

ELECTORAL PARTICIPATION AND DEMOCRATIC LEGITIMACY: EVIDENCE FROM ROMANIA IN A EUROPEAN CONTEXT

OANA RĂVAȘ *

ABSTRACT: *The electoral process is a core mechanism through which democratic legitimacy is periodically reaffirmed. Beyond its formal procedural dimension, electoral democracy depends on the effective exercise of electoral rights and on citizens' responsible conduct, which directly influences the integrity and credibility of electoral outcomes. This article examines the relationship between electoral rights and civic responsibilities within the framework of constitutional democracy, with particular reference to Romania. The analysis combines a normative legal approach with an applied case study of the 2019 presidential elections and the 2020 local elections, complemented by a comparative perspective involving selected European Union member states. The study draws on constitutional provisions, electoral legislation, European standards developed by the Venice Commission, and the jurisprudence of the European Court of Human Rights concerning the right to free elections under Article 3 of Protocol No. 1 to the European Convention on Human Rights. The findings show that electoral effectiveness depends not only on formal legal guarantees, but also on voter participation, procedural accessibility, and adherence to principles of legality and electoral integrity.*

KEY WORDS: *electoral rights, civic responsibilities, electoral integrity, democratic legitimacy, voter participation*

JEL CLASSIFICATIONS: *K10, K19, D72, D71.*

1. INTRODUCTION

The electoral process represents one of the fundamental institutions of constitutional democracy, being the primary mechanism through which the legitimate transfer of political power from the electorate to state authorities is achieved. In contemporary doctrine, elections are regarded not merely as a technical procedure for

* Lecturer, Ph.D., University of Petroșani, Romania, oana.ravas@gmail.com

designating representatives, but as a fundamental right of political participation, indispensable to the functioning of the rule of law (Dworkin, 2006, p. 131).

From a legal perspective, the electoral process fulfils a dual function: on the one hand, it guarantees the exercise of national sovereignty, and on the other hand, it confers democratic legitimacy upon public institutions (Muraru & Tănăsescu, 2019, pp. 302-305). Electoral rights cannot be analysed in isolation from citizens' responsibilities, as the quality of the democratic process depends both on the normative framework and on the civic behaviour of the electorate (Bobbio, 1987, p. 45).

The electoral process constitutes the legal and institutional mechanism through which national sovereignty is periodically exercised by designating representatives to public authorities. Within the logic of democratic constitutionalism, elections are not merely a political fact, but a set of normative guarantees concerning the universality, equality, freedom and secrecy of the vote, as well as the integrity of electoral competition (Muraru & Tănăsescu, 2008). In this framework, electoral rights (the right to vote, the right to stand for election) are inseparable from civic responsibilities: correct information, respect for integrity rules, rejection of electoral corruption and cooperation with control mechanisms.

This article aims to develop: fundamental notions regarding the electoral process, the applicable legal framework, citizens' rights and the corresponding guarantees, citizens' responsibilities - including concrete examples, and a case study on local elections (2020) and presidential elections (2019), complemented by a comparative EU perspective.

2. FUNDAMENTAL NOTIONS RELATED TO THE ELECTORAL PROCESS

In legal terms, the electoral process is defined as the set of constitutional, legal and administrative norms governing the exercise of electoral rights, the organisation of the ballot and the validation of its outcome (Muraru & Tănăsescu, 2019, p. 308). Elections constitute a public law procedure subject to the principle of strict legality, since any deviation may affect the legitimacy of the elected authorities.

The electoral process consists of a succession of interdependent legal and administrative stages, each of which plays the role of guaranteeing the free, fair and genuine expression of the will of the electorate. Constitutional law doctrine emphasises that the validity of the final electoral outcome depends not only on the actual moment of voting, but also on the legality and correctness of all the stages preceding and following it (Deleanu, 2006, pp. 407-409).

The first stage of the electoral process is the establishment of the electorate, carried out through the drafting and updating of electoral rolls. This stage is of fundamental importance, as it reflects the application of the principle of universal suffrage. Electoral rolls must include all citizens who meet the legal conditions for exercising the right to vote, and unjustified exclusion or erroneous inclusion may affect equality and fairness of the ballot (Muraru & Tănăsescu, 2019, p. 312). For this reason, doctrine considers the electoral register to be an administrative guarantee of the right to vote, while verification and challenge mechanisms are essential for the protection of electoral rights (Iancu, 2015, p. 101).

