



Freedom in the World 2019

Romania

FREE

81

/100

<u>Political Rights</u>	34/40
<u>Civil Liberties</u>	47/60

LAST YEAR'S SCORE & STATUS

84/100 **Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Romania's multiparty system has ensured regular rotations of power through competitive elections. Civil liberties are generally respected, but they have come

under growing pressure as entrenched political interests push back against civic and institutional efforts to combat systemic corruption. Discrimination against minorities and other vulnerable groups is a long-standing problem, as is control of key media outlets by businessmen with political interests.

Key Developments in 2018

- In January, Prime Minister Mihai Tudose resigned amid friction with the leadership of the ruling Social Democratic Party (PSD). He was replaced by Viorica Dăncilă, who became Romania's first woman prime minister.
- Laura Codruța Kövesi, head of the National Anticorruption Directorate (DNA), was forced out of office in July after the Constitutional Court upheld the justice minister's request for the president to dismiss her. The directorate, which had aggressively prosecuted corruption among leading PSD officials and others, was headed by an interim leader at year's end.
- Also in July, Parliament approved changes to the criminal code that were criticized for weakening safeguards against corruption. President Klaus Iohannis objected to the proposed changes, and the Constitutional Court ruled in October that many of the amendments were unconstitutional.
- Large anticorruption protests in August led to violent clashes between demonstrators and police, who were accused of using excessive force.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4/4

The president, who holds some significant powers in Romania's semipresidential system, is directly elected for up to two five-year terms. The president appoints the prime minister in consultation with the parliamentary majority, and the prime

minister's government requires the confidence of Parliament. Both presidential and parliamentary elections since 1991 have been generally free and fair.

Klaus Iohannis, a centrist who had belonged to the National Liberal Party (PNL), was elected president in 2014, defeating Victor Ponta of the PSD, 54 percent to 46 percent, in a runoff vote. The PSD regained control of the prime minister's office after winning parliamentary elections in 2016. In January 2018, after six months in the post, Prime Minister Tudose lost the support of the party leadership and was replaced by Dăncilă.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

Members of the bicameral Parliament, consisting of a 136-seat Senate and a 330-seat Chamber of Deputies, are elected to four-year terms in a closed party-list proportional system. The PSD led the 2016 parliamentary elections with 67 Senate seats and 154 seats in the lower house. It formed a governing coalition with the Liberal-Democrat Alliance (ALDE), which took 9 and 20 seats in the Senate and lower house, respectively. The opposition PNL placed second with 30 and 69 seats; smaller parties and ethnic minority representatives divided the remainder. International election monitors assessed the polls positively, and stakeholders accepted the results.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

The legal framework generally provides for fair and competitive elections. However, the 2016 parliamentary elections revealed some gaps in the electoral code of 2015, such as flawed procedures for vetting candidate eligibility, registering as an observer, and conducting ballot recounts.

Ahead of an October 2018 referendum to define marriage as a union between a man and a woman in the constitution, the government eased controls designed to

detect fraud and extended voting across two days rather than one in a bid to boost turnout. The effort ultimately failed, with the turnout of about 20 percent falling well below the 30 percent threshold for the vote to be valid.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

4/4

Romania's multiparty system features active competition between rival blocs. Under the 2015 electoral law, the number of signatures needed to create a new party decreased from 25,000 to 3, leading to the registration of many new parties. However, critics have argued that the signature thresholds to register candidates for local and parliamentary elections still place new and smaller parties at a disadvantage.

Multiple new parties were formed during 2018. Former PSD prime minister Victor Ponta founded PRO România, and former technocratic prime minister Dacian Cioloș created the Liberty, Unity, and Solidarity Party (PLUS) at the end of the year. Cătălin Ivan, a PSD defector and member of the European Parliament, launched the Alternative for National Dignity (ADN).

