



# Freedom in the World 2013 - Romania

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## 2013 Scores

Status: Free  
Freedom Rating: 2.0  
Civil Liberties: 2  
Political Rights: 2

## Overview

**Public frustration with austerity measures brought down two center-right prime ministers in February and April 2012, leading to a new center-left government headed by Victor Ponta in May. Ponta called a referendum in July to impeach President Traian Băsescu, a political rival, and pressured the Constitutional Court to ease his ouster, but the vote failed amid low turnout. Ponta's coalition easily won parliamentary elections in December.**

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In 1989, longtime dictator Nicolae Ceaușescu was overthrown and executed by disgruntled Communists. A provisional government was formed, and regular multiparty elections soon followed, with power changing hands between right-leaning parties and the former Communist Party, renamed the Social Democratic Party (PSD), during the 1990s. The PSD returned to power in the 2000 parliamentary elections, with Adrian Năstase as prime minister.

In 2004, Traian Băsescu of the Alliance for Truth and Justice (comprising the National Liberal Party, or PNL, and the Democratic Party, or PD) defeated Năstase in a presidential runoff. The PNL and PD then formed a coalition government with the Humanist Party (later renamed the Conservative Party, or PC) and the Democratic Union of Hungarians in Romania (UDMR). Călin Popescu-Tăriceanu of the PNL became prime minister.

The ruling coalition proved unstable, and after Romania's accession to the European Union (EU) in January 2007, Popescu-Tăriceanu ousted the Băsescu-allied PD from the cabinet in April. At the PSD's urging, Parliament voted to suspend Băsescu and organize a referendum on his removal, but he easily won the vote that May.

The new Democratic Liberal Party (PDL), a union of the PD and a PNL splinter faction, won parliamentary elections in November 2008. PDL leader Emil Boc was confirmed by Parliament as the new prime minister. Băsescu narrowly defeated his PSD challenger, Mircea Geoană, in the

2009 presidential election, and Parliament subsequently approved a new PDL-UDMR coalition government led by Boc.

The government struggled throughout 2010 and 2011 to implement a harsh fiscal austerity package as part of a 2009 emergency loan agreement with the International Monetary Fund. The budgetary measures and labor reforms drew repeated protests by workers and criticism from opposition parties. Boc finally resigned in February 2012 after weeks of sometimes violent demonstrations, and his successor, Mihai Răzvan Ungureanu, was toppled by a parliamentary no-confidence vote in late April.

With the PDL unable to gather a majority, Băsescu named PSD leader Victor Ponta as prime minister, and his Social Liberal Union (USL) government – an alliance of the PSD, PNL, and PC – was approved by Parliament in early May. The new government took a rapid series of legally dubious steps to consolidate control over state institutions.

Over the course of a few days in late June and early July, Ponta and the USL shifted control of the official gazette, used to promulgate laws, from Parliament to the government; removed, without clear justification, the ombudsman, the only official with the authority to challenge government decrees before the Constitutional Court; replaced the PDL speakers of both chambers of Parliament; and passed a motion to suspend the president, setting the stage for a referendum to permanently oust Băsescu at the end of July.

As the Constitutional Court moved to curb some of these actions, for instance by initially rejecting the government's claims that Băsescu had abused his authority, Ponta and the USL issued emergency decrees that attempted, ultimately without success, to limit its jurisdiction. The court's judges complained to EU officials of threats and political pressure. Nevertheless, the Constitutional Court was able to block the government's attempt to remove a 50 percent turnout threshold for the impeachment referendum to be valid. The vote consequently failed, with 87 percent backing impeachment amid 46 percent turnout.

In the weeks between the balloting and the court's final ruling on its annulment in late August, Ponta continued to push for Băsescu's removal, arguing that the voter rolls were inaccurate and the actual turnout was higher. The interior minister and a subordinate responsible for organizing the referendum resigned in early August due to intense political pressure, triggering a cabinet reshuffle.

The crisis eased over the subsequent months, and the December 9 parliamentary elections proceeded without incident. The USL won handily, taking 273 of 412 seats in the lower house and 122 of 176 seats in the Senate. The PDL's Right Romania Alliance placed a distant second with 56 lower house seats and 24 Senate seats, followed by the People's Party-Dan Diaconescu with 47 and 21, the UDMR with 18 and 9, and various national minority representatives with a total of 18 seats in the lower house. Băsescu duly nominated Ponta for a new term as prime minister, and Parliament approved the new USL government on December 21.

### **Political Rights and Civil Liberties**

Romania is an electoral democracy. Elections since 1991 have been considered generally free and fair. The president is directly elected for up to two five-year terms and appoints the prime minister with the approval of Parliament. Members of the bicameral Parliament, consisting of the 176-seat Senate and 412-seat Chamber of Deputies, are elected for four-year terms.