The second stage consists in the submission and verification of candidacies, aimed at ensuring compliance with the eligibility conditions provided by the Constitution and electoral legislation. This stage ensures the legality of electoral competition and equality of opportunity among candidates. Verification of candidacies must not turn into an instrument of arbitrary exclusion, but must remain strictly formal and limited to the criteria established by law, in accordance with the principle of political pluralism (Venice Commission, 2002, p. 18).

The electoral campaign constitutes the third stage of the electoral process and represents the legal framework in which freedom of political expression and democratic competition are exercised. Campaign regulation aims to prevent abuses, unequal use of resources and illegitimate influence over voters. Doctrine points out that the purpose of regulating the campaign is not to restrict political debate, but to guarantee its fairness and transparency (Norris, 2011, pp. 41-43).

Voting day represents the central moment of the electoral process, in which the right to vote is effectively exercised. From a legal point of view, voting is an individual, personal, freely expressed and secret act. The final stages of the electoral process are vote counting, result centralisation and validation of the elections. These phases are of particular legal importance, as they ensure the transformation of votes cast into representative mandates. Counting procedures must be transparent and verifiable, and dispute-resolution mechanisms are indispensable for maintaining public trust in the outcome (OSCE/ODIHR, 2020, pp. 12-13).

Doctrine emphasises that local elections have an immediate and tangible impact on communities, as their outcome directly influences public policies such as infrastructure, social services, urban planning and environmental protection. Consequently, the legitimacy of local authorities is closely linked to the level of citizen participation in this type of ballot (Constantinescu, 2018, p. 229).

National elections, particularly parliamentary and presidential elections, concern the constitution of authorities with general competence over the state. Presidential elections determine the designation of the Head of State, a constitutional actor with essential responsibilities in the fields of foreign policy, national security and mediation between the powers of the state (Deleanu, 2006, pp. 415-418). Parliamentary elections, in turn, establish the composition of the legislative authority, directly influencing the normative process and the orientation of public policies.

From an organisational point of view, local elections are characterised by a higher degree of decentralisation, while national elections involve more pronounced central coordination, including voting outside the national territory. This difference reflects the logistical and political complexity of national elections, as well as the need for additional mechanisms of control and uniformity of procedures (OSCE/ODIHR, 2020, p. 8).

Electoral institutions represent one of the most important guarantees of the democratic nature of elections. Doctrine emphasises that the existence of an adequate normative framework is insufficient in the absence of authorities capable of applying the law in an impartial, efficient and transparent manner (Sartori, 1997, p. 118).

The primary role of electoral institutions is to organise, supervise and validate the electoral process, ensuring compliance with constitutional and legal norms. These

institutions exercise a wide range of competences, from establishing the electoral calendar and managing the logistics of voting, to resolving electoral disputes and validating final results. Through the exercise of these powers, they contribute to maintaining the integrity of the electoral process and to preventing electoral fraud (Muraru & Tănăsescu, 2019, p. 320).

An essential element in the analysis of electoral institutions is their independence from political actors. European standards require that electoral administration be protected against excessive political influence, precisely in order to avoid perceptions of partisanship and to strengthen public trust in elections (Venice Commission, 2002, p. 23). In this regard, the stability of electoral rules and the professionalisation of electoral staff are considered indispensable conditions for the effective functioning of the electoral system (OSCE/ODIHR, 2020, p. 9).

In addition, electoral institutions play an educational and preventive role, by informing citizens about their electoral rights and obligations and by promoting transparency. Specialised literature underlines that trust in elections is not determined exclusively by the absence of fraud, but also by public perception of the fairness and professionalism of the electoral administration (Norris, 2011, p. 52).

In Romania, electoral administration operates according to a mixed model: the Permanent Electoral Authority (AEP) performs technical-administrative and integrity-related functions (electoral register, campaign financing), while the Central Electoral Bureau (BEC) coordinates elections operationally and centralises results. The role of observers (NGOs, international observers) is to strengthen public trust, and doctrine emphasises that electoral transparency is a condition of legitimacy, not an “optional” element (Nohlen, 2004).

