

Freedom in the World 2016 - Romania

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Freedom Status: Free
Aggregate Score: 83
Freedom Rating: 2.0
Political Rights: 2
Civil Liberties: 2

Quick Facts

Capital: Bucharest
Population: 19,838,662
GDP/capita: \$9,996.70
Press Freedom Status: Partly Free
Net Freedom Status: N/A

OVERVIEW

The National Liberal Party (PNL) initiated two no-confidence votes against Prime Minister Victor Ponta and his cabinet in 2015, but neither won enough support to bring down his administration. However, Ponta resigned in November 2015 after dozens of people were killed in a fire at a Bucharest nightclub, an incident that prompted mass demonstrations against corruption and officials' perceived disregard for safety regulations. Klaus Iohannis, Romania's centrist president, tapped former European Union (EU) agriculture commissioner Dacian Cioloș to name a technocratic cabinet, and the parliament subsequently approved the new caretaker administration in late November.

The National Anticorruption Directorate (DNA) indicted a number of high-ranking officials in 2015. Among them was Ponta, who was charged with engaging in tax evasion and money laundering during his time as lawyer in 2007 and 2008, a period during which he was also serving as a member of Parliament.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 34 / 40

A. Electoral Process: 11 / 12

The president is directly elected for up to two five-year terms and appoints the prime minister with the approval of the parliament. Elections since 1991 have been considered generally free and fair.

In the 2012 parliamentary elections, the Social Liberal Union (USL), a coalition of the Social Democratic Party (PSD) and the PNL, took 273 of 412 seats in the Chamber of Deputies and 122 of 176 seats in the Senate. The Right Romania Alliance placed a distant second with 56 lower-house seats and 24 upper-house seats, followed by the People's Party-Dan Diaconescu with 47 and 21 seats, respectively, the Democratic Union of Hungarians in Romania (UDMR) with 18 and 9 seats, respectively, and various national minority representatives with a total of 18 seats in the lower house. International observers assessed the elections positively.

In 2014, the structure of the ruling party and the opposition in the parliament changed fundamentally. The PNL left the USL and formed an alliance with the other center-right Romanian party, the Liberal Democratic Party (PDL), prompting the selection of Iohannis of the PNL as the opposition's nominee for the presidency. The People's Party-Dan Diaconescu broke up in 2015 after its leader, television mogul Dan Diaconescu, was sentenced to five and a half years in prison for blackmail. Its members migrated to other parties.

President Iohannis and Prime Minister Ponta – opponents during the previous presidential election – maintained a cordial cohabitation in 2015. However, Ponta was weakened by accusations that he knowingly obstructed the right to vote of Romanians living abroad during the 2014 presidential election, followed in 2015 by a wave of corruption allegations, as well as accusations that his administration failed to properly respond to a nightclub fire that led to the deaths of as many as 61 people. Following a protest movement that emerged in the wake of the nightclub fire, including one event in Bucharest that drew as many as 20,000 people, Ponta resigned in November 2015. Iohannis then tapped Cioloş to lead a technocratic government, which received the support of both the majority coalition and the opposition.

A new electoral law was signed into law by President Iohannis in 2015, pursuant to which the number of parliament members, beginning after the 2016 elections, will decrease from 588 to 466. The uninominal system, applied in 2008 and 2012, will be replaced by a closed party-list proportional system. The members of the bicameral Parliament, consisting of a 136-seat Senate and a 330-seat Chamber of Deputies, will continue to be elected for four-year terms. A 5 percent electoral threshold for parties will be maintained, while a new threshold of 8 to 10 percent will be introduced for alliances. Another 2015 reform granted Romanian citizens living abroad the right to vote by mail; previously, voters living outside Romania were required to appear at embassies or consulates in order to vote.

B. Political Pluralism and Participation: 14 / 16

Romania's multiparty system features healthy competition between rival blocs. No single force has been able to dominate both the executive and legislative branches since 2012, although the lack of strength and coordination of the opposition often empowers the ruling coalition. Some parties display little ideological consistency and tend to seek coalitions that will advance their leaders'

personal or business interests. After December 2014, when the cabinet passed an emergency ordinance allowing party switching at the local level, 1,500 party members migrated to other constituencies, typically for personal or political advantage. The Constitutional Court subsequently ruled that the emergency ordinance was unconstitutional.

Romania's constitution grants one lower house seat to each non-Hungarian national minority whose representative party or organization fails to win any seats under the normal rules, and 18 such seats will be allotted to minority representatives according to the 2015 electoral law. The UDMR represents ethnic Hungarians. Iohannis, an ethnic German and a Lutheran, became the country's first president from either minority group. Roma, who make up over 3 percent of the population, are underrepresented in politics.

C. Functioning of Government: 9 / 12

Romania, which joined the EU in 2007, has struggled to meet the bloc's anticorruption requirements amid resistance from politicians. However, the DNA has been increasingly active, and the country has seen growing numbers of investigations, indictments, and convictions of high-ranking officials. In May 2015, the High Court of Cassation found PSD chairman and regional development minister Liviu Dragnea guilty of committing electoral fraud in a controversial 2012 referendum on the impeachment of former president Traian Băsescu. He received a one-year suspended sentence, during which time he is banned from politics. In July, the DNA charged Ponta with fraud, tax evasion, and money laundering allegedly committed while he was a lawyer in 2007 and 2008, a period during which he also served as a member of Parliament.

