

Systemic Governance Challenges in Romania

A Case Study of Public Safety in the Aftermath of the Colectiv Nightclub Fire

By

Denisa Isărescu

SNR 2073913

Major Law in an International Context

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Name of the Supervisor: Dr. Mr. Michiel Bot, Associate Professor of
Law and Humanities and Program Director of the major Law in an
International Context at University College Tilburg

Second Reader: Dr. Emre Bayamlıoğlu, postdoctoral researcher at
TLS: Tilburg Law School and TLS: Public Law and Governance

University College Tilburg
Tilburg School of Humanities and Digital Sciences
Tilburg University

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List of Abbreviations

- **AMPs** - Asistenți Medicali Profesioniști (Advanced Medical Professionals)
- **DG** - Decizie Guvernamentală (Governmental Decision)
- **DNA** - Direcția Națională Anticorupție (National Anticorruption Directorate)
- **ECHR** - Curtea Europeană a Drepturilor Omului (European Court of Human Rights)
- **FMI** - Fondul Monetar Internațional (International Monetary Fund)
- **IGSU** - Inspectoratul General pentru Situații de Urgență (General Inspectorate for Emergency Situations)
- **INSEMEX** - Institutul Național de Cercetare-Dezvoltare pentru Securitatea Minieră și Protecție Antiexplozivă (National Institute for Research and Development in Mine Safety and Protection from Explosion)
- **INSP** - Institutul Național de Sănătate Publică (National Institute of Public Health)
- **ISU** - Inspectoratul pentru Situații de Urgență (Inspectorate for Emergency Situations)
- **ISU-PSI** - Inspectoratul pentru Situații de Urgență - Protecția și Securitatea Incendiilor (Inspectorate for Emergency Situations - Fire Protection and Security)
- **OUG** - Ordonanță de Urgență (Emergency Ordinance)
- **PICCJ** - Parchetul de pe lângă Înalta Curte de Casație și Justiție (Prosecutor's Office attached to the High Court of Cassation and Justice)
- **PSD** - Partidul Social Democrat (Social Democratic Party)
- **S.A.J.** - Serviciul de Ambulanță Județean (County Ambulance Service)
- **SABIF** - Serviciul de Ambulanță București-Ilfov (Bucharest-Ilfov Ambulance Service)
- **SMURD** - Serviciul Mobil de Urgență, Reanimare și Descarcerare (Mobile Emergency Service for Resuscitation and Extrication)

Introduction

Following the collapse of the Iron Curtain, Romania saw profound political, economic, and social changes similar to many other post-communist Eastern European nations. However, enduring issues like corruption, ineffective bureaucracy, and inadequate governance frameworks have occurred alongside the transition to democracy and a market economy. Numerous industries have seen real repercussions as a result of these flaws, but public safety has emerged as one of the most vulnerable areas.

In the records of Romania's recent history, the Colectiv nightclub fire stands as a stark reminder of the fragility of public safety infrastructure and governance systems. A devastating fire started inside a nightclub in Bucharest, the capital of Romania, on Friday, October 30, 2015. The event, which took place during a free rock performance hosted by a band, exposed serious governance flaws in the Romanian government. Investigations revealed that the highly explosive polyurethane sponge used for acoustic insulation inside the venue caught fire as a result of fireworks used during the show. With 27 fatalities on the night of the catastrophe and more injured overall, this terrible incident was one of the worst nightclub fires in Romanian history.¹ Despite being started by an accident involving pyrotechnics, the Colectiv nightclub fire highlighted serious regulatory shortcomings and governance shortcomings in Romania. The tragedy made clear how urgently strong enforcement and supervision procedures are needed to protect public safety. In addition, it sparked widespread demonstrations against alleged corruption connected to the fire, which finally forced Romanian Prime Minister Victor Ponta to resign.²

Even though the Colectiv nightclub fire was an isolated incident, it was significant because it revealed long-standing flaws in Romania's governance framework, particularly concerning emergency response protocols and public safety protocols.³ Inefficiency in public institutions and weak law enforcement are argued to be systemic governance challenges in Romania in this thesis. Romania has grappled with systemic governance issues that have profoundly influenced public safety. It is crucial to adopt a systemic perspective to

¹ Gelan, 2016, p381.

² Al Jazeera, 2015.

³ Crețan et al., 2020, p368.

understand the breadth of these issues, considering their interconnected and complex nature as systemic risks. The term "systemic" refers to issues that are not isolated but deeply embedded within interconnected systems.⁴ These problems are not merely singular incidents but are interdependent and mutually reinforcing, creating a web of challenges that extend across various sectors of society. Non-linear processes, tipping points, and cascading impacts are typical of systemic issues. Romania's governance structures display some examples of these hazards, which will be discussed in more detail throughout this thesis. For example, corruption in law enforcement agencies jeopardizes emergency response by enabling people in power to overlook such problems. The challenges of governance are made more difficult by the indistinct boundaries between institutional responsibilities, political power, and commercial interests.

The enactment and monitoring of laws and policies designed to safeguard citizens from various dangers are included in public safety management.⁵ This covers areas like emergency response, fire safety, and compliance systems. Friedman's article indicates that in order to reduce hazards and guarantee community well-being, successful public safety regulation necessitates precise standards and strict enforcement.⁶ Public safety will be examined in this thesis with particular attention to emergency response procedures, fire safety standards, and the systems that oversight how these rules are implemented. This method offers a methodical framework for analyzing the various problems and intricacies related to Romanian public safety regulations.

This thesis looks at the Colectiv tragedy as a prism through which to examine more general systemic problems with the Romanian government, as opposed to seeing it as a singular event. It aims to investigate the issues that the Romanian government is still facing and analyze the underlying reasons for the Colectiv fire. By examining the events leading up to the Colectiv tragedy and its aftermath this thesis aims to undertake a comprehensive analysis of the Romanian government's regulatory framework and emergency response mechanisms, focusing on public safety.

An analysis of Romania's regulatory environment prior to and after the Colectiv fire

⁴ Schweizer, 2021, p78.

⁵ Friedman, 2022, p25.

⁶ Ibid.

is a key component of the inquiry. The research looks at the regulatory frameworks, regulatory tactics, and compliance mechanisms already in place in an effort to pinpoint the flaws that made it possible for such a catastrophe to happen. In addition, it seeks to appraise the effectiveness of governance measures put in place after the Colectiv disaster by analyzing the government's response to the occurrence and following reform initiatives. An analysis of the development of Romania's governance frameworks before and during the timeframe of the Colectiv fire seeks to provide insight into the structural obstacles that still stand in the way of the country's efforts to achieve efficient governance and increased public safety.

Examining the issues surrounding the Colectiv nightclub fire necessitates a thorough analysis of Romania's public safety regulations. Even while laws existed and were put in place to guarantee fire safety in public places like nightclubs, their execution and enactment have been grossly insufficient. Significant regulatory supervision inadequacies, such as a lack of adherence to building rules, insufficient fire suppression equipment, and poor emergency planning procedures, were made clear by this catastrophe. Moreover, the legal issue encompasses more general concerns about governmental accountability and transparency in addition to regulatory shortcomings. The inability to hold accountable individuals in charge of guaranteeing adherence to safety requirements draws attention to structural flaws in Romania's political systems.

Furthermore, doubts concerning the integrity of Romania's legal and judicial institutions were fueled by an absence of transparency regarding the investigation into the origins of the incident and the management of the case that followed. Beyond regulatory shortcomings, the Colectiv nightclub fire raises larger legal concerns about governmental accountability.⁷ These problems highlight how urgently fundamental reforms to improve regulatory supervision, responsibility, and increased transparency are needed to stop tragedies of this kind from happening again.

Therefore, the study aims to investigate the following research question: Are there systemic governance challenges within Romania, including regulatory inefficiencies, and emergency response limitations? How do they affect public safety, as highlighted in the case of the Colectiv nightclub fire, and do they still persist? The main objective is to evaluate the impact of these difficulties on public safety and determine if they continue after the tragic

⁷ Patakfalvi-Czirják et al., 2020, p33.

occurrence. The research aims to determine the underlying reasons for these governance shortcomings and their ongoing consequences on public safety in Romania through in-depth investigation and evaluation.

The thesis will be divided into five separate chapters, each of which will carefully look at a different aspect of the problems with systemic governance. The first chapter includes the methodology and literature review, components that were essential in providing information, reasoning, and context for the thesis. Going further, the second chapter will analyze government shortcomings in public safety and then turn to a thorough investigation of the emergency response systems of the Romanian government, especially in the context of the nightclub fire at Colectiv. It will give context for the chapters that will follow and analyze the specific emergency response deficiencies brought to light by the disaster and evaluate how they affected the tragedy's severity. Expanding on the regulatory study, the third chapter, named "Regulatory Landscape in Romania", will commence with an extensive examination of the current legal frameworks controlling public safety in Romania. It will examine the rules concerning fire safety in public places, and assess how well enforcement methods work to guarantee adherence. It will look at the laws and procedures that govern public safety. It will evaluate the difficulties encountered in regulatory compliance and monitoring, as well as the effectiveness with which these regulations were implemented.

The fourth chapter will examine the Long-Term Effects and Governance Reforms and offer an evaluation of how the Colectiv nightclub fire has affected Romania's accountability and governance frameworks over the long run. It will examine the incident's wider effects on legal and regulatory systems, with a focus on governance changes and public safety. It will address how the Colectiv Nightclub Fire affected the accountability and governance systems of the Romanian government, as well as the incident's wider effects on the country's legal and regulatory landscape. It will also discuss the structural issues that remained after the reforms.

The last chapter concerns the conclusion, findings, and discussion, in which the thesis' major findings will be synthesized and addressed. The significant insights learned from analyzing Romania's governance issues, notably with regard to emergency planning and public safety, will be compiled in this last chapter. It will go over the systemic flaws that the thesis has found, emphasizing the most important governance and regulatory problems. A set of policy proposals will be put forth to tackle these persistent issues, with a focus on doable

measures to augment public safety, enhance regulatory compliance, and fortify accountability systems. This chapter seeks to add to the current discussion on Romanian public safety and governance reforms by outlining a clear reform route.

Chapter I: Methodology and Literature Review

1.1 Methodology

1.1.1 Research design

To fully examine the systemic governance issues impacting public safety in Romania, especially in light of the Colectiv nightclub fire, I have chosen to use a qualitative approach in my thesis. Qualitative research, above all, provides a deep and comprehensive insight into intricate issues. These are ideally suited to investigate the complex characteristics of governance frameworks, regulatory compliance, emergency response procedures, and accountability structures due to the complex and multifaceted aspects. Through an extensive exploration of a wide array of materials, including laws, regulations, official papers, news articles, and other sources, I am able to comprehend the subtleties and intricacies of the background around the Colectiv catastrophe and its wider consequences for Romanian administration.