3. CONSTITUTIONAL PRINCIPLES AND EUROPEAN STANDARDS IN ELECTORAL MATTERS

The electoral process is governed by a set of fundamental principles that constitute the essence of representative democracy and that have constitutional and supra-legal value. These principles are not merely theoretical statements, but legal norms with direct effects on the organisation and conduct of elections, being recognised both in domestic constitutional law and in European and international standards (Muraru & Tănăsescu, 2019, pp. 309-311).

Electoral rights derive from the principle of national sovereignty and from the representative character of public authorities. In Romanian doctrine, voting is characterised as a public subjective right with the function of participation in the formation of the will of the state (Muraru & Tănăsescu, 2008).

The principle of universal suffrage implies the right of all citizens to participate in elections, without arbitrary discrimination. In constitutional doctrine, universal suffrage is analysed as an expression of political equality and democratic citizenship (Deleanu, 2006, p. 396).

Restrictions on the exercise of the right to vote are admissible only insofar as they are expressly provided for by the Constitution and justified by a legitimate aim, such as the protection of the constitutional order or the integrity of the electoral process

(Venice Commission, 2002, p. 12). Modern doctrinal approaches emphasise that excessive exclusion of certain categories of citizens may lead to a deficit of representativeness and to the erosion of democratic legitimacy (Norris, 2011, p. 19).

In Romanian doctrine, equality of the vote is analysed in close connection with the constitutional principle of equality before the law and is considered an essential condition for the functioning of the rule of law (Muraru & Tănăsescu, 2019, p. 313).

Freedom of the vote implies that the electoral choice is expressed without coercion, pressure or illegitimate influence. From a legal perspective, this principle is violated not only through direct constraints, but also through subtle practices such as voter bribery, informational manipulation or the abusive use of administrative resources (Bobbio, 1987, p. 53).

Contemporary doctrine draws attention to new risks to the freedom of the vote generated by digital campaigns, disinformation and political micro-targeting, which may affect voters' capacity to make autonomous and informed decisions (Karpf, 2019, pp. 88-91). Article 3 of Protocol No. 1 to the European Convention on Human Rights obliges states to organise free elections "under conditions which will ensure the free expression of the opinion of the people". The Court has held that the rights to vote and to stand for election are "implicit", but not absolute, limitations are permitted if they pursue a legitimate aim and are proportionate (Guide on Article 3 of Protocol No. 1, ECHR, 2025). In addition, the "Code of Good Practice in Electoral Matters" (Venice Commission, 2002) establishes essential benchmarks: stability of electoral law, impartial electoral administration, transparency of campaign financing and effective resolution of electoral disputes.

4. CITIZENS' RIGHTS IN THE ELECTORAL PROCESS

Electoral rights constitute a distinct category of fundamental rights, aimed at ensuring citizens' participation in the exercise of political power. In legal doctrine, they are considered "structural rights", as they influence the functioning of the entire constitutional system (Dworkin, 2006, p. 134).

The right to vote is the principal instrument of political participation and the direct expression of national sovereignty. Doctrine emphasises that this right is not limited to the formal possibility of casting a vote, but implies the existence of real conditions for its exercise: correct information, accessibility and protection against abuses (Muraru & Tănăsescu, 2019, p. 314). The guarantees of the right to vote include the proper organisation of polling stations, equal access to voting for citizens residing abroad and for persons with disabilities, as well as the existence of effective mechanisms for challenging electoral irregularities (OSCE/ODIHR, 2020, p. 10).

The right to vote has a fundamental character and represents an instrument of participation in public life. In doctrine, it is analysed through three components: (a) the holder of the right (the citizen), (b) the conditions of exercise (age, legal capacity), and (c) procedural guarantees (electoral rolls, polling stations, ballots, secrecy) (Deleanu, 2006).

An important dimension is the effective equality of access to voting: it is not sufficient for the right to exist "on paper", it must be practical and effective, including

for vulnerable groups (persons with disabilities, isolated citizens, diaspora). This idea is recurrent in the case-law of the European Court of Human Rights concerning the “effectiveness” of rights.

