distribution of political advertising are rather marginal, in most cases under 20-25% of the expenditure.⁵⁴

Therefore, in order to ensure transparency, *political parties should mark all the materials used for advertising, including outside the electoral period and should report in a transparent, detailed and constant manner.* In principle, political parties should have extended liberty in developing their own policy on how to spend the funds.

⁴⁹ [2022 European Commission Rule of Law Report.](#)

⁵⁰ Council of Europe [Parliamentary Assembly 2022 monitoring report.](#)

⁵¹ See the [Proposal for a Regulation of the European Parliament and of the Council on the transparency and targeting of political advertising.](#)

⁵² The PEA draft project can be consulted on [its website](#). The mechanisms to ensure transparency are rather limited. Although trimestral reports have to be submitted to the PEA, they are not made public according to the original version of the act. Expert Forum and other CSO [requested](#) for monthly publication of contracts and that political parties publish on their webpage contracts of more than EUR 5,000, in line with the legislation for public authorities. While opting not to request that political parties should purchase by public procurement, the recommendations aim to compensate, as theoretically political parties could be according to the law contracting authorities.

⁵³ See more statistics on the [website of the Political Party Funding Supervision Committee.](#)

⁵⁴ According to [reports published by the CEC.](#) However, advertising costs may be connected to campaigns.

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However, in this context, *the imposition a percentual ceiling for advertising could limit the negative impact of media buying by political parties.*⁵⁵

Another trend, mostly connected to the right-wing Alliance for the Union of Romanians (AUR) is the procurement of vehicles for political purposes. In 2023, AUR purchased trucks for EUR 2.5 mil, with the purpose of organizing a medical caravan. While the legislation allows parties to purchase vehicles for their own use, they are not allowed to buy medical equipment, therefore AUR was supported by a third party⁵⁶. Furthermore, AUR purchased 20 vehicles for the transport of students and while their purpose is to donate them, the law does not allow such action. Therefore, while these purchases are not out of the boundaries of the law, such methods can be seen as early non-competitive electoral campaign.⁵⁷

When it comes to reporting, the PEA started publishing monthly reports reflecting the value of funds spent on category of allowed expenditure, per party.⁵⁸ This was a positive measure which allowed the general public and the media to understand the destination of the funds. Additionally, political parties should keep a clear distinction between their financial operations from state subsidies and from private sources; however, only some political parties include this distinction in the public version of their annual report⁵⁹. The contestants' public reports for the election campaign include the value of income from subsidies, but no such details related to expenditure.

As there is no clear definition of the political advertising outside the electoral period, some steps have been taken to define it and to impose transparency procedures. The draft initiated by the PEA (mentioned above) was transferred in the parliament by the Social Democrats with no major changes regarding this issue⁶⁰. The lengthy bill defines, among others, political advertising and that political parties have to submit quarterly reports including all information on expenditure incurred on political advertising and the persons involved in the financing, preparation, placement and distribution of political advertising. Furthermore, annually, the PEA should publish the list of political advertising service providers used, the services provided, the amount of payments made and details of public or private sources of funding used. However, in the end, it is not clear if the reports will include the intermediaries which sign the contracts or the final beneficiaries of the funds. The 2023 Rule of Law EC report notes that "Some NGOs believe that the law does not go far enough, including by not reducing the overall public funding budget, which grew from EUR 47 million in 2021 to EUR 51 million in 2022".⁶¹

⁵⁵ The PEA propose to impose a threshold of at most 30% of the annual value of subsidies.

⁵⁶ AUR was supported by an NGOs funded by one of its members, which holds the position of MP.

⁵⁷ See EFOR policy brief 153, "[Subventiile pentru partidele politice: cresteri ale cheltuielilor, populism si rectificări bugetare fără justificare](#)", August 2023.

⁵⁸ The values [are published](#) on the PEA some 2 months after they are received by the institution, as the expenses are verified. See more statistics on EFOR's platform www.banipartide.ro. Lithuanian parties are required to [publish annual](#) detailed reports on how they spent the subsidies.