Furthermore, flexibility and adaptation in data collecting and interpretation are made possible by qualitative research. By using an iterative method, I can thoroughly examine the problems at hand and make sure that no information is overlooked in my pursuit of knowledge. This approach involves repeatedly revisiting and refining my analysis, allowing for continuous improvement and adaptation. In the end, the research approach I have chosen shows my dedication to rigor, comprehensiveness, and depth in answering the given research questions. The goal is to provide a comprehensive and perceptive analysis of Romania's governance issues and the wider ramifications for public safety by utilizing the advantages of qualitative and comparative research.

1.1.2 Data collection, technique, and topic

To begin with, a wide range of sources are included in my data-collecting technique, such as official declarations, academic articles, government reports, legislative documents, and news

outlets. By using a broad approach, I hope to gather all the data necessary to comprehend Romania's legal structure, crisis management systems, and accountability frameworks. The underlying framework for my study is provided by legislative documents, which include laws, regulations, and government decrees. These papers provide insights into the formal structures and procedures that control public safety. By utilizing scholarly works and press articles, it is possible to conduct a comprehensive investigation of the many aspects, obstacles, and disputes related to public safety governance in Romania.

I use an organized and systematic method for sampling. I use purposive sampling to pick important materials and sources that are most relevant to my research questions because of the topic's scope and intricacy. This comprises academic publications examining Romania's governance shortcomings, government reports on emergency response protocols, and documents pertaining to public safety legislation. In addition, I use a methodical procedure to guarantee thorough coverage of pertinent facts and literature. This reduces the possibility of missing crucial information by methodically exploring databases and documents for pertinent materials and information. The search words that I use in order to find relevant work are, among others: “Colectiv Nightclub”, “Fire”, “Corruption”, “Romania”, “Tragedy”, “Report”, “Government”, “Normative”, “Law”, “Ordinance”, and so on.

I selected this topic and issue to research because the nightclub fire at Colectiv serves as an alarming indication of the significant obstacles Romania's public safety system must overcome. Beyond the tragedy's direct human cost, it exposed the regulatory shortfalls and systemic governance flaws that enabled it to happen. By drawing attention to these problems, I hope to spark important discussions and take effective action to enhance public safety governance in Romania and beyond. This issue is a perfect fit for my research interests since, as a student of law in an international context, who wishes to pursue a governance and diplomacy master's and has completed an internship under the guidance of a Romanian member of the European Parliament, I am extremely passionate about investigating the junction of politics, law, and public safety.

The integrity and legitimacy of my results are ensured by taking validity and reliability into account. I am cross-referencing many sources and techniques to minimize bias and confirm results in order to improve validity. In addition, I work hard to be transparent and reflexive, disclosing any possible preconceptions or constraints that could affect the findings.

Regarding dependability, I use recognized research procedures and guidelines to guarantee consistency and reproducibility, and I take a methodical and meticulous approach to data collecting and analysis.

1.1.3 Limitations

Recognizing and addressing the inherent limits that might affect the breadth, depth, and reliability of my research is essential. As I want to be as comprehensive and rigorous as possible, I also need to be aware of the limitations and difficulties that might affect how the thesis develops.

Furthermore, the scarcity of primary sources and empirical data may restrict the breadth and precision of my study, requiring a more circumspect interpretation of results. A significant constraint is the paucity of prior studies on the subject of systemic governance issues in Romania, specifically in relation to emergency response and public safety. There is an absence of academic literature and empirical data accessible for analysis because this is a relatively understudied field. This makes it difficult to expand on prior research and place my results in the context of a larger scholarly conversation. The task of finding relevant information about the subject regarding the faults and deficiencies of the Romanian government has been challenging, as the whole procedure of investigations and reports turned out to be rather opaque and hidden from the public eye.

The widespread corruption within the Romanian government, which has become one of the main discussion topics⁸, is another important hindrance. In addition to undermining the legitimacy and efficacy of governing institutions, corruption makes it more difficult to collect reliable and precise information. It may be difficult to get official records, government reports, and other authoritative sources in an environment where accountability and openness are frequently missing. Corrupt behaviors may additionally distort perceptions, misinterpret statistics, and obstruct efforts to identify systemic flaws and failures in public safety governance.

Moreover, time constraints severely limit the extent and complexity of the study. There is a restricted span of period provided for data collecting, research, and writing considering the month given to finish the thesis. Taking into account the limited time available, a

⁸ Ristei, 2010, p341.

practical approach to study design and methodology is required, with a focus on prioritizing important topics of inquiry and expediting data-gathering procedures. This might lead to the shortening or simplification of some study findings, which could restrict the analysis's depth and complexity. Time restrictions may also make it impossible to investigate alternate research strategies or include more data sources, which could limit how thorough the study may be.

Finally, obtaining a thorough and nuanced knowledge of the systemic governance difficulties in Romania is hampered by the topic's intrinsic complexity and diversity. A vast array of interconnected elements, such as institutional structures, legislative frameworks, bureaucratic procedures, cultural norms, and social views, are all included in public safety governance. Trying to untangle and evaluate these complex processes in the context of a single thesis is quite difficult. As a result, this paper stands the danger of oversimplifying or reducing in examination in an effort to condense complicated situations.

I am nevertheless dedicated to maintaining the greatest levels of academic rigor, honesty, and integrity while negotiating these constraints. I make an effort to lessen the influence of any potential limitations on the reliability and validity of my study results by being upfront about them and taking appropriate action. Furthermore, I see these constraints as chances for introspection, adjustment, and education since I know they might provide insightful information about the subtleties and complexity of the research process.

1.2 Literature Review

Concerns about public safety governance have grown in Romania, particularly in the wake of big events like the fire at the Colectiv nightclub. It is vital to comprehend the current research on legal structures and emergency response systems in order to effectively tackle systemic issues and augment public safety. There is a substantial void in the literature on Romanian public safety regulation, especially when it comes to the examination of legislative and regulatory inadequacies. The body of knowledge about emergency response protocols and regulatory frameworks is essential for comprehending systemic issues and enhancing public safety. Considering the existing research, there are significant gaps in our comprehension of the governance of public safety in Romania.

A notable shortcoming in the literature is the examination of legislative and regulatory

inadequacies in the domain of public safety regulation, especially in Romania. Studies that are currently available frequently overlook the legal and regulatory components of catastrophes in favor of looking at the sociological and cultural factors, such as public indignation and civil society mobilization.⁹

There are several reasons for the prevailing emphasis on the socioeconomic and cultural aspects of catastrophes. First of all, catastrophes are fascinating subjects for research because they are complex occurrences with wide-ranging effects on society. Because of their direct relevance and visceral appeal, subjects like political repercussions and public indignation typically pique the interest of researchers. However, this focus on social reactions might obscure the fundamental regulatory shortcomings that lead to catastrophes.

Additionally, performing unbiased studies of legislative shortcomings and governance deficits is made more difficult by the politicized character of public safety regulation in Romania. The political nuances pertaining to accountability, corruption, and institutional change may dissuade scholars from conducting a critical analysis of regulatory regimes and their efficacy. Hiding behind a fear of consequences or backlash, academics may be reluctant to explore delicate subjects connected to public safety governance.

More broad research that crosses the boundaries between legal studies, policy analysis, and catastrophe management is needed to address these gaps and issues. Subsequent research endeavors ought to focus on doing meticulous legal examinations of public safety laws, assessing their suitability, methods of implementation, and consequences for mitigating the danger of disasters. Researchers may promote public safety governance and avert such tragedies by filling this gap in the literature and offering insightful analysis.

In the end, strengthening emergency response skills and correcting legislative shortcomings are essential measures to increase Romania's catastrophe resilience. Through an analysis of systemic issues in public safety governance and ideas for policy improvements, this thesis

⁹ To provide examples, Jurău (2015) emphasizes the importance of media and social reactions in the aftermath of the Colectiv nightclub fire. Cmeciuc and Coman (2018) investigate the use of Twitter as a tool for communal (re)framing of the crisis and emotional coping, emphasizing public opinion as opposed to regulatory shortcomings. Again, concentrating on the societal implications, Rusu (2020) explores the complexities of grief and the societal repercussions of grievable deaths. Adi and Lilleker (2017) examine the anti-corruption demonstrations in Romania, including background information on popular mobilization but omitting information on legal inadequacies. Mawson (2005) also offers insights into social reactions as mass fear and communal responses to tragedy are explored (Mawson, 2005).

aims to further current knowledge. Through a thorough examination of governance frameworks and legislative shortcomings, it seeks to offer insightful information that can guide public safety governance practice and policy.

Chapter II: Analysis of Government Shortcomings in Emergency Response, Analysis of the Colectiv Nightclub Fire

2.1 The Context of the Colectiv Club

As the most severe nightclub fire and most fatal tragedy that took place in Romania since the revolution in 1989¹⁰, "Colectiv 2015" was one of the greatest disasters caused by humans in recent memory.¹¹ A total of 146 persons had more-or-less serious harm that will scar them for the rest of their lives, and 64 individuals died in the ensuing tragedy, out of which 27 during the incident itself and the remaining victims subsequently in hospitals in Romania and overseas. The incident resulted from a complex web of circumstances, including regulatory failures and inadequate emergency response measures.¹²

The Colectiv incident happened on Friday night inside a club situated in Bucharest's Sector 4. It started during the band Goodbye to Gravity's free performance to celebrate the debut of their new album, "Mantras of War".¹³

According to the General Director of INSEMEX (National Institute for Research and Development in Mine Safety and Protection Against Explosion), on Friday night, between 300 and 500 youths attended the venue.¹⁴ As reported by PICCJ (the prosecutor's office attached to the High Court of Cassation and Justice), the rental agreement between Colectiv and the musicians of Goodbye to Gravity stated that the band would not be responsible for rental costs if no less than 400 individuals went to the performance. As a result, the owners of Colectiv prompted and granted passage to a number of attendees who far surpassed the maximum allowed. The club measured 425 square meters, according to the

¹⁰ Gelan, 2016, p381.

¹¹ Zulean et al., 2019, p586.

¹² Guvernul României, 2016, p4.

¹³ HotNews.ro, 2015.