The right to stand for election represents the active dimension of political citizenship and is closely linked to the principle of political pluralism. Doctrine emphasises that free access to electoral competition is an indispensable condition for the functioning of democracy, and that restrictions on eligibility must be justified and proportionate (Venice Commission, 2002, p. 18). At the same time, integrity requirements imposed on candidates aim to protect public trust in elective offices and to prevent abuses of power. Such requirements are considered compatible with democratic standards when applied in a non-discriminatory manner (Deleanu, 2006, p. 403). The right to run for office (eligibility) involves both personal conditions (minimum age, citizenship) and integrity conditions (incompatibilities, convictions for certain offences). Doctrine stresses that eligibility restrictions must be clear, foreseeable and must not give rise to arbitrariness (Muraru & Tănăsescu, 2008). Beyond eligibility, equality of opportunity in electoral competition is essential, including access to the public sphere, rules on campaign financing and the use of administrative resources. In terms of “electoral integrity”, this area is particularly sensitive to abuses (Venice Commission, 2002).

Freedom of political expression is an essential right for the conduct of electoral campaigns and for the formation of public opinion. From a legal perspective, it includes the right to criticise authorities, to promote political programmes and to participate in public debates (Bobbio, 1987, p. 49). However, freedom of expression is not absolute and may be subject to limitations intended to protect public order, human dignity and the fairness of electoral competition, such as the prohibition of hate speech or intentional disinformation (Norris, 2011, p. 37).

Access to information of public interest allows voters to evaluate the activity of candidates and electoral authorities. Transparency is considered an indispensable condition for the exercise of an informed and responsible vote (OECD, 2016, p. 21). The protection of personal data has become a central component of electoral rights in the context of the digitalisation of the electoral process. Specialised literature draws attention to the risks associated with the uncontrolled use of voters’ data in political campaigns and emphasises the need for strict application of GDPR principles (Karpf, 2019, pp. 92-95). The use of data in campaigns (profiling, micro-targeting) raises specific issues: consent, legal grounds, transparency and security. The GDPR framework imposes requirements of data minimisation and accountability. In specialised literature, it is argued that data protection becomes an indirect guarantee of the freedom of the vote, preventing manipulation through the exploitation of voters’ vulnerabilities (Kuner et al., 2020).

5. CITIZENS’ RESPONSIBILITIES IN THE ELECTORAL PROCESS - PRACTICAL CORRELATIONS AND ECHR CASE-LAW

Citizens’ responsibilities in the electoral process cannot be analysed exclusively at a theoretical level, but must be related to the concrete manner in which

they manifest themselves within real electoral processes. The case study of the local elections in Bucharest (2020) and of the presidential elections (2019), particularly with regard to voting in the diaspora, provides relevant examples of the impact of civic behaviour on the legitimacy and integrity of the electoral process. In constitutional law doctrine, it is emphasised that citizens' electoral responsibilities are situated at the intersection between legal norms and civic ethics, and that the effectiveness of the electoral process depends essentially on the manner in which citizens understand and assume these responsibilities (Muraru & Tănăsescu, 2019, p. 319).

The local elections of 2020, conducted in the context of the COVID-19 pandemic, particularly highlighted citizens' responsibility to comply with electoral rules and administrative procedures established for the conduct of voting. Compliance with the rules regarding voting in a single polling station, the use of valid identity documents and adherence to the instructions of electoral staff constituted essential conditions for maintaining order and fairness in the ballot.

A relevant aspect concerns citizens' responsibility to refrain from any form of unlawful influence on voting. During the electoral campaign in Bucharest, there were intense debates and mutual accusations between candidates, which required responsible civic conduct on the part of voters, including the rejection of manipulation practices and unrealistic electoral promises. Doctrine emphasises that tolerating or accepting voter bribery directly undermines the freedom of the vote and equality of opportunity between candidates (Deleanu, 2006, p. 421).

From a jurisprudential perspective, the European Court of Human Rights has held that states have an obligation to prevent electoral fraud, but citizens also bear responsibility not to contribute to the distortion of the electoral process. In *Davydov and Others v. Russia*, the Court held that tolerated or accepted fraud may affect the very essence of the right to free elections guaranteed by Article 3 of Protocol No. 1 to the European Convention on Human Rights (*Davydov and Others v. Russia*, 2017, § 288).

The presidential elections of 2019 clearly highlighted the importance of civic participation, particularly among Romanian citizens in the diaspora. The significant mobilisation of voters abroad demonstrated that the exercise of the right to vote is perceived as a major civic responsibility, with a direct impact on the political direction of the state. At the same time, situations of overcrowding at polling stations abroad, reported in previous electoral rounds, imposed increased responsibility on both authorities and citizens, in terms of complying with procedures and using available legal mechanisms (postal voting, voting over several days). Doctrine highlights that civic participation presupposes not only turnout at the polls, but also the responsible use of the legal instruments made available by the state (Norris, 2011, p. 26).

