Whistleblower Empowerment & Support Initiative

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**ROMANIA**

# Should I Speak Up?

*A simple guide for anyone thinking about reporting wrongdoing at work*

This guide gives you information. It is not legal advice.

## About this guide

You're reading this because something isn't right at work, and you're wondering what to do about it. This guide is here to help you understand your options, in plain language.

A few important things before you start:

- This guide gives you information and points you in the right direction. It cannot act as your lawyer, your therapist, or file a report on your behalf.
- It is not legal advice. If a decision feels legally risky, talk to a qualified professional first.
- Every fact in this guide comes directly from VoiceGuard's research on Romanian law. Where something isn't confirmed yet, we say so honestly instead of guessing.

## 1. Are you protected?

Yes, you may be protected if you obtained the information in a work-related context and meet the other conditions explained in this guide. This covers far more people than just "employees":

| You could be... | For example... |
|---|---|
| An employee | In a private company or the public sector |
| Self-employed | A freelancer, contractor, or consultant |
| In management | A manager, board member, or shareholder |
| A volunteer or trainee | Paid or unpaid |

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| | |
|---|---|
| A job applicant | if you found out about the breach during the interview process |
| A former employee | Even if you no longer work there |

You're also protected if you help someone else during the reporting process (a facilitator), or if you're closely connected to the person reporting and could be affected too.

**You do NOT need to prove the breach conclusively**

You just need to have reasonable grounds to believe that what you're reporting is true.

Knowingly reporting something false is not protected.

# 2. What can you report?

**The EU legislation establishes that** you can report things like:

public money misused, unsafe products, environmental harm, data-privacy breaches, financial fraud, unfair public contracts, and more

Romanian Law No. 361/2022 covers breaches falling within the areas and legal rules specified by the law, including relevant rules of national law and European Union law.

**What you can't report through these channels**

Purely personal grievances or interpersonal conflicts that don't involve any rule-breaking aren't covered. These need a different route, such as your organisation's HR process.

# 3. Where and how do you report?

You have three options. You do NOT have to start with the first one -go with whichever feels safest for your situation.

| Option | Best if... | Main risk |
|---|---|---|
| 1. Internal -inside your organisation | you trust it to handle things safely and independently | may be conflicted or ineffective if the wrongdoing |

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| | | |
|---|---|---|
| | | involves people at the top |
| 2. External -to ANI or another competent authority | internal reporting feels unsafe, or you'd simply rather not go through your organization | process can be slower or feel less personal |
| 3. Public -e.g. to media (last resort) | specific legal conditions are met (see warning below) | you may not benefit of legal protection if those conditions aren't met |

## Not sure which to choose? Work through these questions

1. Is there an imminent or manifest danger to the public interest, or a risk of irreversible harm? → If yes, seek urgent advice -public disclosure may be protected. If no, continue.
2. Do you trust your organisation to handle this safely? → Yes: internal reporting may work. No: external reporting may be safer.
3. Is your internal channel compromised (e.g. the person you'd report to is involved)? → If yes, consider external reporting.
4. Have the legal deadlines already passed without action? → If yes, ask about escalating or going public.
5. Does this involve EU funds or crimes against the EU's financial interests? → If yes, OLAF or EPPO (see Section 8) may also be relevant.

**⚠ Before you go public**

Going to the media only keeps your legal protection in specific situations -for example, if reporting first didn't work, or there's an imminent or obvious danger to the public interest.

Talk to a qualified adviser BEFORE doing this. Acting outside these conditions could cost you your protection.

## Romania's national authority

| | |
|---|---|
| Name | National Integrity Agency (Agenţia Naţională de Integritate, ANI). |

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| | |
|---|---|
| Website | integritate.eu |
| What it does | Receives and handles external reports; may redirect your report to another competent authority; ANI also provides counselling to people who intend to report |
| Language | Romanian |

## Common pitfalls

An informal conversation with a manager may not count as a formal report, and may leave no record.
If the person you'd report to is implicated, internal reporting may not be safe.
If you don't hear back within the legal timeframes, that can be relevant to deciding whether to escalate.
Reporting in anger or haste, before preparing, can create evidence or confidentiality problems.

## EU-level channels: OLAF and EPPO

If your case involves EU funds or crimes against the EU's financial interests, two extra channels may be relevant: OLAF (the European Anti-Fraud Office) at anti-fraud.ec.europa.eu, and EPPO (the European Public Prosecutor's Office) at eppo.europa.eu. If in doubt about the appropriate authority, seek qualified advice first.