Numerous other high-profile figures were indicted on corruption charges in 2015. In March, Horia Georgescu, the head of the National Integrity Agency, a body tasked with monitoring public figures' asset declarations for conflicts of interest, was arrested in connection with an alleged property scam and subsequently resigned. In April, Elena Udrea was charged with abuse of office and accepting bribes during her tenure as regional development minister from 2010 to 2012. In June, Andrei Chiliman, the mayor of Bucharest's District 1, was charged with involvement in organized crime and influence peddling. Sorin Oprescu, the general mayor of Bucharest, was arrested in September for allegedly taking kickbacks from companies working for the municipal government. And in October, Alina Bica, the former chief prosecutor of the Directorate for Investigating Organized Crime and Terrorism, and Șerban Pop, the former director of the National Agency for Tax Administration, were charged with bribery.

Separately, in an effort to increase transparency, the National Agency for the Management of Seized Assets was created in December 2015. Romania was ranked 58 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 49 / 60

D. Freedom of Expression and Belief: 14 / 16

While Romania's constitution protects freedom of expression and of the press, violations sometimes occur. The media environment is pluralistic, though a number of important media outlets are controlled by wealthy Romanian businessmen. Financially hobbled public media remain dependent on the state budget and vulnerable to political influence. In the wake of the nightclub fire, media

freedom advocates expressed concern about a surveillance operation targeting an investigative journalist who led a team that had published reports about the incident. Also in 2015, the DNA opened an investigation into whether Laura Georgescu, the president of the National Audiovisual Council, had forged documents whose contents had eventually prompted sanctions against seven television stations. In July, a measure aimed at discouraging online gambling took effect; its provisions permit authorities to restrict access to certain websites.

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. As about 85 percent of the population identifies as Orthodox Christian, the Orthodox Church receives the bulk of state funds. Although significant progress has been made in supporting religious minorities, Romania's government has not yet ensured the full restitution of religious properties seized by former Fascist and Communist regimes. Religious minorities report discrimination by some local officials and hostility from Orthodox priests.

The government does not restrict academic freedom, though the education system is weakened by widespread corruption and by the increased power of local and national government officials in the election and approval of heads of schools and academic institutions. Private discussion is generally unrestricted. However, in 2015 the U.S. State Department noted reports that authorities had improperly monitored private online communications.

E. Associational and Organizational Rights: 11 / 12

Romania's constitution guarantees freedoms of assembly and association, and the government respects these rights in practice. Numerous public demonstrations were held throughout 2015, including a mass national protest against deforestation that took place in May. The parliament subsequently amended the forestry law in June to enhance environmental protections and limit certain land transfer practices. The nightclub fire prompted a series of mass demonstrations against government corruption and the poor emergency response to the accident; one such event in Bucharest reportedly drew as many as 20,000 people. The mass outcry combined with existing pressure from corruption charges precipitated Ponta's resignation.

Nongovernmental organizations (NGOs) operate freely and have increasing influence, though they suffer from funding shortages, often rely on foreign donors, and sometimes face hostility from politicians. Workers have the right to form unions and a limited right to strike and bargain collectively. Enforcement of union and labor protections is weak.

F. Rule of Law: 12 / 16

The country's courts and law enforcement authorities continue to suffer from chronic problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Many officials and lawmakers retain their positions following criminal indictments or convictions.

In 2014, prosecutors started proceedings against former commanders of communist-era prison camps for their roles in the deaths of hundreds of political prisoners, and in July 2015 former prison commander Alexandru Vişinescu was convicted of crimes against humanity. His conviction marked the first punishment for communist-era crimes committed by senior officials since the execution of Nicolae Ceauşescu in 1989. In October 2015, Ion Iliescu, a former president of Romania, appeared

in court on charges of committing crimes against humanity during a bloody antigovernment protest in 1990.

Conditions in prisons remain poor, though overcrowding has eased in recent years.

Roma, people with disabilities, LGBT (lesbian, gay, bisexual, and transgender) people, and HIV-positive children and adults continue to face discrimination in education, employment, and other areas.

G. Personal Autonomy and Individual Rights: 12 / 16

People living in Romania generally face no significant restrictions on the freedom of movement, whether for internal or external travel. Citizens are also free to change residence and employment, though bribery can play a role in access to higher education.

A large proportion of business activity in Romania takes place in the so-called gray economy and is exposed to criminal influences and practices. The underdevelopment of infrastructure, chronic corruption, limited access to funding, lack of transparency, and frequent changes in tax policy undermine businesses.

The constitution guarantees women equal rights, but gender discrimination is a problem. Women hold less than 12 percent of the seats in the parliament, and only 4 out of 22 government ministers are women. According to the National Institute of Statistics, women are paid about 8 percent less on average than their male counterparts. Only 20 percent of firms have female top managers, according to the World Economic Forum.

Same-sex marriage is not permitted, and proposed constitutional amendments have included a provision that would define marriage to exclude same-sex relationships.

In February 2015, the government approved reforms to the Criminal Code that introduced penalties for child prostitution, and added language to articles on rape and sexual assault that allow greater penalties for offenses committed against minors. Human trafficking for the purpose of forced labor and prostitution remains a serious problem. A significant portion of men and women trafficked across the European continent are Romanian. Within the country, women and children from the Roma minority are particularly susceptible to traffickers.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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