An essential element of civic responsibility consists in citizens' involvement in ensuring the integrity and transparency of the electoral process. Both in the local elections of 2020 and in the presidential elections of 2019, the role of independent observers and civil society was decisive for strengthening public trust in the outcome of the ballot.

Citizens bear the responsibility to report irregularities observed in polling stations, such as breaches of ballot secrecy, voter influence or procedural deficiencies.

This responsibility is implicitly recognised in the case-law of the European Court of Human Rights, which has held that the existence of effective mechanisms for complaints and reporting is essential for compliance with Article 3 of Protocol No. 1 (Kovach v. Ukraine, 2008, § 55).

6. CITIZENS' RESPONSIBILITY IN EXCEPTIONAL SITUATIONS: LESSONS FROM THE 2020 ELECTIONS

The pandemic context of the 2020 local elections revealed an additional dimension of civic responsibility: compliance with exceptional measures adopted to protect public health. Observance of distancing rules, sanitary measures and organisational flows within polling stations made it possible to exercise the right to vote without compromising collective safety.

Recent doctrine emphasises that exceptional situations do not suspend democracy, but require the adaptation of civic behaviour to new conditions, in the spirit of proportionality and social solidarity (Venice Commission, 2020). Citizens thus become co-guarantors of the continuity of the democratic process.

The analysis of the 2020 local elections and the 2019 presidential elections allows observation, within the same national framework, of how electoral rights and citizens' responsibilities operate under different pressures: on the one hand, the proximity of local administration and the immediate impact of decisions on the community, on the other hand, the national stakes of presidential elections and the additional dimension of diaspora participation. Relevantly, the two electoral processes illustrate not only differences in institutional level, but also differences in terms of vulnerabilities affecting electoral integrity and the types of civic behaviour that may strengthen or undermine the legitimacy of the outcome.

First, the common legal framework governing both elections guarantees universal and equal suffrage, but the effective exercise of the right depends on institutional capacity and on voters' civic conduct. From this perspective, the comparative approach to the two elections is useful because it highlights the fact that the "right to free elections" is a procedural reality: it is constructed through consistently applied rules, credible dispute-resolution mechanisms and, equally importantly, informed participation and compliant electoral behaviour (Mathieu-Mohin and Clerfayt v. Belgium, 1987).

The local elections of 27 September 2020 were held under exceptional constraints generated by the COVID-19 pandemic. In such a context, the central issue was not whether the right to vote formally existed, but whether it could be exercised under conditions of safety and accessibility, without sanitary measures becoming barriers to participation. From this perspective, the 2020 local elections provide a concrete example of how electoral rights are complementary to civic responsibilities: the exercise of the right to vote presupposes acceptance of organisational and protective rules precisely in order to ensure the continuity of the democratic process.

From the perspective of participation, voter turnout at national level reached 46.02%, indicating a moderate level for a local ballot organised under epidemiological pressure (AEP, 2020). However, this national average conceals significant differences

between regions and types of communities. In Bucharest, for example, reported turnout was 36.92%, suggesting lower participation in large urban areas, even though administrative decisions at this level have immediate and visible effects (Mediafax, 2020).

This difference is relevant for the analysis of citizens' responsibilities: although urban public debate is often intense, electoral participation may remain modest, a phenomenon explained in electoral integrity literature through a combination of distrust, civic fatigue and the reduced perception of the effectiveness of the local vote. From a legal perspective, the main consequence is not the formal validity of the ballot, but democratic representativeness: local authorities exercise their legal mandate, yet a relatively narrow participatory base may weaken social consensus regarding public policies.

Moreover, in local elections - particularly in Bucharest - the campaign and competition focused on strictly local public policies (transport, district heating, infrastructure, urban planning). These characteristics render "informed voting" a civic responsibility with a pronounced technical component: voters must distinguish between promises that are feasible within the legal competences of local authorities and those that exceed them. In this sense, local elections function as a test of administrative literacy: citizens vote not only for "political preferences", but also for managerial capacity and the compatibility of programmes with the legal powers of the elected authority.