¹⁴ Alina Costache, 2015.

documents in the case file. On November 6, 2014, Paul Gancea, a major stakeholder of the club, gave the statement according to which the Colectiv location set an upper limit of 80, which allowed them to take advantage of a legal loophole and avoid getting a fire safety license or permit.¹⁵

The building was five meters high and had a fire resistance level of III. A fire resistance level of III should, in accordance with national construction and fire safety standards, be able to endure a fire for a certain amount of time, specifically 60 minutes. The club was situated on the lower level of the "Pionerul" textile factory.¹⁶ Because it was a packed environment, there should have been at least two ways to evacuate and specific precautions for security in place. The club was divided into four sections by load-bearing reinforced concrete interior walls. Four acoustically foam-insulated column supports were among the additional load-bearing components. There was a dance floor in the establishment, and entry was through a container that was 220 cm tall and had a door opening that was just 0.80 meters wide.¹⁷ The inside included walls covered with grates made of dried spruce wood and coated with very flammable soundproofing foam. There were additionally no electrical cutoff mechanisms or water sprinklers, that turn on when detectors sense fires.¹⁸ There was just one little fire extinguisher within¹⁹, meant to put out an insignificant fire rather than one this size. Only a small number of people were capable of getting out by using the open door.²⁰

2.2 Regulatory Violations and Safety Failures at the Colectiv Club

The records of the club were given for inspection after Sector 4 Mayor Cristian Popescu Piedone said on Saturday that he had nothing to be regretful of, and that, from the municipality hall's standpoint, the Colectiv Club operated lawfully, with his examiners checking in before the operating hours of the club, rather than during the late hours of the day

¹⁵ Ibidem.

¹⁶ Prigoreanu et al., 2018, p148.

¹⁷ Ibid., p149.

¹⁸ Alina Costache, 2015.

¹⁹ Zulean ethnic al., 2019, p588-589.

²⁰ Alina Costache, 2015.

when the venue was active. However, it did not have all of the working permissions from the Inspectorate for Emergency Situations, pursuant to the preliminary inquiry data after the fire. In front of the Colectiv club on Saturday, the mayor acknowledged that the location lacked ISU (Inspectorate for Emergency Situations) authorization since it had an operating contract that contained a self-declaration. The declaration exploited a loophole, enabling the avoidance of responsibility for obtaining necessary authorizations while allowing the actual number of attendees to significantly exceed the declared limit. Furthermore, Piedone said that pyrotechnic practices were not authorized.²¹ Moreover, government audits exposed problems with personnel documentation.²²

Raed Arafat, the State Secretary in the Ministry of Internal Affairs, stated on Saturday morning that there were obvious inadequacies in the Inspectorate for Emergency Situations' permission documentation for the activities carried out at the Colectiv Club. Running a club means getting authorization and approval from a lot of distinctive agencies, such as Labour Protection, Environmental Protection, Health, Sanitary-Veterinary, and ISU-PSI (fire prevention and extinguishing). This intricate procedure was intended to guarantee that companies follow strict safety guidelines and rules, protecting both employees and customers. Once licenses are obtained, fire departments and other pertinent state agencies check the premises to ensure adherence to the established guidelines. The Colectiv club allegedly received permission to begin activities in January, based on official documents.

The most recent inspection took place on October 21, and shortcomings were found throughout this examination, especially with regard to the absence of trained staff.²³ Furthermore, there was insufficient fire safety equipment in the club.²⁴ According to the technical results of the Petroșani Institute specialists, the internal layout and structure of the location rendered the young individuals' rescue from the fire virtually unattainable.²⁵ The facility was violating fire safety standards, with just one escape accessible for the 300–400

²¹ Mediafax, 1st of November 2015.

²² Adevarul, 2015.

²³ Ibid.

²⁴ Ibid., p149.

²⁵ Digi24, 2016.

people.²⁶

These shortcomings are the results of supervision or implementation issues, or possible corruption that allowed such risks to exist. Despite having permission to operate, experts said that the club's poor operating standards were the cascading effect that led to the high number of casualties.²⁷

Based on security cameras, the first fireworks were set off at 22:02:01, just a few seconds after the performance began. The pyrotechnics were positioned on the technical scaffold that supported the platform. For thirteen seconds, they burnt, shooting sparks in the direction of the support pillar next to the stage. Thirty minutes later, pyrotechnics were set off, again, but on a support adjacent to the technical scaffold. The fireworks burned for sixteen seconds, shooting flames in the direction of the support column close to the platform. The section between the support column and the platform was still lit when the explosions ended, and the beam of light soon became brighter and covered more of the space. In the following ten seconds, blazing fragments were dropping from the roof between the platform and the support column, which was on fire.²⁸

The first individuals started to evacuate around 22:32:35 as the blaze got more intense and the burning area above them expanded quickly. The fire spread quickly, and within only a minute from the point of ignition, it had spread to the security camera that was positioned diametrically opposite from the fire's source on the support column. This revealed the existence of highly combustible components that helped the fire spread. Over the course of the following thirty seconds, a sizable crowd of club attendees could be observed grouping around the area that opened out to the passage and exit. The entire club was soon filled with a cloud of dense smoke.²⁹

As the fire spread, people panicked and made a frantic dash for the exit.³⁰ People could be seen desperately trying to escape the rising flames and smoke in the security footage. Even while some people tried to leave, the congestion at the exits made things worse for many

²⁶ Sobják, 2015, p1.

²⁷ Romanian, 2022, p99.

²⁸ Mediafax, 3rd of November 2015.

²⁹ Ibid.

³⁰ Ibid.

more. Those confined inside became confused and disoriented as a result of the dense smoke's further reduction in vision, resulting in some people being even trampled. The fire expanded quickly, and the sheer number of people trying to flee at once made emergency response operations challenging. It was quite difficult for the first responding firefighters to enter the structure and put out the fire.

Following the event, inquiries were made to ascertain the origin of the flames and assess how well the club's safety precautions were working.³¹ The presence of combustible chemicals, the use of pyrotechnics without the necessary safety precautions, and the poor emergency evacuation plan were all cascading consequences that resulted in the tipping point and revealed a larger problem of lax enforcement of safety laws.

2.3 Specific Shortcomings in the Romanian Government's Emergency Response Mechanisms

The internal oversight evaluation done after the incident revealed that the National Unique Emergency Call System 112 recorded the first two calls, which were transmitted to the dispatch centers of different agencies, at 22:32, which coincided with the fire's onset. The Red Intervention Plan was not immediately triggered, even though at least one of the calls suggested a very critical situation. This procedure ensures efficient use of resources and proper allocation of medical care in the event of large accidents or catastrophes involving several victims. It is meant to be quickly implemented. The wait time exposes a serious flaw in emergency response procedures.³² The essential procedure known as the Red Intervention Plan is intended to handle a broad spectrum of crises, such as building collapses, floods, large-scale fires, railway or vehicle mishaps, industrial catastrophes, and more. It is activated in response to a variety of occurrences, frequently by victims or witnesses calling the emergency hotline 112. Emergency services quickly get critical information about the disaster, including its exact location, the number of casualties, and their medical status, upon receiving these calls. The response procedure unfolds methodically, starting with the deployment of the first medical team to evaluate the condition on the scene. They could suggest, after discussion with the head investigator of the ISU and notice to the prefect, that

³¹ Ibid.

³² Guvernul României, 2016, p6.

the Red Intervention Plan be activated. This plan entails the combined dispatch of the Emergency Situations Inspectorate (ISU) and Ambulance Service (S.A.J.). The choice to implement the Red Intervention Plan is based on a variety of factors, such as whether a certain number of victims has been reached or whether the incident takes place in an area with a high volume of people. The Emergency Situations Inspectorate is in charge of coordinating ambulance services when the decision is taken to activate the plan.

The Red Intervention Plan is implemented in eight phases, each of which is carefully planned to maximize emergency response activities. Primarily and most importantly, the Red Plan must be activated, and then resources must be mobilized promptly thereafter. Because it entails bringing a wide range of resources—material, and human—to the impacted location, this phase is crucial. Victim triage, a critical procedure that includes classifying and evaluating people according to the extent of their injuries, is the third phase. The fourth phase is to ensure that different teams and emergency services work together seamlessly. This includes police, firemen, emergency medical services, and sometimes even the military.³³ Next is medical aid on-site, which is supplied by Advanced Medical Posts (AMPs) that are placed strategically. These stations are furnished with the basic medical supplies, prescription drugs, and apparatus required to handle a wide variety of medical crises. The casualties are then transported to adjacent hospitals, and great care is taken to divide the patients equally among the many medical institutions so as to avoid overcrowding at any one facility. Managing medical centers is the seventh stage, in which hospitals are swiftly notified and ready to take on a substantial patient inflow. Lastly, it's critical to keep an eye on the situation at all times so that the response plan may be modified as needed to reflect the changing event dynamics. By implementing these procedures in a thorough manner, the Red Intervention Plan becomes an indispensable component of emergency planning and response, protecting lives and reducing the damage that major catastrophes do to infrastructure and communities.³⁴ The fact that this strategy was not implemented right away although vital information was obtained from the first calls highlights serious shortcomings in the emergency services' decision-making and communication processes.

The report underscored the necessity of taking immediate measures due to the substantial

³³ State, 2024.

³⁴ Ibid.

number of calls—11 from the same location in less than a minute—that were routed by the National Unique Emergency Call System 112 to the Emergency Situations Inspectorate "Dealul Spirii" Bucharest-Ilfov dispatch centers and/or the Bucharest-Ilfov Ambulance Service dispatch. The dispatch center should have been alerted to the extent of the problem by this surge of calls and swiftly notified the head inspector of the Emergency Situations Inspectorate "Dealul Spirii" Bucharest-Ilfov. But this important information was not communicated until 22:44, after the first emergency teams had arrived and reported more than sixty injuries. As a result, the prescribed protocol was not followed, and the reasons for this deviation were not shared with the control team.³⁵ This protocol activation and communication delay is one of the results of a systemic failure in the emergency response system. For example, the Prime Minister's Control Corps was formally notified by the Bucharest General Police Directorate that it was not aware of the Red Intervention Plan's activation for Bucharest and Ilfov County. Moreover, the precise moment the Red Intervention Plan was activated was not specified in any documentation provided by the Bucharest-Ilfov Ambulance Service, the Bucharest Gendarmerie, or the Bucharest Local Police.

Furthermore, there were major differences in the accounts of the number of forces participating in the intervention at the level of the Department for Emergency Situations, the Emergency Situations Inspectorate "Dealul Spirii" Bucharest-Ilfov, and the General Inspectorate for Emergency Situations.³⁶ The fact that several teams became frightened and sent erratic information to the dispatch brought attention to the intervention operation's apparent lack of true coordination. A recurring problem was the unreliable information regarding the number of teams that responded, the overall number of victims, the number of patients admitted to each hospital, the number of patients who were transferred overseas and where they were located, and even the total number of deaths.³⁷ This disarray made it more difficult to handle resources effectively and caused delays in response times. The uncertainty made the already chaotic situation much worse, disturbing the impacted people as well as the responders. In addition to distressing the affected individuals, the uncertainty brought

³⁵ Guvernul României, 2016, p6.

³⁶ Ibid., p7.