In January 2012, the Constitutional Court struck down a PDL-backed plan to postpone local elections and hold them jointly with the parliamentary polls. The move had been seen as an attempt to keep the PDL's local allies in power to influence the legislative elections. The local balloting was held on schedule in June, and the USL won the mayors' posts in all major cities.

The 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 18 such seats were allotted in 2012. The UDMR has long represented the ethnic Hungarian minority. Political participation and representation of Roma are weak, though two Romany candidates with the USL and one representing a national minority party won seats in Parliament in 2012.

Romania has struggled to meet EU anticorruption requirements. A July 2012 EU monitoring report praised the National Anticorruption Directorate and the National Integrity Agency (ANI) for increasing impartial investigations and successful prosecutions, but cited ongoing problems with follow-up by administrative and judicial bodies, including a pattern of minimum or suspended sentences. Romania's corruption problems kept it out of the EU's passport-free travel zone in 2012, and prompted the suspension of about €500 million (\$648 million) in EU economic development funds in October. Romania was ranked 66 out of 176 countries surveyed in Transparency International's 2012 Corruption Perceptions Index.

Some significant progress against corruption was reported in 2012. In a landmark case, former prime minister Adrian Năstase was sentenced to two years in prison in January for misappropriating state funds for his 2004 presidential campaign. He also received a three-year suspended prison sentence for blackmail in March. Although he allegedly shot himself in a bid to avoid prison after losing a Supreme Court appeal in June, he was duly incarcerated after a brief hospital stay. In October, the Senate defied a Supreme Court ruling by voting that Mircea Diaconu, who had resigned as culture minister in June due to a conflict of interest, could remain a senator; he later announced that he would not seek reelection. Also in October, the health minister resigned over embezzlement allegations. Separately, two former agriculture ministers were convicted of corruption-related offenses in February. Prime Minister Victor Ponta fired a cabinet official in November after the ANI accused him of a conflict of interest, but three ministers who were similarly accused refused to resign.

The constitution protects freedom of the press, and the media have been characterized by considerable pluralism. However, a weakening advertising market has led foreign media companies to sell their Romanian assets, leaving a larger share of important outlets in the hands of wealthy Romanian businessmen, who typically use them to advance their political and economic interests. State-owned media remain vulnerable to political influence. New leadership was installed at the public broadcaster after the change in government in 2012, and planned staff cuts raised concerns that employees would be laid off based on political criteria. The Ponta government and allied media repeatedly smeared critical journalists during 2012, accusing them of being paid by the president's faction to spread misinformation. Several journalists were attacked by protesters or police during the antigovernment protests in January. The government does not restrict access to the internet, and penetration is estimated at 39 percent.

Religious freedom is generally respected, but the Romanian Orthodox Church remains dominant and politically powerful. The government formally recognizes 18 religions, each of which is eligible for proportional state support. Minorities encounter discrimination by some local officials and hostility from Orthodox priests. Anti-Semitism remains a problem. Senator Dan Sova, who was fired as PSD spokesman in March 2012 after denying Holocaust-related historical events in a televised interview, was nevertheless appointed as a cabinet minister in August.

The government does not restrict academic freedom, but the education system is weakened by rampant corruption. Ponta's first education minister, Ioan Mang, was forced to resign in May 2012 over allegations of plagiarism. In June, the British science magazine *Nature* accused Ponta of plagiarizing his 2003 doctoral thesis, for which Năstase had served as adviser. Inquiries by the Romanian Academy and the University of Bucharest confirmed the claims, but a council overseen by the Education Ministry rejected them, and Education Minister Ecaterina Andronescu said the latter finding prevailed.

The constitution guarantees freedoms of assembly and association, and the government respects these rights in practice, though the January 2012 protests featured violence between police and demonstrators. Workers have the right to form unions and a limited right to strike, but in practice many employers work against unions, and enforcement of union and labor protections is weak.

Judicial independence was threatened in 2012 by political pressure surrounding the impeachment effort, and the courts continued to suffer from chronic problems such as corruption, political influence, staffing shortages, and inefficient resource allocation. Conditions in Romanian prisons remain poor.

Roma, members of the LGBT (lesbian, gay, bisexual, and transgender) community, people with disabilities, and HIV-positive children and adults face discrimination in education, employment, and other areas. Romania is home to the EU's largest population of Roma, but has struggled to obtain and spend EU funding dedicated to improving their living conditions. The mayor of Baia Mare, who was fined for building a wall around Romany homes in 2011, drew new criticism in 2012 for relocating about 150 Roma to the polluted site of a shuttered chemical plant.

The constitution guarantees women equal rights, but gender discrimination is a problem. Less than 12 percent of the seats in Parliament are held by women. A March 2012 legal amendment provided for restraining orders in domestic violence cases, which are rarely prosecuted. Trafficking of women and girls for forced prostitution remains a major concern, as does trafficking of children for forced begging.

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