If the 2020 local elections were marked by the challenge of organisation under exceptional conditions, the 2019 presidential elections primarily highlighted the dynamics of participation in the decisive round and the importance of the diaspora as an electoral actor. Significantly, voter mobilisation abroad increased considerably between rounds: in the first round (10 November 2019), 675,348 voters were registered abroad, including 25,189 postal votes, while in the second round (24 November 2019) the number rose to 944,077 voters, including 17,503 postal votes (BEC, 2019).

These data are relevant for two reasons. First, they confirm that procedural facilities (multi-day voting, consular infrastructure, postal voting) can contribute to transforming the right to vote from a theoretical guarantee into an effective right. Second, they indicate that the responsibilities of citizens in the diaspora include a dimension of "civic diligence": planning participation, obtaining information regarding polling stations and procedures, and using available legal channels.

7. COMPARATIVE OPENING: ROMANIA AND EU BENCHMARKS (ITALY, FRANCE, POLAND)

In order to determine whether the challenges and performances observed in the two elections are specific to Romania or reflect broader trends, the analysis may be placed within a limited comparative European framework. Such comparison does not aim to establish simplistic hierarchies, but to identify institutional mechanisms capable of reducing participation barriers and increasing public trust.

Italy provides a significant model for diaspora participation through the existence of an external constituency and postal voting, institutionalised by law (Law

No. 459/2001). Compared to Romania, where diaspora voting relies mainly on polling stations abroad complemented by postal voting, the Italian model suggests that external participation can be stabilised through a more structured institutional arrangement.

France illustrates another solution: reducing participation costs through proxy voting (*vote par procuration*), which allows voters to exercise their right in situations of absence or mobility. Transposed to the Romanian context, this logic indicates that procedural facilities may be decisive in increasing participation, particularly in urban environments or exceptional circumstances.

Poland offers a relevant benchmark in terms of electoral mobilisation in presidential elections: the second round of the 2020 presidential election recorded a turnout of 68.18%, according to official communications of the electoral authority. Compared to participation dynamics in Romania, this figure suggests that, in some EU states, presidential stakes and the configuration of competition may generate high turnout, closely linked to trust in electoral administration and procedural predictability.

Table 1. Voting mechanisms and facilities procedural (Romania vs. France / Poland / Italy)

State	Vote in the country	Voting abroad (diaspora)	Alternative vote (non-physical presence)	Legal and institutional observations
Romania	Polling stations on the national territory	Polling stations abroad + postal voting (under certain conditions)	Voting by mail for the diaspora (special framework)	Mixed model, focus on sections + correspondence tool, without separate external constituency (BEC, 2019).
France	Polling stations	Sections abroad (consular network)	Voting by proxy (<i>vote par procuration</i>)	Powers of attorney reduce presence barriers, traditional mechanism, administratively modernized (Service-Public.fr, 2024).
Poland	Polling stations	Departments abroad	Depending on the type of election/applicable framework, generally predominantly wards	Predominantly "in-person" model, emphasis on logistics for the diaspora (PKW, 2020).
Italy	Polling stations	External constituency + postal vote for citizens outside the country	Postal voting for voters abroad	Robust model for the diaspora, "external representation" and institutionalized procedure (Law no. 459/2001) (Camera dei Deputati, 2001).

8. CONCLUSIONS

The analysis of electoral rights cannot be complete without examining citizens' responsibilities. The right to vote and the right to stand for election achieve their democratic purpose only insofar as they are exercised in an informed, free and

responsible manner. Compliance with electoral rules, rejection of electoral corruption, active participation and the reporting of irregularities constitute concrete forms through which citizens contribute to the integrity and legitimacy of the electoral process. From this perspective, civic responsibilities have not only a moral dimension, but also a legal-functional one, as they directly influence the quality of political representation.

The case study on the 2020 local elections and the 2019 presidential elections illustrates how these principles operate in practice. The local elections of 2020 demonstrated that the electoral process can function under exceptional conditions, provided that a balance is maintained between the protection of public interests (health) and the guarantee of electoral rights. The moderate level of participation, particularly in large urban areas, nevertheless highlights the need to strengthen civic education and public trust in the effectiveness of local voting. By contrast, the 2019 presidential elections, through the significant mobilisation of the diaspora, underscore the positive impact of procedural facilities and civic engagement on the effectiveness of the right to vote.