³⁷ Ibid., p8.

attention to yet another cascading consequence of the systemic issue related to the emergency response. Moreover, the lack of a centralized communication system made it more difficult to create a clear chain of command and allowed false information to spread. In the absence of a centralized mechanism for data reporting and verification, various teams functioned on contradicting information, resulting in inefficiencies and perhaps jeopardizing the response endeavor as a whole. Furthermore, the absence of established protocols for disseminating information resulted in the neglect or delay of vital updates, hindering the prompt allocation of resources and thus endangering the security of victims and rescuers alike. Moreover, the absence of clear communication guidelines also affected how various entities engaged in the response effort interacted with one another. The coordination process was made more difficult by the emergency services, hospitals, and government organizations' inconsistent communication, which also made it more difficult for crucial information needed for making critical decisions to be shared. Consequently, the efficiency of the response operation as a whole may have been compromised by the misallocation of crucial resources, the duplication of response operations, and the passing up of collaborative chances.³⁸ Multiple legislative contradictions in the legislation regulating emergency aid in the event of collective accidents, tragedies, and disasters in the pre-hospital phase were discovered during the inspection.³⁹

In the aftermath of the Colectiv nightclub fire, the delayed arrival and unpreparedness of paramedics underscored another repercussion of the systemic failure in emergency preparedness. Despite the urgent nature of the situation, crucial minutes elapsed before medical personnel could reach the scene, exacerbating the severity of injuries and hindering timely treatment. Upon arrival, paramedics were met with a chaotic and overwhelming scene, where the scale of devastation overwhelmed available resources. Victims, many with severe burns and injuries, clamored for medical attention, yet the infrastructure and coordination necessary for an effective response were lacking. This scene epitomizes the systemic deficiencies that plagued the emergency response.⁴⁰ Broadcasted footage revealed inadequacies in the way victims were removed from the Colectiv club, dragged from the club either by hand or foot by law enforcement or regular people, some utilizing wooden pallets.

³⁸ *ibid.*, p8

³⁹ *Ibid.*, p10.

⁴⁰ Marin, 2015.

Additionally, lacking tools like oxygen masks or defibrillators, first aid and resuscitation were performed without necessary items and right on the pavement. 163 individuals were evacuated and given medical triage after the incident, and 26 of them passed away. In addition, 184 patients—146 of whom were hospitalized—were transferred to 31 hospitals in Bucharest by police teams, private vehicles, or medical teams (SMURD and SABIF).

However, there were different informations reported to the Ministry of Health. 163 people were listed as hospitalized in 11 hospitals according to the National Institute of Public Health (INSP). The facts were inaccurate even when it came to the number of recorded fatalities and their locations.⁴¹

2.4 Understanding and Summarizing the Failures

Following the thorough investigation of the whole event, including the kind of building, the moment the fireworks began, and the victims' arrival at the hospital, several anomalies were discovered, involving both the club's owners and the government. The report stated that although several institutions fulfilled their responsibilities as required, others showed notable shortcomings and that overall, the reaction of the institutions that took part in the intervention on October 30, 2015, has been judged as inadequate by the internal oversight evaluation.⁴² The emergency response to the fire at the Colectiv nightclub in Bucharest was mainly disorganized, with some improvised actions by the authorities. Conflicting rules, inadequate training, and a lack of meaningful emergency drills were the main causes of this chaos.⁴³ As the situation developed, it became clear that the responding entities were not adequately prepared or organized.

Firstly, the regulatory violations and safety failures within the Colectiv Club itself should be addressed. The evidence indicates non-compliance with safety protocols and regulations. The Colectiv club operated without the necessary fire safety permits, by exploiting legal loopholes and inadequate enforcement. While it may initially appear that the violations within the Colectiv Club incident are unrelated, a deeper examination uncovers irregularities within both the club's operations and the regulatory enforcement, as government agencies

⁴¹ Guvernul României, 2016, p41.

⁴² Ibid., p10

⁴³ Ibid., p74.

responsible for ensuring public safety failed to conduct regular and thorough inspections of venues like these. One of the root causes of the violations is a lack of regulatory enforcement since the existing safety regulations and protocols were not adequately monitored by the responsible authorities. Without the inspections, unsafe practices went unnoticed and uncorrected. This means that even though rules were in place to prevent such disasters, they were not being followed or checked by the government, allowing dangerous conditions to persist.

Failure of interagency coordination is another effect of the systemic problem that made the prompt mobilization of the authorities ineffective. The lack of clear communication channels and a unified command structure led to confusion and delays in the response efforts, thus resulting in a lack of coordination as the law prescribes. Effective enforcement is further impeded by the agencies' inadequate coordination and communication. Under-investments in emergency response infrastructure are another part of these root causes because they led to a lack of essential resources and training needed for efficient and effective emergency response.

Several tipping points happened due to these systemic governance problems. The chaotic emergency response to the Colectiv nightclub fire, a lack of interagency collaboration, and widespread corruption are some of them. Hazardous conditions caused these tipping points, enabling the incident and its aftermath. The club's ability to operate with impunity despite these violations, along with the cascading effects of the aftermath, points to deficiencies in regulatory enforcement, becoming a symptom of a systemic problem when other critical moments also exist, such as the uncovering of 7214 units operating without licenses in 2024.⁴⁴ While it can be suggested that the responsibility lies solely with the club owners, the government's failure to ensure compliance and enforce regulations creates an environment where such violations are able to exist.

In addition to putting public safety in jeopardy, corruption at all levels of government and local authorities also causes an erosion of public confidence in the institutions tasked with upkeeping public safety. Romania's legal and regulatory systems are corrupt and have many loopholes, making it easy to obtain business permissions.⁴⁵ Because these systemic issues are

⁴⁴ Orjan, 2024.

⁴⁵ România, te iubesc, 2024.

interrelated and reinforce one another, making it troublesome to have a distinct analysis of each particular challenge. There are several issues that resulted from these lacks. First of all, unsafe conduct continued unreported and uncorrected because government organizations charged with guaranteeing public safety neglected to carry out frequent and comprehensive inspections. Additionally, the ease with which companies can receive authorization and continue operating in spite of breaches suggests widespread corruption and a lack of adequate regulatory enforcement interconnectedness. Safety rules are routinely violated in the interest of profit in an atmosphere where corruption exists.

Thus, corruption can be considered another systemic failure, as other instances, like the attempt of law OUG13 to free influential political figures from jail,⁴⁶ also point out. The National Anti-Corruption Directorate (DNA), a professional prosecution organization, is the driving factor behind the punishments. However, because prevention has not yet caught up to prosecution and adjudication of corruption, anti-corruption initiatives still very much lack a systemic quality.⁴⁷

Furthermore, the shortcomings in the Romanian government's emergency response mechanisms exacerbated the severity of the tragedy. The data obtained from several entities engaged was found to be inconsistent. Confusion and inefficiency in handling the incident's aftermath resulted from these issues.⁴⁸ Despite the existence of protocols and procedures, the response to the Colectiv fire was marred by delays, miscommunication, and inadequate coordination. The delayed activation of the Red Intervention Plan, discrepancies in casualty reports, and the lack of a centralized communication system that had cascading effects on the care and handling of the victims are all consequences indicative of a systemic weaknesses in emergency preparedness and response. The disjointed response not only jeopardized the safety of the people but also hindered the effectiveness of rescue operations.

Unchecked conditions during crises put an additional burden on the already weak emergency response infrastructure. Underfunding and corruption make the issue worse by depriving emergency responders of the tools and training they require, which causes chaos and delays in response times. This leads to a vicious cycle of danger and inefficiency in

⁴⁶ Ibid.

⁴⁷ Sobják, 2015, p1.

⁴⁸ Guvernul României, 2016, p70.

enforcement and training, whereby preparedness levels and emergency response are compromised by systemic corruption and a lack of enforcement. Regulation enforcement is also compromised by corruption, which enables officials to disregard safety violations. This makes it possible for businesses to operate without the required licenses and compliance with safety standards, which increases the risk of accidents and enables dangerous behaviors to go undetected. Because of these problems, there is a non-linear chain reaction of failures that highlights systemic flaws and the vulnerability of governance systems in maintaining public safety. These interlinked problems create a complicated web that needs thoughtful reflection in order to be addressed successfully.

Chapter III: The Regulatory Landscape in Romania

3.1 Overview of Regulatory Frameworks

The following chapter explores the laws that were established before the Colectiv nightclub disaster, with a particular emphasis on figuring out whether the incident was caused by weak legislation or a lack of enforcement. The identification and assessment of the rules and regulations that are directly related to the nightclub fire at Colectiv is a crucial aspect of the investigation. The aim of this is to evaluate the current impact of systemic governance issues on public safety in Romania and to identify any issues that may have contributed to the Colectiv disaster. The goal of this chapter's analysis concerning the laws' effectiveness and sufficiency is to determine whether or not they offered enough protection against these kinds of situations, or whether there were any glaring gaps in their coverage.

First, a key component of Romania's legal system is the Law on Civil Protection No. 481/2004, more specifically Article 34. It addresses the ongoing education and certification for those working in civil protection. It encompasses how continuing education, training, and specialization for those in charge of handling crises, such as volunteers, emergency response team leaders, and other pertinent staff members is realized. The law is aimed at improving the overall response capacities and resilience by improving training and qualification.⁴⁹ Article 34 establishes a comprehensive structure, although its application varies greatly. According to the incident report, several people assigned to emergency response tasks lacked the necessary

⁴⁹ Parlamentul României, 2008, art.34.

education and training.⁵⁰ This gap in enforcement undermines the law's effectiveness, as evidenced by the delayed and disorganized response to the Colectiv nightclub fire. This problem, which had cascading effects on the victims of the fire, was the result of a systemic governance issue: the persistent disconnect between the creation of laws and their practical enforcement. The delayed and disorganized response to the Colectiv fire underscores this issue, highlighting how the failure to adhere to educational standards compromised public safety.

Article 7 of the Emergency Ordinance No. 21/2004, establishes Emergency Committees entrusted with coordinating response activities during emergencies. These committees are essential in evaluating conditions, gathering resources, and carrying out emergency actions. They function at many levels of government, including local municipalities and the Municipality of Bucharest. These committees help to guarantee a cohesive and efficient response to emergencies by bringing together members from many agencies and organizations.⁵¹ These committees appear to have been inactive or ineffectual based on the slow reaction time and poor coordination during the incident. Once more, the disparity between the legislative structure and its execution is the fundamental problem. The emergency services' mobilization was noticeably delayed during the tragedy. According to reports, the committees' delayed convocation impeded the earliest attempts at responding. The lack of routine drills and readiness exercises, which are required to guarantee that committees can act quickly in actual situations, may be the cause of the inaction. The absence of a unified command structure and inadequate interagency communication channels, which are mandated by law and essential for coordinated action during crises, may also be contributing factors to this ineffectiveness. In accordance with this, Article 14 of the same legislation discusses the necessity of national coordination and collaboration to bolster emergency management initiatives. In order to successfully handle emergency circumstances, it defines procedures for proper communication among many stakeholders, including public agencies, business enterprises, and civil society organizations. Authorities strive to optimize resource utilization, expedite decision-making procedures, and improve the general efficacy of emergency response activities across the country by promoting collaboration and

⁵⁰ Guvernul României, 2016, p10.