⁵⁹ Although reports should be detailed, the law also made an exception, allowing them to transmit compressed reports, where such details are not mentioned.

⁶⁰ See the draft law on the [Senate's website](#).

⁶¹ [2023 European Commission Rule of Law Report, p. 20.](#)

Regulations on when parties have to spend state funding

The European experience

At the European level, there are different practices in terms of retention and timelines for spending of funds. While most countries do not have any rules regarding the timelines in which political parties should spend the funds, there are a few which impose certain limitations. In Latvia, funds have to be spent during the calendar or by the latest in three years. After that time, the unspent money has to be returned to the state budget.⁶² In Denmark, parties have to estimate how much they are going to spend and the value has to be under the state-set ceiling. If they spent more than estimated and are under the ceiling, they can submit additional requests. Subsidies can be requested in the following year by submitting a declaration stating that the party has spent that specific sum. An exception can relate to funds specifically provided in relation to election campaigns - in some cases such as in Serbia, unused money will have to be returned - the main impact of that rule seems to be that parties alter their figures so they don't have to return money.⁶³

The Romanian experience

One of the questions which has arisen in Romania in the recent years is when do political parties have to spend the funds. The law does not prescribe that the funds have to be returned by the end of year if not spent (the draft law referred above included such amendment). In some other cases of legal entities which receive funds in Romania (such as religious cults), this rule applies. The payment of subsidies can be suspended for several reasons, including not disclosing information, incurring unforeseen costs or not presenting documents when requested by the PEA - but political parties can otherwise keep the funds indefinitely. Political parties gather the remaining funds and most probably will use the money extensively during the 2024 election campaigns, when all four types of elections (EP, local, parliamentary and presidential) will be organized.

Expert Forum, as well as other civil society organizations, have previously recommended that *the unspent public subsidy funds allotted to Romanian parties*

⁶² The political organization (party) may use the state budget funding allocated during the calendar year, but not used, within the next three calendar years. If the political organization (party) does not use the budget funding allocated in the calendar year during the next three calendar years, the unused part of the state budget funding is credited back to the state budget until January 15 of the following year.

⁶³ A [report](#) by Belgrade Centre for Security Policy noted in a relation to the 2022 elections that "An unusual thing happened during these elections. Namely, a group of citizens who nominated Dr. Biljana Stojković for the position of President of the Republic returned RSD 24.5 million of unspent funds to the budget. All other election participants either spent their budget funds in full or returned negligible amounts."

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should be returned to the state at the end of the year if not used or. A more flexible alternative would be to impose a period of three years for spending down of remaining funds – after which unspent money should be returned to the state. This kind of regulation could be difficult to enforce and present the oversight institution with an additional burden. While political parties should have the flexibility to spend their funds according to their needs, the long-term accumulation of funds ahead of electoral years could affect the level playing field and enhance the advantage of the major contestants.

Recommendations regarding Romania

Overall, it is possible that state support, both as annual allocations and reimbursement of campaign expenditure, could have reduced the political corruption in Romania. Before the 2015 major legislative reform took place, a plethora of criminal investigations or accusations were present on the public agenda; some of them are still in court or have recently ended. But that their implementation in practice of measures that laid the groundwork for improved political pluralism and transparency in Romania has fallen short. The reasons include lack of proactive data publication, and poor response to access to information requests. The recent double conviction of the treasurer of the Social Democrat Party, which is the main political party in Romania, for illegal use of subsidies raised new questions about the overall oversight and transparency of state subsidies.⁶⁴

Overall, access to information remains an issue in Romania, as political parties and the PEA constantly refuse to provide information regarding sensitive information, invoking protection of data or the fact that the information is not public. According to the Law on Access to Information of Public Interest No. 544/2001 political parties which receive subsidies are required to reply to inquiries from the general public. However, several such initiatives have to be solved in court, as the parties did not respond to several requests related to the use of public funds.