The comparative analysis with other EU Member States shows that challenges related to electoral participation and voting abroad are not unique to Romania. The models adopted in Italy (external constituency and postal voting), France (proxy voting) and Poland (high mobilisation in presidential elections) demonstrate that a diversity of institutional solutions is compatible with the fundamental principles of free elections. From this perspective, comparative experience suggests that improving electoral participation depends less on radical changes to legal principles and more on adapting procedural mechanisms and strengthening public trust.

In conclusion, citizens' rights and responsibilities in the electoral process constitute essential elements of the functioning of the rule of law and representative democracy. The effectiveness of the electoral process is determined not exclusively by the quality of legal norms, but also by the manner in which they are assumed and exercised by citizens. Strengthening democracy therefore requires not only the refinement of the legal and institutional framework, but also the development of an active, informed and responsible civic culture capable of transforming electoral rights into a genuine instrument of democratic and legitimate governance.

REFERENCES:

- [1]. **Bobbio, N.** (1987) *The Future of Democracy*, Polity Press, Cambridge
- [2]. **Dahl, R.** (1989) *Democracy and Its Critics*, Yale University Press, New Haven
- [3]. **Deleanu, I.** (2006) *Instituții și proceduri constituționale*, ediția a II-a, Editura C.H. Beck, București
- [4]. **International IDEA** (2017) *Electoral Management Design: The International IDEA Handbook*, International Institute for Democracy and Electoral Assistance, Stockholm
- [5]. **Iorgovan, A.** (2005) *Tratat de drept administrativ*, vol. II, Editura All Beck, București
- [6]. **James, T.S.** (2020) *Comparative Electoral Management*, Routledge, London and New York
- [7]. **Kuner, C., Bygrave, L., Docksey, C.** (2020) *The EU General Data Protection Regulation (GDPR): A Commentary*, Oxford University Press, Oxford

-
- [8]. **Muraru, I., Tănăsescu, E.S.** (2008) *Constituția României. Comentariu pe articole*, Editura C.H. Beck, București
- [9]. **Muraru, I., Tănăsescu, E.S.** (2019) *Drept constituțional și instituții politice*, vol. II, ediția a XV-a, Editura C.H. Beck, București
- [10]. **Norris, P.** (2014) *Why Electoral Integrity Matters*, Cambridge University Press, Cambridge
- [11]. **Norris, P., Grömping, M.** (2022) Electoral integrity and political trust: Testing the causal links, *International Political Science Review*, 43(4), pp. 498-517
- [12]. **Van Ham, C., Lindberg, S.I.** (2021) From sticks to carrots: Electoral manipulation and institutional engineering, *Electoral Studies*, 71, 102331
- [13]. **Vliegenthart, R., Van Ham, C., Kruikemeier, S., Jacobs, K.** (2024) Explaining (mis)perceptions of electoral integrity across nations, *Public Opinion Quarterly*, 88(SI), pp. 495-515
- [14]. **Autoritatea Electorală Permanentă** (2020) *Raport privind organizarea alegerilor locale din 2020*, Available at: <https://www.roaep.ro>, [Accessed 10 January 2022]
- [15]. **Venice Commission** (2002) *Code of Good Practice in Electoral Matters*, Council of Europe, Available at: <https://www.venice.coe.int>, [Accessed 21 January 2022]
- [16]. **Venice Commission** (2020) *Respect for democracy, human rights and the rule of law during states of emergency*, Council of Europe, Available at: <https://www.venice.coe.int>, [Accessed 9 January 2022]
- [17]. **OSCE/ODIHR** (2020) *Election Observation Handbook*, 7th edition, OSCE Office for Democratic Institutions and Human Rights, Warsaw
- [18]. **European Court of Human Rights** (1987) *Mathieu-Mohin and Clerfayt v. Belgium*, Judgment of 2 March 1987, Available at: <https://hudoc.echr.coe.int>, [Accessed 10 march 2022]
- [19]. **European Court of Human Rights** (2017) *Davydov and Others v. Russia*, Judgment of 30 May 2017, Available at: <https://hudoc.echr.coe.int>, [Accessed 10 April 2022]
- [20]. **European Union** (2016) Regulation (EU) 2016/679 (General Data Protection Regulation), *Official Journal of the European Union*, L 119, 4 May, pp. 1-88, Available at: <https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng>, [Accessed 10 January 2022]
- [21]. **Parliament of Romania** (2015) Law no. 115/2015 on Local Elections, Available at: <https://www.roaep.ro/legislatie>, [Accessed 10 January 2022]