⁵¹ Guvernul României, 2004, art.7.

coordination.⁵² Inter-agency communication was visibly lacking throughout the incident and its aftermath. The reaction was marked by dispersed efforts, with many agencies functioning independently of one another in the absence of a single command structure. Roles and responsibilities became unclear as a result, and there were overlaps in duties. Despite the fact that Article 14 requires national cooperation and coordination, this was not effectively implemented. As seen by the disorganized reaction to the event, the conceptual foundation for collaboration was not matched by practical implementation strategies. This consequence further emphasizes systemic governance concerns, in which emergency response does not bolster theoretical frameworks for coordination. These committees should have acted as focal points for coordination, bringing together pertinent parties to plan a coordinated and effective emergency response. Emergency Committees could have hastened the deployment of firefighting troops, medical teams, and other critical resources to the fire scene by using the resources and expertise of many authorities. Additionally, by facilitating collaboration and communication between various reaction teams, these committees could have potentially ensured the timely application of the red plan, leading to a better coordinated and efficient crisis response. Governmental agencies, emergency services, and non-governmental organizations are only a few of the institutions whose knowledge and resources could have been better utilized by authorities to handle the complex issues raised by the Colectiv fire.

Article 10 of the Emergency Ordinance No. 21/2004, which outlines the creation of Municipal disaster Committees to supervise disaster response activities inside municipalities, including Bucharest, was another section of legislation that was disregarded. These committees are to be led by prefects. These emergency management committees are made up of representatives from a range of governmental agencies, decentralized services, and commercial organizations. To properly handle emergencies at the local level, their duties include organizing response efforts, gathering resources, and putting emergency plans into action.⁵³ However, in the case of the Colectiv incident, these committees did not fulfill their responsibilities as outlined by the legal mandate, indicating a disparity between legislative requirements and practical implementation. Their failure to coordinate a comprehensive response tailored to Bucharest's specific needs, utilizing local resources and experience,

⁵² Ibid., art.14.

⁵³ Guvernul României, 2004, art.10.

contributed to the effects faced during and after the tragedy. Had these committees been activated and operated as intended, they could have played a crucial role in ensuring a more effective and coordinated emergency response, potentially mitigating the severity of the incident's impact.

Furthermore, the Emergency Ordinance No. 21/2004's Article 9, addresses planning and preparation to confront emergencies. It mandates the requirements that emergency response workers have the right training and are prepared in order to handle situations properly. The requirements for doing risk assessments, creating emergency response plans, and guaranteeing that staff members are suitably qualified and equipped to carry out their responsibilities in an emergency are all covered in this article. Planning and preparation should be given top priority by authorities in an effort to improve their ability to foresee, address, and lessen the effects of various disaster scenarios.⁵⁴ However, the Colectiv fire investigation shows that these guidelines were not adhered to. Numerous venues in Romania are reportedly still operating without doing adequate risk assessments. These are cascading effects of a larger governance problem where safety rule compliance is not strictly enforced. Responders had several difficulties during the Colectiv fire because they lacked the necessary tools and training, highlighting the discrepancy between legal mandates and real-world application. The Colectiv fire's aftermath exposed that, despite laws being in place, authorities' coordination and prioritization were severely lacking, which added to the tragedy's severity.

In addition, the core ideas directing emergency management initiatives in Romania are outlined in Article 3 of Emergency Ordinance No. 21/2004. Prediction, prevention, prioritizing human life first, and respecting basic human rights are all included in these ideals. The ordinance mandates the taking of proactive steps and the need to foresee and prevent such disasters wherever feasible. It also states that people's lives are before everything else and makes sure that emergency response procedures uphold people's basic liberties and rights. The requirement of open communication and accountability in times of disaster is highlighted along with the transparency of emergency management operations.⁵⁵

⁵⁴ Ibid., art.9.

⁵⁵ Guvernul României, 2004, art.3.

The systemic issue lies in the ordinance's poor enforcement. Even though the law placed a strong emphasis on taking a proactive approach, the emergency response exposed a deficiency in preventive measures and inadequate execution of specified processes. This systematic problem is the result of insufficient interagency coordination and enforcement systems, which allowed safety violations to continue undetected. Thus, the disparity between the intentions of policy and its actual implementation is shown once more. Although the legislation encourages a proactive and human-centered approach, its efficacy is compromised by the lack of a strong enforcement structure and accountability procedures.⁵⁶ Actual emergency reactions have shown serious shortcomings in taking preventive action and carrying out prescribed procedures.

Additionally, normative for fire safety of constructions P118/1-99 stipulates that employees in facilities that host massive crowds have to get periodic instruction on evacuation protocols and how to use fire extinguishing equipment, as stated by Article 2.6.20. Employees must get extensive training in order to guarantee prompt and effective emergency response, protecting customers' lives and reducing any harm.⁵⁷ Even though there were explicit instructions stated by these regulations that staff members needed to be trained in emergency protocols, there was a failure to ensure compliance, as was shown by the inspections of the club, which led to failures in readiness and eventually endangered lives. Not only did the failure to respect this lead to the club being sanctioned before the fatal incident, but it also played a major role in the disarray and confusion that followed the fire. Staff members did not have the necessary training to manage the emergency, which caused delays in reaction times and made the situation worse. Examining other articles of the same normative, the requirement of multiple escape routes underscores the underlying idea of redundancy in emergency preparation. The normative intends to reduce the possibility of congestion and expedite people's quick dispersal during emergencies by requiring at least two feasible escape routes.⁵⁸ The Colectiv Club had a flagrant disregard for this rule. Its architectural issues directly hampered evacuation attempts, aggravating the commotion and making it more difficult for attendees to evacuate in time, as there was only one narrow escape path accessible.

⁵⁶ Minu.

⁵⁷ Guvernul României, 1999, art.2.6.20.

⁵⁸ Guvernul României, 1999, art.2.6.13.

Regarding venue owners, before beginning any operations, employers are required by Article 13 of the Law on Civil Protection No. 481/2004 to secure operating permits pertaining to safety. This regimentation not only guarantees adherence to legal requirements but also demonstrates a dedication to maintaining worker safety as the top priority.⁵⁹ Notwithstanding the legal requirement, many companies operate without the required permissions, frequently as a result of fraudulent business practices, legal loopholes, and insufficient inspection by regulators.⁶⁰ The cascading effects of these governance problems, that persist to this day⁶¹ and in which a nightclub operating without a valid fire safety authorization, was a major factor in the high casualty rate. The systemic corruption and inefficient monitoring present in Romania's structure are highlighted by the absence of enforcement. Important safety standards can be avoided by firms due to corruption, and limited regulatory enforcement makes it difficult to identify and address these actions. An inefficient monitoring system is one that applies safety requirements inconsistently, delays in the process, and insufficient resource allocation. These problems result in companies using unethical methods to get around crucial safety regulations. It is also challenging to find and successfully combat these infractions due to the lax regulatory enforcement, which is marked by little inspections and poor regulation implementation.

Moving forward, Article 12 of Law No. 319/2006 is another relevant regulation. Employers should have the ability to pinpoint the areas of risk and put specific preventive actions in place by methodically assessing possible risks, especially those that could potentially harm both the workers and the public. By encouraging a more secure workplace for all workers, this approach highlights a commitment to proactive risk management.⁶² The management of the nightclub could have prevented the tragedy by identifying and addressing venue-specific risks like overcrowding, poor ventilation, or flammable materials, but from what was previously discussed, no effort was made to guarantee the safety of attendees or employees. The systematic shortcomings in regulatory compliance are once again brought to light by these consequences.

⁵⁹ Parlamentul României, 2008, art.13.

⁶⁰ România, te iubesc, 2024.

⁶¹ Orjan, 2024.

⁶² Parlamentul României, Legea nr. 319, 2006, art.12.

Article 5 from Law No. 307/2006, which places legal requirements on both private individuals and legal entities for fire defense measures, is another significant document. It makes them responsible for putting out fire safety precautions and dealing with the fallout from fire incidents. In addition to stating the significance of following fire safety standards and the repercussions of non-compliance, this article addresses the legal culpability concept. It underscores the demand for people and organizations to be held legally responsible for making sure fire safety regulations are followed.⁶³ For example, this law's Chapter II describes particular duties for fire defense, covering both general duties and those particular to certain administrative bodies and persons.⁶⁴ In order to safeguard life, property, and the environment, Section 1 of Article 6 lays forth the general duty on the part of both persons and legal entities to abide by technical rules and fire protection laws. The general responsibility to follow fire safety precautions and abstain from behaviors that jeopardize safety is addressed in this article.⁶⁵ These clauses are extremely pertinent to the Colectiv nightclub fire since they clearly define the roles and duties of different fire defense parties. Evidence from investigations into the Colectiv Club fire aftermath highlights the interconnectedness between non-compliance with fire safety regulations and the severity of the incident. As was covered in the previous chapter, investigations into the Colectiv fire's aftermath showed that nightclub owners, and the pyrotechnics business that they collaborated with, had neglected fire safety regulations.

Article 28 of Government Emergency Ordinance No. 195/2005, which specifies obligations for those handling hazardous materials and preparations, is another pertinent piece of legislation. Identifying and mitigating the dangers connected with these materials is one of these responsibilities, as is notifying the authorities of any impending accidents that can jeopardize the environment or public safety. It places important responsibilities on people and organizations in charge of handling dangerous materials and preparations. This regulation addresses the critical need for proactive risk management techniques by requiring the

⁶³ Parlamentul României, Lege nr.307, 2006, art.5.

⁶⁴ Ibid., art.5, chap.II .

⁶⁵ Ibid., art.6, sec.1 .

identification and avoidance of hazards related to certain materials.⁶⁶ Furthermore, construction supplies and interior finishes must be carefully chosen in compliance with regulation P118/1-99 in order to limit the spread of fire and avoid the release of dangerously high levels of poisonous gases, as stated in Article 2.6.9.⁶⁷ However, it was uncovered that the club's structural components were insulated with acoustic insulation foam, which is flammable and prone to releasing poisonous gases in the event of a fire. This made the fire spread much more quickly across the facility, increasing the risk to both emergency personnel and those attending the club. Thus, the use of combustible insulating materials is another consequence of a larger structural problem concerning the enforcement of laws. In spite of explicit regulations designed to guarantee public safety, the absence of supervision permitted the installation of dangerous materials, which in the end endangered people's safety within the club. In addition to threatening the lives of attendees, this regulatory enforcement failure revealed serious flaws in the application of safety rules in the building environment. Employing such materials has negative long-term repercussions on building resilience and catastrophe management in addition to immediate safety issues. The club raised the risk of fire-related events and jeopardized the building's structural integrity by failing to use fire-resistant materials as required by standards.