Therefore, the Parliament should take immediate steps to improve the current legal framework:

- Reduce the general annual amounts allocated to political parties;
- Impose a more predictable and stable system of allocation of subsidies.
- Establish clear limits to the attributions of the PEA to manage the allocation of state subsidies in order to reduce arbitrary and potentially political decisions. It should not be part of the PEA mandate to request additional funding;
- Set ceiling (e.g., percentual) for how much money parties can allocate for different categories of expenses;
- Change the criteria for allocation of state subsidies or reimbursements for the campaign by reducing eligibility thresholds, so that regional and local political parties can get easier access to funding;
- Approve marking mechanisms for all materials used for political advertising, both for political party activity and campaign purposes;

⁶⁴ See Andrei Chirileasa. "[Former treasurer of Romania's Social Democratic Party sentenced for misuse of public funds.](#)" Romania-Insider.com.

- Unspent public subsidy funds allocated to Romanian parties should be returned to the state at the end of the year if not used or. A more flexible alternative would be to impose a period of three years for spending down of remaining funds – after which unspent money should be returned to the state

The PEA should:

- The PEA should make public all its activities relating to public funding of political parties.
- The PEA should properly explain how the budget for state subsidies is prepared and justified and how additional funding was requested;
- Publish a more comprehensive public version of the PEA's party oversight reports;
- Impose constant and detailed reporting mechanisms regarding the political advertising and ensure the transparency of data.

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Appendix:

A. Comparative overview of state subsidy calculations in Europe

This section explains and details some of the diverse models used in the EU states and highlights, where possible, the positive and negative impact of the respective formula.

In **Austria**, parliamentary parties receive 4.6 EUR per vote. In addition, parties with at least five MPs receive a base amount of EUR 218,000 and the remaining funds are divided among the political parties represented in the parliament in proportion to the votes cast for them in the last parliamentary election. Additionally, non-parliamentary parties which received 1 % of the vote are provided with EUR 2.5 per vote. A special party funding is provided to parties that are represented by MEPs in the European Parliament.⁶⁵ The total amount of funding for EU elections is calculated by multiplying the number of people entitled to vote in the respective election to the European Parliament by EUR 2 and the total amount shall be distributed among the political parties in proportion to the votes cast for them in the elections to the European Parliament. In this case, only actually incurred expenses for election advertising can be claimed. In 2021, some EUR 31 million in subsidies were paid to 5 parties (amounts to EUR 3/capita).⁶⁶ According to the 2012 Party Promotion Act, the federal funding is allocated to support activities of political parties aiming at the formation of political opinions at the federal level.

Since 1994, **Germany** has an allocation system which combines the results in elections with the income of political parties.⁶⁷ When granting financial resources, the state is bound by the constitutional principle of the state freedom of the parties which prohibits "influencing the decision-making process in the parties and thus the process of political decision-making as a whole"⁶⁸. Furthermore, "the parties must remain dependent not only politically, but also economically and organizationally on the approval and support of the citizens" and "the state may not give the parties more than they need to fulfill their tasks in compliance with the principle of economical use of public funds."

Political parties receive in 2023 EUR 1,13 per vote for the first four million votes, and EUR 0.89 for each additional vote (percentage of votes). The purpose of these different layers is to ensure a better financing for smaller or newer political parties, which are in need of resources. The state provides additional funding to each party annually, based on the total sum it receives from member fees and donations. Specifically, each party receives an annual additional subsidy that is equal to 45% of every EUR which they received as membership fee, contributions from elected

⁶⁵ Read more in the [2012 Party Promotion Act](#). In the most previous elections in Austria, the smallest party gained 15 seats.

⁶⁶ See [here](#) annual statistics. Per average, in the past 5 years, parliamentary parties received some EUR 30 mil., with additional funds for results from EU elections. Some EUR 10 mil. were allocated to five party academies.

⁶⁷ See more statistics about Germany [here](#).

⁶⁸ [Decision of the Federal Constitutional Court](#) of 24 January 2023

representative and donations from natural persons and those yearly donations of up to EUR 3,300 per person. Donations have to be reported in the annual accounts to be taken into consideration. Funding is available for parties which passed the threshold of 0.5% of valid votes in the most recent EU or federal elections or 1% in the last state elections. Funding is also available for parties which received at least 10% in last state elections in a constituency.