## Before you report: a short checklist

| | |
|---|---|
| I got this information through my work | ☐ |
| I have reasonable grounds to believe the information is true | ☐ |
| I've checked it fits what I can report (Section 2) | ☐ |
| I understand my anonymity options (Section 4) | ☐ |
| I haven't accessed or copied anything unlawfully | ☐ |
| I have a simple written timeline of events | ☐ |
| I know who I can turn to for support (Section 8) | ☐ |

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### Protecting yourself online

Don't use your work email, phone, or computer to prepare your report, unless the official channel requires it.
Use a personal device and your home or mobile internet -not work Wi-Fi.
Documents can carry hidden information (author name, timestamps) -keep this in mind.
Consider encrypted apps like Signal or ProtonMail instead of standard email or text.
Keep your copies stored somewhere separate from work systems.

### Protecting your evidence

Keep a chronological record of events, a record of the report itself (date, channel, reply), and notes of relevant conversations. It is recommended to use documents you already have lawful access to through your normal work.

**⚠ Important**

Before copying, removing, recording or forwarding sensitive material, seek advice first. Acquiring information through a separate criminal offence (like hacking into a system you're not authorised to use) is not protected, even if your intentions are good.

## 4. Can you stay anonymous?

| | |
|---|---|
| Confidential | Your name is known but kept private. As a rule, it won't be shared without your consent, except where the law requires it -and even then, you should be told first. |
| Anonymous | You don't give your name at all. |

In Romania, you can submit an anonymous report. However, an anonymous report might be dismissed if it doesn't contain enough information about the breach and, after you have been asked to provide more detail, you don't comply with this obligation.

If you report anonymously and are later identified and suffer retaliation, Romania's legal protections may still apply to you.

Reports are kept on file for five years.

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# 5. What if something bad happens to you?

It is illegal for your employer to punish you for reporting in good faith. This is called retaliation, and it includes things like:

| | |
|---|---|
| Suspension, dismissal, or similar measures | ☐ |
| Demotion or being passed over for promotion | ☐ |
| Change of duties, location, hours, or a cut in pay | ☐ |
| Being denied training | ☐ |
| A negative performance review or reference | ☐ |
| A disciplinary measure, reprimand, or financial penalty | ☐ |
| Coercion, intimidation, harassment, or exclusion | ☐ |
| Discrimination or unfair treatment | ☐ |
| Your contract not being renewed | ☐ |
| Damage to your reputation, including online | ☐ |
| Blacklisting within your industry or sector | ☐ |
| A contract, licence, or permit being cancelled | ☐ |
| An unnecessary psychiatric or medical referral | ☐ |

This list isn't complete - retaliation can also be a pattern of smaller things (being excluded, sidelined, or subjected to unexplained new complaints) rather than one big event.

**The law is on your side**

If you report, then something bad happens to you and you challenge a measure as retaliation, the employer or the relevant entity must prove that the measure was justified by reasons unrelated to your

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report and not the other way around.

### The first 48 hours after retaliation

If you notice any of the measures depicted in the above:

1. Write down exactly what happened - when, where, and who was involved.
2. Preserve relevant records lawfully and securely.
3. Avoid angry written responses or social-media posts.
4. Seek advice quickly from a qualified professional, trusted NGO, trade union, or support pathway.
5. Check national statute of limitation periods and complaint deadlines.
6. Seek psychological or emotional support if you need it (see Section 7).

**What NOT to do**

Don't resign impulsively -it may affect your legal rights.

Don't sign any settlement agreement without independent legal advice.

Don't delete communications or records, even ones that feel embarrassing -they may be evidence.

Don't confront the person you believe is retaliating, in writing, before getting advice.

Don't post about the situation on social media.

Don't miss deadlines -complaints about retaliation often have to be filed within a short period. Check your national time limits and record them.

Romania's law provides administrative fines for breaches - including for not setting up a proper internal reporting channel, or for knowingly false reporting.

# 6. What happens after you report?

| Stage | Internal channel | External channel (e.g. ANI) |
|---|---|---|
| Acknowledgment | Within 7 days | Within 7 days, unless exceptions apply |
| Feedback | Within a reasonable time, generally not exceeding 3 months | Generally within 3 months, up to 6 months in justified cases |

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Heard nothing? Here's what to do:

1. Write to whoever you reported to and ask for an update. Keep a copy.
2. If it was an internal report and nothing's happening, consider reporting to ANI instead.
3. If ANI isn't responding either, ask a qualified adviser whether you can complain, or whether going public might now be protected.

### If things don't go back to normal

Legal remedies can restore your job or compensate you, but sometimes going back isn't realistic -trust may be broken, or the environment may stay difficult. If that happens, specialist NGOs and, where available, career counsellors can help you think through practical next steps: managing employment gaps, planning finances, and finding your way to a new role.

## 7. Taking care of yourself

Reporting wrongdoing can be stressful, especially if you face a difficult reaction. Feeling anxious or overwhelmed is a completely normal response -it doesn't mean you did anything wrong.