As the Colectiv nightclub accident revealed, systemic governance deficiencies have a significant impact on public safety in Romania. It can be concluded after the analysis of the Romanian legislation that insufficient laws were not one of the causes of the Colectiv nightclub catastrophe; rather, it was the absence of enforcement. Although the legislation is robust in theory, insufficient enforcement significantly reduces its effectiveness.

Emergency response limitations, insufficient enforcement, and pervasive corruption are all examples of the systemic governance challenges that are posing a threat. Inadequate public services, inefficient enforcement procedures, and poor legal execution and enforcement are examples of these issues. Comprehensive legal frameworks were insufficiently enforced. The nightclub operating without the necessary fire safety permits is proof of the continuous hazards to public safety resulting from these governance failures. Furthermore, ineffective and poor legal execution are demonstrated by the emergency response team's lack of training

⁶⁶ Guvernul României, 2005, art.28.

⁶⁷ Guvernul României, 1999, art.2.6.9.

and the chaotic and delayed emergency response during the Colectiv fire. These systemic problems seriously jeopardize public safety by undermining catastrophe preparedness, efficient emergency management, and general public security.

3.2 Legislative Enforcement Failures and Systemic Governance Issues

Romania's legal system includes several laws designed to provide a robust foundation. However, this thesis argues that despite the existence of comprehensive laws, their practical implementation has been inconsistent and insufficient. For instance, Law No. 481/2004 mandates continuous training and qualification for civil protection personnel.⁶⁸ Nevertheless, investigations post-Colectiv revealed that the nightclub had been operating without proper safety certifications and inspections were either infrequent or improperly conducted. Another area with shortcomings is the emergency response coordination, as outlined in Emergency Ordinance No. 21/2004. A troubling gap between legislative intentions and practical implementation was revealed by the tardiness in establishing Emergency Committees and implementing crisis communication plans.

This disparity between legislative intent and actual enforcement, along with its consequences and the culminating events, point to a systemic problem where regulations are not effectively translated into practice. This gap is further complicated by issues of accountability and integrity within regulatory enforcement agencies, which may contribute to a culture where bribery and corruption are prevalent. Unsafe practices endure because of a culture of non-compliance and inadequate accountability, which makes the issue worse. The existence of bribery and corruption in regulatory enforcement organizations compromises the efficacy of safety procedures and inspections.

The main reason for the non-enforcement is corruption.⁶⁹ În România, dating back to the communist regime, it was created a culture that was specific to bribery and corruption, perpetuated by various gifts, like packs of cigarettes, and relations to high-ranking individuals to solve various problems, from employment or obtaining a stove gas tank and going to the acquisition of different basic foods, like bread, milk, and meat, and goods that

⁶⁸ Parlamentul României, 2008.

⁶⁹ Știrile Pro TV, 2023.

were in limited quantities like fridges and washing machines.⁷⁰ In this way, during communism, the pattern of the ‘resourceful guy’ emerged, who, through various means of acquaintances, interests, and bribes, prevailed to obtain goods without adhering to the law of that time. This pattern persisted after 1989 as well.⁷¹ The phenomenon of corruption affects several levels: political and governmental decision-making mechanisms; the central and local administration, in particular the institutions in the field of justice and economic and administrative control, as well as the institutional level in general, in the administration, with implications on all areas.⁷² The functioning of the club, after multiple deficiencies and irregularities were found by authorities, lays as an effect of this. Nonetheless, the Colectiv nightclub fire is not an isolated incident but part of the systemic failures in this area. Another pertinent consequence of this phenomenon is the controversial passage of the Emergency Ordinance OUG13 in January 2017, which sought to decriminalize certain corruption offenses and was widely perceived as an attempt to protect high-ranking officials from prosecution. The legislative act aimed to amend the Criminal Code in ways that would relax anti-corruption measures, effectively allowing some public officials to escape accountability for their actions. This ordinance was introduced to benefit political figures, including Liviu Dragnea, the leader of the Social Democratic Party (PSD), who faced charges of abuse of power.⁷³

Another root cause is the lack of sufficient resources and capacity within regulatory agencies. Many regulatory bodies in Romania face resource constraints, including limited funding, and outdated infrastructure.⁷⁴ These resource limitations often impede their ability to carry out essential functions such as conducting inspections, monitoring compliance, and enforcing penalties for violations. The infrastructure in Romania is below the optimal level

⁷⁰ Niță, 2019.

⁷¹ Ibid.

⁷² Guvernul României, 2002, p15.

⁷³ Ursu, 2017, p39.

⁷⁴ Secretariatul General al Guvernului, 2024.

due to some administrative deficiencies in the maintenance and operation of the infrastructure, among other reasons.⁷⁵ For this reason, some regulatory bodies may struggle with outdated infrastructure, including obsolete technology or inadequate facilities. One example of this was the absence of oxygen masks during the emergency response to the Colectiv nightclub fire. As documented in the aftermath, first aid and resuscitation efforts were conducted on the pavement outside the club, and the hospitals were overwhelmed, with emergency responders lacking essential equipment, and the ambulances being outdated. Furthermore, in 2024, authorities in Sector 1 uncovered a substantial number of businesses operating without the required licenses. The mayor publicly disclosed that several establishments were operating unlawfully, further exposing the consequences of regulatory enforcement. These establishments maintained operations due to a lack of rigorous inspection, compliance monitoring, and penalty enforcement by the authorities.⁷⁶ These examples will be examined in greater detail in section 4.3.

Chapter IV: Long-Term Impacts and Changes in Governance Structures

4.1 Initial Government Response and Public Outcry

The Romanian populace reacted harshly to the Colectiv event. Not only did the people call for the club's owners to be punished, but they also advocated swift structural adjustments.⁷⁷ The fire on the 30th of October has exacerbated the long-brewing unrest in Romania regarding the authorities, which plenty believe to be incompetent and corrupt.⁷⁸ In November, 8,000 people participated in a protest in the capital's Piața Universității (University Square) honoring those who passed away in the catastrophe at the club Colectiv. Following the march, 2,000 more people arrived to pay their final respects to the deceased.⁷⁹ Memorial

⁷⁵ Fondul Monetar Internațional, 2015, p5.

⁷⁶ Orjan, 2024.

⁷⁷ Patakfalvi-Czirják et al., 2020, p33.

⁷⁸ Al Jazeera, 2015.

⁷⁹ Gelan, 2016, p382.

meetings emerged as a result of the subsequent outcry of sadness and rage⁸⁰ and eventually grew to become the second-largest protest in Romania since the fall of communism.⁸¹ The reactions were not strategically planned; rather, they developed naturally over time in response to new allegations, evolving from initial dismay to doubting the reliability of the government,⁸² denouncing an outdated and ineffectual healthcare framework, and speaking out towards a corrupt political class.⁸³ At the peak of the demonstrations, there were around 35,000 protestors on Bucharest's roads and 60,000 nationwide.⁸⁴ Protesters called for action against the pervasive corruption that pervaded Romania and emphasized the duty of public officials. Several persons promptly attached connections between several variables, including the erratic technique institutions operated and the malfunctioning facilities that failed to guarantee victims obtained enough treatment and that safety laws were enforced. It erupted into a protest against Cristian Popescu Piedone, the District 4 primary candidate, who said he had no criticism concerning the tragic event that occurred and that, in his judgment, the club Colectiv operated lawfully.⁸⁵ The requests made by those marching spoke to a larger sense of dissatisfaction and disappointment with Romania's current political system. Their demands for responsibility were a reflection of a growing understanding of the long-standing institutional corruption and systemic flaws in the nation's governance. Furthermore, the terrible incidents at the Colectiv nightclub turned into an unsettling reminder of the human suffering associated with political carelessness and administrative inefficiency.

Moreover, the demonstrators' emphasis on the duties of public authority highlighted a pervasive mistrust in the capability and willingness of the government to put the security and the welfare of its people first.

Furthermore, in the wake of the tragedy, the demonstration calling for Cristian Popescu Piedone's removal represented a larger need for equity and transparency. Piedone's avoidance of any accountability for the incidents at the Colectiv nightclub only exacerbated public

⁸⁰ Crețan et al., 2020, p368.

⁸¹ Romanian, 2022, p100.

⁸² Crețan et al., 2020, p368.

⁸³ Romanian, 2022, p99-100.

⁸⁴ Sobják, 2015, p1.

⁸⁵ Gelan, 2016, p381.

indignation and enhanced the notion that the political elite exists separately from the everyday struggles of the general populace.⁸⁶ Phrases like "Corruption Kills"⁸⁷, "Shame on You" and "Assassins," filled the crowded roads⁸⁸ demanding not only the removal of District 4's main, but also the removal of Prime Minister Victor Ponta and Minister of Internal Affairs Gabriel Oprea. Other Romanian cities that witnessed public protests after Bucharest were Braşov, Constanţa, Iaşi, Cluj, Sibiu, Ploieşti, Arad, Alba Iulia, and Miercurea Ciuc.⁸⁹

Victor Ponta, the prime minister of Romania, announced his decision to resign a few days later. In an announcement released, Ponta stated that he was stepping down from his position, leaving office, and automatically his government's quitting as well. He hoped his call for the administration's resignation would provide consolation to the protesters who took to the streets.⁹⁰ Although the prime minister's swift departure gave the impression that he was accepting political blame for the incident, it was very little connected with it. Over the course of his almost three-year term, Ponta faced strong public pressure on a number of problems, including accusations of corruption, tax avoidance, and laundering funds, as well as confirmation of plagiarism in his doctoral thesis. Thus, if it weren't for increasing animosity from within his Social Democratic Party (PSD), one evening's demonstrations would not have been sufficient to topple his leadership.⁹¹ In addition to Victor Ponta, the mayor of Bucharest's Sector 4, where the club was situated, also tendered their resignation. In between events, President Klaus Iohannis summoned members of the community as well as political party leaders for discussions on the new administration. In Romanian politics, where officials are hesitant to engage in discourse with people from the broader community, this was not a common occurrence. As a result, the meetings were regarded as a key momentary victory for the demonstrators.⁹² Nonetheless, Catalin Predoiu, the deputy leader of the opposition Liberal Party, praised those who stepped down and declared that they represent a win for the society

⁸⁶ Ibid.

⁸⁷ Sobják, 2015, p1.

⁸⁸ Al Jazeera, 2015.

⁸⁹ Gelan, 2016, p381.