An annual, upper absolute ceiling is set by the parliament, based on an index which considers inflation in prices and salaries. The index has been in place since 2013.⁶⁹ In 2022, the percentual increase was of some 5%. The relative upper limits may not exceed the sum of the self-generated income of parties. The Constitutional Court explains the differences between the two limits as it follows:

“The relative and absolute upper limits have different objectives. Whereas the relative upper limit is aimed at ensuring that the respective party is sufficiently rooted in society and at preventing a predominant or exclusive dependence on government grants, the absolute upper limit concerns the party system as a whole and is intended to prevent a lasting loss of acceptance for this system among the population due to the impression of inappropriate self-service from public coffers. The absolute and relative upper limits thus complement each other with the aim of ensuring that the parties fulfill their mandate to participate in shaping the political will of the people.”⁷⁰. The absolute upper limit can be amended by political decision only in the case of drastic change in the circumstances.

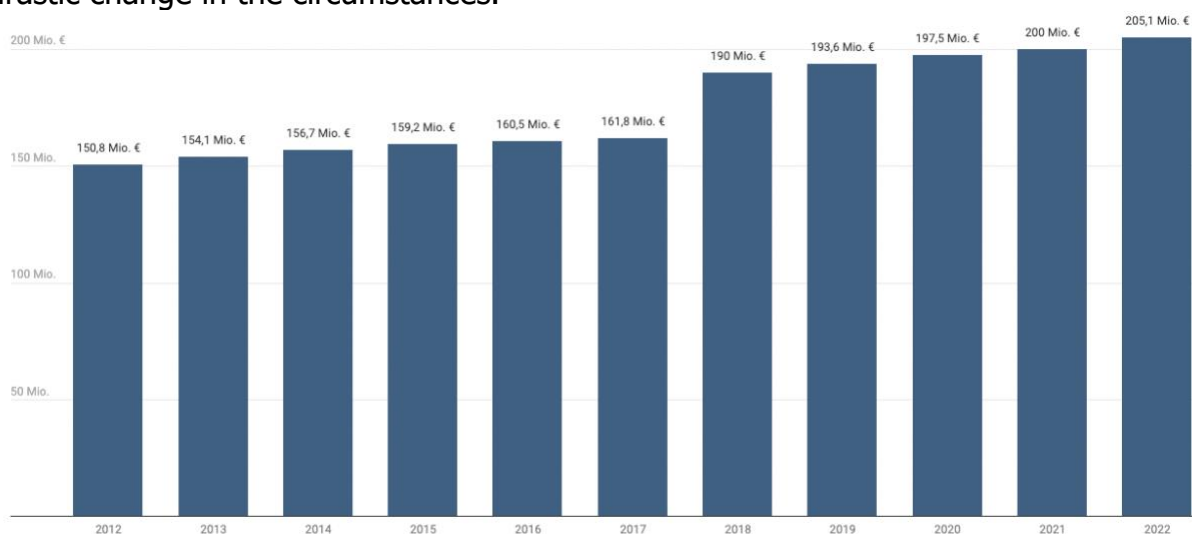


Figure 4 Allocation of subsidies in Germany, indexed value, 2012-2022. [Source](#)

⁶⁹ According to article 18 of the law “The absolute upper limit increases annually by the percentage, rounded down to a tenth of a percent, by which the price index of the expenses typical for a party has increased in the year preceding the entitlement year. The basis of the price index is the general consumer price index with a weighting share of 70 percent and the index of the collectively agreed monthly salaries of blue-collar and white-collar workers at local authorities. The President of the Federal Statistical Office submits a report to the German Bundestag no later than April 30th each year on the development of the price index in relation to the previous year.” See [the index and the decision](#) of the Parliament for 2022.

⁷⁰ [Decision of the Federal Constitutional Court](#) of 24 January 2023

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The total value of subsidies in Germany has increased from EUR 150 million in 2012 to EUR 205 million in 2022⁷¹ (EUR 3/capita). However, in 2023, the Constitutional Court decided that the increase of the absolute upper limit with more than EUR 25 million in 2018 (15%) was unconstitutional, as "Neither the draft law nor the subsequent legislative deliberations provide any comprehensible indications for determining the amount of the additional financial requirements of the political parties caused by the drastic change in circumstances".