### Signs worth paying attention to

| | |
|---|---|
| Trouble sleeping or constant exhaustion | ☐ |
| Low mood, anxiety, irritability, or feeling numb | ☐ |
| Thoughts you can't switch off | ☐ |
| Trouble concentrating or remembering things | ☐ |
| Dreading work or avoiding reminders of it | ☐ |
| Headaches, fatigue, or physical tension | ☐ |
| Pulling away from friends and family | ☐ |
| Losing confidence or feeling hopeless | ☐ |

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If several of these last more than a few weeks, or affect your daily life, it's worth speaking to a qualified professional.

### A few things that can help

Stay connected to people you trust
Talk to people who understand whistleblowing or workplace retaliation
Try to keep your normal routine -sleep, meals, movement
Set boundaries around how much time and energy you give the situation
Remember: this situation doesn't define your worth
Reach out for support early, rather than waiting until things feel unbearable

### Money worries

Job loss or a long process can strain your finances. If this is a concern, ask early about legal aid, trade union support, and whether an emergency measure (such as blocking a dismissal) is possible in your case.

### Your family and people close to you

This can affect the people close to you too -financially and emotionally. Talking openly with people you trust, at a pace that feels right, usually helps. If someone close to you also works at the same organisation, they may be protected too -a qualified adviser can explain how.

**In immediate danger or crisis?**

Contact Romania's emergency services on 112 right away. Don't wait.

## 8. Where to get help

| Who | What they do | Contact |
|---|---|---|
| National Integrity Agency (ANI) | Romania's national whistleblower authority | integritate.eu |
| Transparency International Romania | VoiceGuard's partner in Romania | transparency.org.ro |

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| | | |
|---|---|---|
| Bar associations | Free legal assistance for whistleblowers in certain situations, namely in disciplinary proceedings and challenges against retaliation, under Law No. 361/2022 | Contact your local bar association |
| Psychological support | Not currently available on a dedicated whistleblower basis | Consult a general mental-health professional |
| Emergency | National emergency number | 112 |

If your case involves EU funds or crimes against the EU's financial interests, you can also contact OLAF (anti-fraud.ec.europa.eu) or EPPO (eppo.europa.eu) -see Section 3.

# 9. Common questions

### Do I have to prove the breach before reporting?

No. You need reasonable grounds to believe the information was true and within scope at the time of reporting. Knowingly false reports are not protected.

### Must I report internally first?

No. You can choose to go straight to ANI or another competent authority. Internal reporting is encouraged where it can be handled safely and effectively, but it isn't mandatory.

### Can I report anonymously?

Yes, but an anonymous report might be dismissed if it lacks enough detail and you don't respond to a request for more information. If you're later identified, you may still be protected.

### How quickly should I hear back?

Internal: acknowledgment within 7 days, feedback generally within 3 months. External (e.g. ANI): similar timeframes, feedback up to 6 months in justified cases.

### Can I go to the media?

Only under specific conditions -for example, if reporting first didn't work, or there's imminent public danger. Seek advice first; going public outside these conditions can cost you your protection.

### Can I copy documents as evidence?

Only if you can do so lawfully and safely, using information you already have lawful access to. Seek advice before copying anything sensitive.

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### Will my employer find out I reported?

The authority must protect your identity and not disclose it without your consent, except in narrow legal circumstances where you'd normally be told first. That said, in some cases people may guess who reported based on context. Reporting factually and avoiding unnecessary identifying detail can reduce this risk.

### Does VoiceGuard provide legal advice or therapy?

No. VoiceGuard provides information, orientation and referral only -not legal representation, therapy, or an official reporting channel.

### I reported and heard nothing -what now?

See Section 6 -ask for an update in writing, then consider opting for another reporting channel or, if the relevant conditions are met, going public.

## 10. Words explained

| Word | What it means |
|---|---|
| Reporting person | You -someone reporting a problem you learned about through work |
| Facilitator | Someone who helps you report -their help is also protected |
| Retaliation | Being punished, in any way, for reporting |
| Anonymous | Reporting without giving your name |
| Confidential | Reporting where your name is known but kept private |
| ANI | Agenţia Naţională de Integritate -Romania's National Integrity Agency, the national whistleblower authority |
| Competent authority | The official body responsible for handling your report (ANI, or another authority depending on the subject) |
| Burden of proof | Who has to prove what -in retaliation cases, it's your employer who has to prove that the alleged retaliation measure is not related to your report |

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# Where this information comes from

- Romania, Law No. 361/2022 on the protection of whistleblowers in the public interest
- National Integrity Agency (ANI) -integritate.eu
- Transparency International Romania resources
- EU Whistleblower Protection Directive (EU) 2019/1937

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