⁹⁰ Al Jazeera, 2015.

⁹¹ Sobják, 2015, p2.

⁹² Ibid., p1.

that teaches everyone in politics a lesson.⁹³

4.2 Changes in Governance Structures and Accountability Mechanisms

Speaking about changes, the government spokesperson, when asked who would be liable for the weaknesses that had been established, announced that the internal enforcement observations would serve as the starting point for the required legal or operational alterations, all of which are essential and originated from these investigations. Suciu stated that these issues would be assessed as soon as possible.⁹⁴

The government's admission that procedures ought to be changed indicates that it recognizes the structural shortcomings that led to the catastrophe at the Colectiv nightclub. Officials prioritized addressing the underlying causes of the shortcomings found in the wake of the incident by reviewing and revising current mechanisms put in place.

Furthermore, the dedication to taking prompt action emphasized the necessity and willingness to avert such catastrophes in the future. The confirmation from the government spokesman that some modifications will be required marks a difference from previous occurrences that were marked by shoddy supervision and loose enforcement.

Moreover, the incorporation of internal enforcement evaluations implies a thorough methodology for pinpointing areas in need of enhancement.⁹⁵

Even though changes were promised to the citizens, the progress was inefficient, with modifications mostly observed in the laws controlling venue operations and, in theory, in medical interventions. Raising the penalty for venue owners in Romania who violate fire safety regulations was one of the first actions made by the government soon after the Colectiv event. Before October 30, 2015, venue owners who did not have a fire safety authorization could have been fined between 500 and 1,000 euros (2,500 and 5,000 lei). However, many of them were able to cover a decreased penalty of 250 euros (1,250 lei) within 48 hours. ⁹⁶

⁹³ Al Jazeera, 2015.

⁹⁴ Guvernul României, 2016.

⁹⁵ EurActiv.ro, 2016.

⁹⁶ Oprea et al., 2017.

According to the same statement, locations lacking a fire safety permit are now punishable by a fine of between 4,000 to 10,000 euros (20,000 to 50,000 lei). Promptly following the Colectiv fire, Government Decision 915 was adopted, to drastically alter venue operational practices. Employees were therefore permitted by DG915 to close non-compliant business locations. When prevention professionals discover during evaluations that there are more than 10% more customers than there should be, that means of evacuation are being reduced or destroyed, that particular extinguishing, identification, signaling, and alert devices are being dismantled, or that there are additional serious breaches that endanger the safety of occupants—as stipulated by IGSU representatives—they close these areas down.⁹⁷

As per the same announcement, they further indicate that in the period following the Colectiv fire, the procedure of acquiring fire safety permits has been enhanced by cutting down on bureaucracy. As a result, between November 2015 and October 2017, there were 49,553 demands for fire safety permits, a rise of 84 percent in the amount of administrative acts issued during that time.⁹⁸

Following the devastating incident at the Colectiv Club, a strategy of action was implemented to shorten the intervention period. The main modification is an extension of the pre-fire stipulations, which include the option for IGSU dispatchers' staff to activate the Red Plan when there is evidence suggesting a high likelihood that the incident would result in a significant number of casualties. According to Colonel Cristian Radu, deputy commander of IGSU, a certain amount of casualties is established at which the Red Intervention Plan becomes essential in every county, based on the number of assets, including ambulances, and contingent upon the operating level of the ambulances.⁹⁹

In terms of responsibility, the Colectiv matter has been resolved by the Bucharest Court of Appeal following a trial that lasted over six years. For the crime of abuse of office associated with the granting of operational permissions for the Colectiv club, Popescu-Piedone has been condemned to 8 years and 6 months in jail. But after serving a year in jail, Piedone was found not guilty and was given back his position as mayor of Sector 5.¹⁰⁰

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Orjan, 2024.

Alin George Anastasescu, Paul Gancea, and Costin Mincu, the three proprietors of the Colectiv club were each sentenced to 11 years and 8 months in jail for their roles in aggravated manslaughter, aggravated bodily harm, and failing to implement the required precautions for safety at work. This important statement highlights the seriousness of their acts, which culminated in one of the most catastrophic incidents in recent Romanian history.

The pyrotechnicians Marian Moise and Viorel Zaharia were sentenced to 10 years in jail and 9 years and 8 months, respectively, in the same trial, for the use of inappropriate pyrotechnic materials and lack of safety precautions.¹⁰¹

Furthermore, the owners of the Colectiv club and the two pyrotechnicians were ordered by the court to compensate the wounded parties as well as the families of the young individuals who perished in the 2015 fire. This payment was intended as a token of respect for the tremendous hardship that the victims and their families have gone through. These parties are held financially accountable along with Colectiv Club SRL, Golden Ideas Fireworks Artists SRL, Sector 4 City Hall, and the Inspectorate for Emergency Situations "Dealul Spirii" Bucharest-Ilfov. The maximum sums determined as material and moral damages are 1.5 million euros (7.5 million lei) and 920,000 euros (4.6 million lei). These substantial sums highlight the tragedy's devastating effects and the heavy financial strain it placed on the victims and their families. The hospitalization costs for the injured and deceased total more than 1.6 million euros (8 million lei), which the accused are required to pay to many hospitals in Bucharest and around Romania. This financial obligation serves as a reminder of the effort needed to treat the victims. The money is meant to compensate hospitals for the high expenses associated with delivering both emergency and continuous medical treatment.¹⁰²

¹⁰¹ Burlă, 2022.

¹⁰² Ibid.

4.3 Persistence of Systemic Challenges Despite Reforms

Even though the protest's initial outcomes were seen as a positive development and things appeared to be getting better, nine years have gone by since the tragedy, and the political class hasn't changed enough, and some of the key players in the Colectiv tragedy are running for office in the parliament or have already been reelected. Most of the ministers from Ponta's cabinet at that moment are still active in politics, with some even gearing up for other terms under various political hats.¹⁰³ This continuity of power dynamics among the political elite, especially among members of Ponta's government, highlights a deeply ingrained aversion to change. These people's reelection raises questions about electoral procedures and political accountability since popular dissatisfaction does not result in political change or reform.

Five months after the catastrophe, there were still many unanswered questions surrounding the specifics of what transpired that evening and the general status of the institutional structure that ought to have been held responsible for the grave incidents that took place.¹⁰⁴ The public's and the victims' families' dissatisfaction and grief were exacerbated by the absence of definitive answers. Upon initiating the inquiry, officials made an effort to conceal their carelessness and evade responsibility by attempting to delete data that would implicate them.¹⁰⁵ In addition to extending the public's and the victims' families' distress and frustration, this lack of clarity and transparency also highlighted structural problems with institutional accountability. The attempts by officials to hide carelessness and avoid accountability by trying to erase evidence-gathering data serve as more evidence of the widespread dishonesty and opaqueness in governance.

The investigation revealed not just insignificant errors but severe violations of safety procedures and laws intended to avoid such tragedies. These outcomes were the result of a systematic issue with the organizational structure, where complacency was commonplace and safety procedures were frequently disregarded. The widespread disdain for recognized safety precautions is indicative of a larger problem with institutional culture and regulatory enforcement being structurally weak. This disregard for safety regulations is a reflection of

¹⁰³ Europa Liberă România, 2020.

¹⁰⁴ Tușa, 2016, p25.

¹⁰⁵ Ibid.

systemic issues with governance, where institutions do not place a high enough priority on public safety and regulatory authorities are unable to effectively enforce the law.

This case points to a broader issue regarding accountability and governance. Institutional change involves not only enacting legislation but also ensuring that individuals in positions of authority possess the necessary capabilities and are committed to public safety. To ensure that tragedies at this scale don't happen again, an enhancement of the skills and accountability of these individuals through extensive training and strict enforcement is needed. The catastrophe has had a lasting impact on the country and has highlighted the necessity of prompt and efficient supervision in all areas of public safety.¹⁰⁶

Dacian Cioloș was named prime minister when Victor Ponta resigned, after negotiations with very short preparation time and meetings behind closed doors with limited transparency.¹⁰⁷ But, as excessive politicization has weakened ability, accountability, and productivity in administration, the apolitical Prime Minister Dacian Cioloș set out to change, depoliticize, and make public administration transparent and simplified in his governance program upon entering office. He stated that, as the people in the streets have said, corruption can kill, and he wanted to change it.¹⁰⁸ However, nothing much improved. Cioloș was soon replaced after the elections by the social democrat Sorin Grindeanu. The new prime minister infuriated millions of people by implementing OUG13 on the evening of January 31 and February 1st, 2017. A number of amendments to the Criminal Code resulted from the legislative act that was set to take effect on February 11th and implied a "relaxation" of the rule of law. The social democrat Florin Iordache, who was then the Minister of Justice and was regarded as the father of OUG13, officially justified its adoption by stating that overcrowding in jails put Romania in danger of fines from the European Court of Human Rights (ECHR).¹⁰⁹ This was inaccurate, as the sole aim of OUG13 was to erase the illegalities committed by a handful of public servants, politicians, and those associated with them. Favoring the perpetrator, abusing one's position, negligence, and conflict of interest were some of the offenses that OUG13 eliminated entirely or partly. The bill was dedicated to

¹⁰⁶ Ibid.

¹⁰⁷ Minu.

¹⁰⁸ Grecu, 2016, p6.

¹⁰⁹ Ursu, 2017, p39.

Liviu Dragnea, the leader of the Chamber of Deputies and the head of the Social-Democratic Party.¹¹⁰ Dragnea was facing charges for another instance of abuse of authority, despite having served a suspended two-year prison term for corruption and fraud committed during the 2012 referendum that resulted in the impeachment of then-President Traian Băsescu. The PSD leader was essentially able to avoid the additional accusations, which would have involved substantial imprisonment, because of the partial decriminalization of this offense, which set the required minimum penalties at about 42,000 euros (200,000 lei). The manner in which the government chose to unwind the rules in favor of criminals, without considering the opinion of President Klaus Iohannis's magistrates and with the clear intention of rescuing Liviu Dragnea, horrified the populace and drove them out of their residences.¹¹¹ There were numerous, nonviolent but forceful demonstrations, and the general public's discontent was heard through chants of "At night, like thieves!" (referring to the moment the Government issued the Ordinance, which took place on the night of January 31 and was released around 1 AM on February 1), "Resignation!" and "DNA / Come and get them!" (referring to the National Anticorruption Directorate).¹¹² The Romanian community continued to be strongly ingrained with corruption, despite the agitation, demonstrations, and outrages. The structural improvements aimed at addressing corruption have been delayed and futile despite legal battles and widespread anger. Legislators frequently manipulate laws or make use of constitutional loopholes in order to avoid being held accountable.¹¹³

This legislative maneuver, widely condemned by millions of outraged citizens, exemplifies how corrupt practices persist at the highest levels of power. By nullifying charges against corrupt officials, the ordinance perpetuated a culture of impunity and undermined trust in democratic institutions. Moreover, OUG13 symbolizes a broader problem of corruption and institutional dysfunction in Romania, where legal loopholes and political maneuvering undermine the rule of law. This systemic failure to hold corrupt individuals accountable dominates public confidence and undermines the foundations of democracy. Thus, the passage of OUG13 represents another instance of systemic failure beyond the Colectiv

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ursu, 2017, p39.