The **Latvian legislation** was amended recently and the mechanism introduced significant changes. Before February 2022, the allocation was of 4.50 for each vote obtained in the last parliamentary elections, EUR 0.50 for each vote acquired in the last elections of the local government council or European Parliament⁷². In Latvia, the state provides 0.9% of the minimum monthly salary (which was approximately EUR 500 in 2022) to a party for each vote it receives in parliamentary elections - and an 0.1% of the minimum monthly salary for each vote received in local and EU elections.⁷³ Subsidies are granted to the political party or party associations for which more than 2% of voters voted in the last parliamentary elections. Parties which received 5% (or more) of the votes in parliamentary elections, receive bonus funds, equivalent to 200 minimum monthly salaries during the calendar year. However, the maximum value that a party may receive from the state per year is capped at a value that is equal to 1,600 times the prevailing, minimum monthly wages.⁷⁴ Ten parties were eligible to receive funding after the 2019 elections. In 2022, the state budget funding for political parties and their associations was EUR 4.6 million (some EUR 2,4/capita)

Slovakian political parties securing more than 3% of the valid votes in the previous parliamentary election will receive an amount equivalent to 1% of the average monthly salary (some EUR 1,200 in 2021) per each vote received. Annual allotments are based on salary rates for the calendar year *preceding* the year in which parliamentary elections are held. Parties that received the contribution for votes are also entitled to a contribution to their organizational activity, which is equal to the total amount of the vote contribution divided into 48 shares. Parties are also entitled to contributions per mandate, which is calculated as a multiple of the average monthly salary for the year preceding the parliamentary elections. For the first 20 mandates, the contribution per mandate equals thirty times the average salary, while from the 21st mandate onwards the contribution equals 20 salaries.⁷⁵

A different scheme exists in the **Netherlands**, where the parties which receive state support have to be represented in the Dutch Senate or House of Representatives; they must also have at least 1,000 members who have meeting and voting rights in the political party, each of whom must pay a minimum annual contribution of EUR

⁷¹ [Idem](#)

⁷² [Law on Financing Political Organizations \(Parties\)](#)

⁷³ The extra bonus was of 100,000 EUR and the maximum limit was of 800,000 EUR.

⁷⁴ Read more on [KNAB's website](#).

⁷⁵ [See the law here](#). After the last two elections this reduced allocation affected two parties, while after the 2012 elections this only affected one party.

12⁷⁶. If the party meets these conditions, according to the law it will receive a yearly maximum basic grant of EUR 316,823. Additional funds are provided depending on the number of seats the party holds in the parliament and its total membership figure: for each parliamentary seat of the political party an amount of EUR 93,574 is provided and for each member of the political party an amount equal to EUR 3,412,190 divided by the total number of members of the political parties receiving a grant on the reference date. Additionally to the general part of the funding, which is allocated to the party, earmarked sums are provided for political science institutes, youth organizations and foreign activities.⁷⁷ The amounts specified in the law are amended annually as of January 1 by ministerial regulation, taking into consideration the level of salaries and price adjustment applied to the state budget. In 2021, approximately EUR 27.6 million was allocated for political parties.⁷⁸

In the **Czech Republic**, contributions for the activities of political parties are based on permanent, and mandate subsidies, as well as for political institutes. Permanent subsidies are set at CZK 6 mil. per year (some EUR 250,000) for each party or movement that received more than 3% of the votes in the last elections for the Chamber of Deputies⁷⁹. For each additional 0.1% of the votes received beyond this threshold, and under the 5% mark, a party will receive CZK 200,000 annually (some EUR 8,200). The 5% cap can be viewed as a measure which supports the smaller parties. The sum for each deputy and senator mandate is CZK 900,000 per year (some EUR 37,000). The mandate of a member of the regional assembly and a member of the assembly of city of Prague amounts to CZK 250,000 annually. The contribution to support the activity of the political institute is an amount equal to 10% of the total amount of the contribution to the activity belonging to the party or movement. In the years with more than one election, the annual state contributions for each electoral period are calculated separately.⁸⁰ In 2022, political parties received EUR 20 mil (EUR 1,88/capita).