Also during the year, political activists reported facing harassment and obstacles from local authorities while collecting signatures for an effort by the opposition Save Romania Union (USR) to enact a constitutional amendment that would ban convicted people from holding office.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

The country has established a record of peaceful transfers of power between rival parties, and no single force has been able to control both the executive and legislative branches since 2012. The PNL and other parliamentary opposition parties initiated votes of no confidence in the PSD government in June and December 2018, citing threats to the rule of law, but both efforts failed.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	3/4
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People are generally free to make political choices without undue pressure from unaccountable actors. However, clientelism in local politics remains a problem. Watchdogs have also expressed concern over the increasing presence of disinformation and propaganda in the media, which could allow powerful interests to improperly influence public views.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	3/4
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Ethnic, religious, and other minority groups enjoy full political rights under the law. Romania's constitution grants one lower house seat to each national minority whose representative party or organization fails to win any seats under the normal rules, and 17 such seats were allotted to minority representatives following the 2016 elections. President Iohannis, an ethnic German and a Lutheran, is the country's first president from either minority group.

Roma, who make up over 3 percent of the population, are underrepresented in politics. While a number of women hold cabinet-level positions, including the prime minister as of 2018, women are underrepresented in the Chamber of Deputies, where they hold 21 percent of seats, and in regional assemblies, where they hold 17 percent of seats. None of the major political parties are led by a

woman. Social discrimination against LGBT (lesbian, gay, bisexual, and transgender) people discourages political advocacy for their rights.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

Elected officials are generally able to craft and implement government policy without outside interference. However, PSD leader Liviu Dragnea, who served as speaker of the lower house but could not become prime minister due to a criminal conviction, was accused of exerting undue influence over the government during 2018, having played a key role in the replacement of the prime minister in January.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

2/4

High levels of corruption, bribery, and abuse of power remain a problem. The DNA has won international praise for fairly investigating corruption cases across the political spectrum and frequently securing convictions of powerful figures. Those receiving sentences during 2018 included the former head of Romania's integrity agency, agribusiness magnate Ioan Niculae, media mogul Sorin Ovidiu Vîntu, former cabinet ministers, the former chief prosecutor for organized crime cases, and a former mayor. In May and June, prosecutors requested a three-year jail sentence for Senate president Călin Popescu-Tăriceanu—the head of the PSD's junior coalition partner, ALDE—and a court sentenced Liviu Dragnea to three and a half years in prison in a second abuse of power case, though the decision was not final.

In July, after a protracted effort, the government secured the dismissal of DNA chief Laura Codruța Kövesi in what was seen as a blow to the directorate's independence. The justice minister initiated the move, and the president carried it out after the Constitutional Court ruled in May that he could not refuse to do so.

The justice minister nominated Adina Florea to replace Kövesi, but she was rejected by the president and the Superior Council of Magistracy on grounds of insufficient political impartiality. An interim official was leading the DNA at year's end. In October, the justice minister initiated procedures to remove general prosecutor Augustin Lazăr, adding to the pressure on law enforcement bodies.

Separately in July, the president promulgated legal amendments adopted by Parliament in late 2017 that created a special prosecution unit for cases against magistrates, transferring the relevant cases away from the DNA, and Parliament adopted additional changes to the criminal code that would weaken the scope of and penalties for corruption offenses. President Iohannis referred the new amendments to the Constitutional Court, which ruled in October that many of them were unconstitutional. They had not taken effect at year's end.

Score Change: The score declined from 3 to 2 due to a series of efforts by the government to weaken anticorruption laws and mechanisms, including its successful bid to dismiss the head of the National Anticorruption Directorate.

C3 0-4 pts

Does the government operate with openness and transparency?	3/4
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Citizens have the legal right to obtain public information and can petition government agencies for it. Some new mechanisms implemented in recent years were designed to improve transparency. For example, in its first year of operation, between mid-2017 and September 2018, a software system managed by National Integrity Agency reportedly prevented 68 conflict-of-interest cases in public contracting. However, in May 2018 the government issued an emergency ordinance that made it more difficult to challenge the results of public tenders. This and other legislative measures were adopted during the year with little opportunity for public debate or consultation.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	3/4
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Although the media environment is relatively free and pluralistic, key outlets remain controlled by businessmen with political interests, and their coverage is highly distorted by the priorities of the owners. Multiple journalists were allegedly targeted for physical abuse by police while covering antigovernment protests in August 2018.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	3/4
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Religious freedom is generally respected. While the Romanian Orthodox Church remains dominant and politically powerful, the government formally recognizes 18 religions, each of which is eligible for proportional state support. Others can register as religious associations. Religious education is not mandatory in schools. There have been reports of discrimination and harassment against religious minorities. In July 2018 President Iohannis promulgated a law that criminalized the promotion of antisemitism.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	3/4
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The government generally does not restrict academic freedom, but the education system is weakened by widespread corruption and politically influenced appointments and financing. In 2018, the government was criticized for funding changes that appeared to reward underperforming universities for their political

support while punishing successful universities known for challenging government education policies and fostering dissent.