¹¹³ Minu.

nightclub fire.

Furthermore, In 2024, authorities in Sector 1 uncovered instances of venues being operated without licenses,¹¹⁴ indicating neglect of law enforcement and safety in the entertainment business. The discovery of bribery among enforcement officers suggests that certain practices persisted through the alleged reformation of the government after the Colectiv incident. The mayor of Sector 1, Clotilde Armand, publicly announced that several locations lacked proper authorization to operate. Instead of immediate closure, authorities granted proprietors 72 hours to rectify the situation by removing unlawful buildings. This underscores the challenge faced in ensuring public safety. The following numbers of businesses were found to operate without the required permits: 2353 commercial units, 3678 academic units, 1574 tourism units, 866 religious units, 672 social assistance units, and 511 healthcare units.¹¹⁵ The discovery of numerous businesses operating without proper licenses in 2024 highlights persistent systemic challenges in Romania's regulatory framework. The fact that these establishments were able to operate unlawfully underscores a failure of regulatory enforcement. The root cause of this regulatory failure can be connected to insufficient funding allocated to regulatory agencies. The public funding area is a consistently susceptible sector that directly impacts public investment's openness, according to the 2023 Transparency International Report.¹¹⁶ Integrity Pacts, which draw attention to the continuous danger of irregularities, integrity breaches, and fraud, are advised to be implemented in order to monitor high-risk procurement operations by this report. It also highlights the necessity of providing anti-corruption agencies with more resources and assistance in order to improve their efficacy and decision-making openness. These suggestions highlight a crucial problem: the present regulatory structure is underfunded and understaffed, which makes it more difficult to impose regulations.¹¹⁷ The institutions tasked with these duties often face budgetary constraints that limit their capacity to conduct thorough inspections, monitor compliance, and enforce penalties for violations. As a result, businesses operating without licenses are able to evade detection and continue their operations unchecked. Romania allows

¹¹⁴ Orjan, 2024.

¹¹⁵ Ibid.

¹¹⁶ Vespa, 2023

¹¹⁷ Ibid.

thousands of educational institutions, medical facilities, hotels, and guesthouses to operate without fire safety licenses, despite past disasters. This poses significant risks to people's safety, as these establishments remain accessible without meeting necessary safety standards.¹¹⁸

The prevailing situation reveals institutions that are corrupt and inefficient, lacking accountability or responsibility. This outcome stems from a combination of factors including incompetence, ignorance among those who enabled these politicians to remain in power for 25 years, election bribery, and various other influences. It impacts everyone, becoming a shared experience and a lasting trauma that requires ongoing management.¹¹⁹

Chapter V: Findings, Conclusion, and Discussion

5.1 Findings from the Analysis

The study findings are summarised in this chapter, which addresses the systemic governance challenges that were discovered after a thorough examination of Romania's emergency response and public safety systems, specifically in connection to the Colectiv nightclub fire. The results point to three main areas of concern: regulatory enforcement failures, issues with accountability and corruption, and inadequacies in emergency response.

The Colectiv incident exposed serious shortcomings in the enforcement of regulations, since many facilities, including the nightclub Colectiv, functioned without the required fire safety licenses. This is not an isolated problem; thousands of companies in Romania, including hotels, guesthouses, medical facilities, and educational institutions, operate without the required safety licenses. Inspections were frequently disregarded or omitted, enabling companies to carry on with activities that did not adhere to safety regulations.¹²⁰ Furthermore, official records made clear that there was insufficient funding and staffing at the regulatory organizations in charge of ensuring fire safety compliance, which resulted in inadequate supervision and enforcement.¹²¹ The cascading effects of the inability of the government at

¹¹⁸ Orjan, 2024.

¹¹⁹ Tuşa, 2016, p22.

¹²⁰ Orjan, 2024.

¹²¹ Secretariatul General al Guvernului, 2024.

all levels to regularly implement current safety laws, the tipping events that occurred because of them and their consequences are what define this systemic nature. The regulatory authorities' persistent incapacity or unwillingness to guarantee compliance is a clear indication of a systemic failure. These flaws indicate a systemic governance problem since they are not limited to just one agency but rather are cascading throughout the whole regulatory structure.

Secondly, it is argued in this thesis that the Romanian government has systemic failures in terms of accountability and corruption. The enduring presence of corrupt practices in Romanian institutions has sustained an atmosphere of leniency and implies also a structural problem with accountability. The ingrained culture of impunity that characterizes public administration and government at all levels is a result of this systemic failure.¹²² The recurrent patterns of political and administrative misconduct are an outcome of the systemic character of corruption. This involves, as was the case with OUG13, manipulating the law to shield those in positions of authority. There are cascading effects to such activities, exemplified by the decrease in public trust in the government and the weakening of the rule of law. In addition to the acts of corruption, the systemic problem also encompasses the widespread absence of efficient accountability procedures throughout the governance framework, which causes business owners and other entities to continue engaging in unlawful activities.¹²³ Tipping points such as incidents of financial embezzlement were exposed by internal audits of government institutions and individuals within those institutions like Liviu Dragnea.¹²⁴ These audits showed that the offenders faced little penalties, which was also evident in Piedone's sentencing. Anti-corruption organizations alone have not been able to fully solve these problems, pointing to the complexity and intricacies of it. Rather, the cascading effects regarding the ongoing prevalence of corrupt activities in Romanian institutions are interlinked with other systemic issues and continue to undermine attempts to combat corruption, develop efficient emergency response systems, and effectively enforce the legislation.

¹²² Guvernul României, 2002, p15.

¹²³ Minu.

¹²⁴ Guvernul României, 2002, p15.

Lastly, serious weaknesses in emergency protocols were also made visible through the immediate reaction to the Colectiv fire. A broader systemic issue concerning structural deficiencies was the foundation for the lack of coordination among emergency services including ISU, SMURD, and the National Institute for Public Health. These include disorganized command structures, broken channels of communication, and insufficient cooperation and training.¹²⁵ They created a cascading effect that ended up exacerbating the crisis by causing delays and inefficiencies. First responders' arrivals were considerably late, according to data gathered on emergency response times. The various emergency agencies' weak collaboration and interaction were blamed for these delays. The emergency management framework's underlying structural problem is characterized by a lack of enforcement of the emergency preparedness regulations, low resources, and poor inter-agency collaboration.

5.2 Discussion

The goal of this thesis was to examine the systemic governance problems with Romania's emergency response and public safety systems, specifically with regard to the Colectiv nightclub fire. The results show widespread and systemic issues with emergency response coordination, corruption, and regulatory enforcement. These problems are interconnected to one another and highlight structural governance flaws that seriously jeopardize public safety. The shortcomings that have been uncovered are not just operational weaknesses; rather, they represent fundamental structural challenges. These problems that are deeply embedded in the procedures and frameworks of governance are referred to as "systemic" because of their intricate nature and cascading effects, which make them invulnerable to superficial solutions. The pervasive non-compliance that has been the subject of this thesis serves as proof of the systemic nature of the absence of regulatory enforcement.

A pattern of systemic failure that jeopardizes public safety is demonstrated by the absence of strict enforcement measures and the frequency of corruption within regulatory agencies. Furthermore, because corruption impacts several tiers of public administration and government, it is a persistent problem within Romanian institutions. Despite the presence of anti-corruption frameworks like the DNA, accountability for corruption has not been

¹²⁵ Guvernul României, 2016.

accomplished due to the embedded nature of this problem. This suggests that systemic changes, as opposed to frivolous measures, are necessary to address the ingrained corruption in political and administrative cultures. Furthermore, because of their repercussions in structural problems including poor interagency coordination, inadequate training, and a lack of resources, the shortcomings in emergency response are systemic.

The results of this thesis are essential to comprehending the wider ramifications of Romania's governance shortcomings. The thesis establishes the basis for creating comprehensive and long-lasting solutions and responses by pointing out the systemic character of these problems. Failures in emergency response, corruption, and regulatory compliance necessitate a multidimensional strategy.

A number of recommendations aimed at addressing to address these enduring problems are proposed next. First, bolstering enforcement protocols, boosting transparency, and guaranteeing that regulatory agencies have sufficient funding and are immune to political influence could stand as a starting point to rectify these challenges. Moreover, putting stronger anti-corruption initiatives into place, guaranteeing the impartiality of governmental organizations, and encouraging an accountable culture in public institutions could further help lessen the consequences of these issues. Strengthening interagency coordination, giving emergency responders thorough training, tightening the enforcement of emergency procedures, and guaranteeing a sufficient budget for emergency services could be another step to overcome these problems. These recommendations aim to strengthen Romania's governance structure by addressing the systemic weaknesses that have been found and their complex web of repercussions.

5.3 Conclusion

This thesis's research offers an in-depth understanding of Romania's systemic governance problems, which are displayed through the example of the nightclub fire at Colectiv. Significant shortcomings in emergency response protocols and legal frameworks are exposed by the results, which have broad ramifications for governance and public safety.

The Colectiv nightclub fire inquiry and subsequent examples discussed underscored the crucial areas where governance has to be strengthened. The study provides valuable insights that go beyond the immediate context and provide a window into the wider systemic

concerns affecting public safety and governance in Romania. These results imply that the country's emergency and regulatory systems are not just occasionally ineffective but fundamentally flawed and in need of significant reform. Because these failings are systemic, it is likely that isolated improvements will not be adequate to address the underlying problems; instead, a comprehensive and long-term strategy will be required.

This study contributes to the awareness of how poor governance may have fatal results and underlines the significance of strong, effectively enforced safety laws. The research stresses how crucial it is to have a governance model that puts a priority on responsibility, transparency, and proactive steps to stop such tragedies from happening in the future.

In the end, this thesis highlights that a change from reactive to preventative tactics is necessary to improve Romanian public safety and governance. It demands that the way regulatory agencies function and engage with the public and other governmental entities be reevaluated. Romania can improve its public safety infrastructure and prevent the failings that resulted in the Colectiv nightclub fire from happening again by addressing these fundamental concerns. The study clarifies the particular instance of the Colectiv nightclub fire and provides insightful guidance for future situations where public safety and governance are important considerations. It gives a foundation for further studies and the application of policies targeted at establishing more secure and resilient societies as well as a framework for comprehending the intricacies of systemic governance concerns.

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