In **Estonia**, political parties that take part in elections receive subsidies proportional to the number of seats obtained in the elections; the threshold to obtain parliamentary representation is five%. Non-parliamentary political parties that participated in elections receive subsidies based on intervals⁸¹:

- 1) between 2% - 3% of the votes - an allocation of EUR 30,000 per year;
- 2) between 3% - 4% of the votes - an allocation of EUR 60,000 per year and
- 3) between 4% - 5% of the votes - an allocation of EUR 100,000 per year.

⁷⁶ [ODIHR Election Expert Team Final Report, The Netherlands Parliamentary Elections](#), 17 March 2021, p.10. The Netherlands has no legal threshold for parliamentary elections. In the most recent HoR elections, one party entered parliament with only 0.8% of the votes (the natural threshold is 1/150).

⁷⁷ The exact values for additional allocations [are defined in the law](#). For example, for a political party institute, parties receive the basic amount of EUR136,262 and an amount of EUR 14,006 per parliamentary seat of the political party. An organization which performs foreign activities is a legal entity that exclusively or mainly carries out activities to support sister parties and organizations outside the Netherlands in training and education activities.

⁷⁸ See the [website of the Ministry of Interior](#)

⁷⁹ See the [Law on association in political parties and political movements](#)

⁸⁰ See the yearly values [here](#).

⁸¹ In the [2019 elections](#) only "Estonia 200" gained 4.36% of the votes, but no seats. No other parties reached 2%.

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In 2022 the value of subsidies decreased from EUR 52,604 (2021) to EUR 50,896, while in total political parties received EUR 5,2 mil⁸². Subsidies are the main source of income for political parties, up to 90% of the income.

In **Denmark**, political parties receiving over 1,000 votes in the most recent national elections can request subsidies from the Ministry of Interior and Housing, for use in domestic political activities. Candidate lists must obtain 500 votes at the regional level and 100 votes at the local level in order to request subsidies from their corresponding municipal or regional council. Subsidy values vary according to the level of election: at national level a party (or independent candidate) receives DKK 34.75 per vote (EUR 4.6), for regional elections is they receive DKK 5 per vote (EUR 0.67), while for the local elections they receive DKK 7.75 per vote (EUR 1). The value of the subsidies per vote is indexed in each year, according to a decision of the Ministry of Interior and Housing. In 2021 political parties received DKK 123 million (EUR 16 mil.), including for votes cast in the Faroe Islands and in Greenland (EUR 2,7/capita)⁸³. At regional and local level, subsidies are allocated to political parties or groups of candidates which are not registered as parties, which is quite a rare practice - and could raise the question of legal responsibility regarding expenditure and reporting. At the time of the publication of this paper, a draft law was proposed to increase the lower limits for allocation of subsidies, as critics allege that select parties participate in elections only to receive subsidies, without having electoral success in practice.

In **Lithuania**, political parties receive subsidies if they obtain more than 2% of all the votes cast for candidates in elections for the parliament, municipal councils, the European Parliament, according to which the state budget allocations are distributed as a result. The amount of subsidies is established through the annual budget law and the CEC distributes the funds twice a year. The calculation involves that the CEC establishes a coefficient by dividing half of annual subsidies by the number of votes cast by all voters. The bi-annual subsidies are calculated by multiplying the six-month financial coefficient for one voter by the number of votes cast for the candidates of this political party. During the past 8 years an average of 6 to 11 parties received in total some EUR 5 mil. yearly (EUR 1.77 per capita).⁸⁴

In the **UK** there are several funds available.⁸⁵ Worth noting that the UK provides significantly less in state subsidies as a share of total party income than most European countries. Political parties are provided with some 2,3 million EUR yearly through the Policy Development Grant,⁸⁶ to develop policies to include in their election manifestos. Opposition parties received some 9,2 million EUR through the Short Money mechanism, which is the main source of public funding for political parties. Funds are available by request for parties in power or opposition with at least 2 sitting members in the House of Commons (each of whom must have taken the oath of allegiance). The application needs to justify the policy development activities the party is planning

⁸² Err.ee, "[State support for political parties will decrease in the coming year](#)", 2021

⁸³ Read more on [MoIH website](#).