Score Change: The score declined from 4 to 3 because independent public universities reported reductions in state funding that were apparently linked to their lack of political support for the ruling coalition.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4/4

People are generally free to express their opinions without fear of retribution, though there were anecdotal reports during 2018 of official repercussions for individuals who displayed opposition to the ruling party.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

3/4

Romania's constitution guarantees freedom of assembly, and numerous peaceful public demonstrations were held during 2018. However, a large protest against government corruption in August was met with tear gas and police violence. Hundreds of people required medical attention in the wake of the clashes. In October, the High Court of Cassation and Justice banned spontaneous public gatherings under most circumstances, requiring assemblies to be declared in advance; the ruling contributed to further national protests that month.

Score Change: The score declined from 4 to 3 due to violent clashes between police and protesters and a court ruling that sharply limited spontaneous public gatherings.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

4/4

Nongovernmental organizations (NGOs) operate without major formal restrictions. Nevertheless, many human rights and governance groups suffer from funding shortages and often face hostility and smears from politicians and other actors. In October 2018, Parliament approved legislation to combat money laundering that would impose onerous reporting obligations on NGOs. While that measure was under review and had not taken effect at year's end, executive ordinances adopted separately during the year made it more difficult for businesses to donate to NGOs.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

3/4

Workers have the right to form unions and a limited right to strike and bargain collectively, though laws against the violation of these rights are not well enforced. There are legal constraints on the ability of unions to participate in political activity, and the International Labour Organization has expressed concern about the level of government supervision of unions' finances.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

3/4

The judiciary is generally independent, but it faces increasing pressure from the executive and legislative branches. For example, in October 2018, having exhausted his options for challenging it, the president promulgated a law that encouraged mass departures from the judiciary by allowing magistrates to request early retirement and receive pensions greater than their working salaries.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	3/4
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The law provides safeguards against arbitrary arrest and detention, and these are generally respected, but the right to a fair and timely trial is often undermined by institutional problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Many government officials and lawmakers retain their positions despite criminal indictments or convictions by exploiting such weaknesses in the system. The Venice Commission has warned that recent changes to laws governing the justice system will “likely undermine” the independence of its officials. An executive ordinance issued in October 2018 increased the mandatory experience level for top prosecutorial positions from 8 to 15 years, potentially affecting current officeholders.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	3/4
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The population faces no major threats to physical security, but prisons and detention centers feature harsh conditions, and the abuse of detainees by police and fellow prisoners remains a problem.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
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The law provides broad protections against discrimination based on gender, race, ethnicity, sexual orientation, and other categories. However, people with disabilities, LGBT people, Roma, and HIV-positive children and adults face discrimination in education, employment, medical service provision, and other areas. The constitution guarantees women equal rights, but gender discrimination remains a problem in many aspects of life. In August 2018 the president signed a

law that imposes fines for sexual and psychological harassment in public and private spaces.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4/4

Citizens face no significant restrictions on freedom of movement, whether for internal or external travel.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

2/4

Property rights are protected by law, but despite significant progress, the country has struggled to adjudicate restitution claims for property confiscated during the communist era. Bureaucratic barriers, corruption, and broader weaknesses in the rule of law hamper private business activity.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3/4

While personal social freedoms are generally protected, domestic violence remains a serious problem, and laws meant to combat it are poorly enforced. Same-sex marriages are not permitted under Romanian law, but in July 2018 the Constitutional Court recognized the residency rights of same-sex couples married elsewhere provided that one member of the couple is a European Union citizen. A

government-backed referendum meant to define marriage in the constitution as a union between a man and a woman failed in October due to low turnout.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

3/4

The law provides basic protections against exploitative working conditions, though they are unevenly enforced, particularly in the large informal economy. Economic opportunity varies widely between urban and rural areas, and such disparities limit social mobility for some.

Human trafficking for the purpose of forced labor and prostitution remains a serious problem in Romania. Women and children from the Romany minority are especially vulnerable to forced begging.



On Romania

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Country Facts

Global Freedom Score

83/100 **Free**

Other Years

2020

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