⁸⁴ See the statistics [here](#).

⁸⁵ See [here](#) a list of funds received by political parties. According to [statistics](#), private funding remains predominant in the UK.

⁸⁶ Read more on [UK Electoral Commission's website](#).

for the next year. Half of the sum is distributed equally, while the other half is divided based on a formula which considers the proportion of the registered electorate where the party contests elections (England, Wales, Scotland, Northern Ireland) and the share of the vote the party received in each part of the UK.

In addition to the models of funding mentioned above, it's worth mentioning that some countries, including Austria, the Netherlands, Germany and the Czech Republic also fund institutes of political parties. Party women's wings in Sweden receive public funding separate from the regular party funding. Greece, apart from the regular state funding for operational costs and the electoral state funding, also provides funds for research and education reasons, for the establishment and operation of research and study centers, as well as the organization of training programs for their executives and represents 0.1 ‰ of the regular revenues of the State Budget for the previous year.

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Year of introduction of subsidies⁸⁷

Country	Year
Uruguay	1928
Costa Rica	1954
Argentina	1958
<i>Germany (West)</i>	<i>1959</i>
Norway	1960
<i>Austria</i>	<i>1963</i>
<i>Netherlands</i>	<i>1964</i>
South Korea, <i>Sweden</i> , Turkey	1965
<i>Finland</i>	<i>1967</i>
<i>Denmark</i> , Israel	1969
<i>Belgium</i>	1970
United States	1971
<i>Switzerland</i>	1972
<i>Ireland</i> , Venezuela	1973
Canada, <i>Italy</i> , Nicaragua	1974
<i>United Kingdom (Short Money)</i>	<i>1975</i>
<i>Spain</i> , Mexico, Nigeria, <i>Portugal</i>	<i>1977</i>
Ecuador	1978
Egypt	1979
Honduras	1981
El Salvador	1983
Australia, <i>Greece</i>	<i>1984</i>
Guatemala	1985
Colombia, Morocco	1986
<i>France</i>	<i>1988</i>
<i>Hungary</i> , <i>Slovenia</i>	<i>1989</i>
Benin, Cameroon, <i>Czechoslovakia</i> , Paraguay, <i>Romania*</i>	<i>1990</i>
<i>Bulgaria</i> , Chad, Serbia, Yemen	<i>1991</i>
Angola, Mongolia, Tanzania, Zimbabwe	1992
Cote d'Ivoire, Mozambique, <i>Poland</i> , Seychelles, South Africa	1993
<i>Estonia</i> , <i>FYR Macedonia</i> , Japan, Malawi	<i>1994</i>
Brazil	1995
Bolivia, Burkina Faso, Dominican Republic, <i>Georgia</i> , Namibia, Panama	<i>1997</i>
Kenya, Thailand, Tunisia	1998
<i>Lithuania</i>	<i>2000</i>
<i>Ukraine</i>	<i>2005</i>
<i>Moldova</i>	<i>2006</i>
Sudan	2007
Timor Leste	2008
Maldives	2009

* In Romania, subsidies were introduced in March 1990, through a decree stating that: *political parties which participate in elections will receive subsidies from the state budget, determined altogether with the establishment of the election date.*

⁸⁷ Dr. Magnus Öhman, "[Global Trends in The Regulation of Political Finance](#)", 2011, p. 17.

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- 2020 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation
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- Recommendation Rec(2003)4 of the Committee of Ministers of the Council of Europe to member states on common rules against corruption in the funding of political parties and electoral campaigns, adopted by the Committee of Ministers of the Council of Europe on 8 April 2003.

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- International IDEA, Political Finance Database, www.idea.int/data-tools/data/political-finance-database
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Other sources

- Legislation on political finance of states mentioned in the report
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