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Freedom in the World 2012 - Romania

2012 Scores

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

Overview

The center-right ruling coalition led by Prime Minister Emil Boc continued to implement unpopular fiscal austerity measures in 2011. The government also attempted to crack down on widespread corruption during the year, but Romania failed to win entry to the European Union's passport-free travel zone amid ongoing concerns about graft and smuggling.

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 rather 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 in May.

The new Democratic Liberal Party (PDL), a union of the PD and a PNL splinter faction, won parliamentary elections in November 2008, narrowly defeating a PSD-PC alliance in the lower house, 115 seats to 114, and in the Senate, 51 seats to 49. The rivals then formed a grand coalition in December. Meanwhile, the PNL was left with 65 seats in the lower house and 28 seats in the Senate, followed by the UDMR with 22 and 9. The remaining 18 lower house seats were set aside for ethnic minorities. Voter turnout was

less than 40 percent; unlike in previous years, no major fraud allegations were reported. PDL leader Emil Boc was confirmed by Parliament as the new prime minister.

The grand coalition broke down in October 2009, when the PSD withdrew and Boc's resulting minority government was toppled in a no-confidence vote, though it remained in place in a caretaker capacity as the presidential election campaign began.

Băsescu and his PSD challenger, Mircea Geoană, led the first round in November with 32 percent and 31 percent, respectively. Although the PNL and UDMR then endorsed Geoană, Băsescu won the December runoff by some 70,000 votes amid 58 percent turnout, and the Constitutional Court confirmed the results after the PSD forced a partial recount. 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, but Boc survived a series of confidence votes. Although the government also pressed ahead in 2011 with a crackdown on corruption, the EU declined to accept Romania into its passport-free travel zone. An EU progress report issued in July found ongoing problems with the judiciary and its handling of high-level corruption cases.

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 137-seat Senate and 334-seat Chamber of Deputies, are elected for four-year terms. New rules governing the 2008 parliamentary elections replaced the old party-list voting system with single-member districts, although all districts with no majority winner were allotted based on collective proportional representation.

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 2008. The UDMR has long represented the ethnic Hungarian minority, though a new Hungarian party was formed in September 2011 to compete with the UDMR. Political participation and representation of Roma are very weak.

Romania has struggled to meet EU anticorruption requirements since joining the bloc in 2007. The latest EU progress report in July 2011 praised the performance of the National Anticorruption Directorate (DNA) and the newly reestablished National Integrity Agency (ANI) in investigating corruption cases, but cited ongoing problems with follow-up by administrative and judicial bodies. It found that while 70 percent of DNA cases were fully resolved in less than three years of court proceedings, much of the remaining 30 percent, which included many high-level cases, had not even reached an initial verdict in that period. The delays sometimes resulted in dismissals due to statute of limitation rules. Meanwhile, ANI auditing of asset declarations had led to few final sanctions and no final confiscations. The new ANI law, passed in August 2010, stipulated that an investigation must be completed within three years of the end of an official's term in office, leading to the closure of numerous cases. The EU report also cited parliamentary resistance to investigations in some high-level cases.

Several high-ranking officials faced new investigations for alleged bribery or conflicts of interest in 2011, including a member of the European Parliament, two cabinet ministers, an important PDL mayor, and a Supreme Court judge. In a rare instance of a former minister being jailed for corruption, former agriculture minister Ioan Avram Muresan was sentenced in April to seven years in prison for embezzling U.S. aid funds, though his case had proceeded slowly: he served from 1998 to 2000, was charged in 2003, and went on trial in 2008. Also during the year, scores of customs agents and border police were arrested – and the head of the customs service was dismissed – in a crackdown on bribery and smuggling that appeared linked to Romania's efforts to win entry to the EU passport-free travel zone. As part of its fiscal austerity drive, the government sought to eliminate

fraudulent claims among the country's unusually large number of disability pensions. Romania was ranked 75 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index, making it one of the worst performers in the EU.

The constitution protects freedom of the press, and the media have been characterized by considerable pluralism. However, a weakening advertising market led some foreign media companies to sell their Romanian outlets in 2010, and more sought to do so during 2011. This process has left a larger share of important outlets in the hands of wealthy Romanian businessmen, who often use them to advance their own political and economic interests. State-owned media remain vulnerable to political influence. The government does not restrict access to the internet, and penetration is estimated at 35 percent.

Religious freedom is generally respected, but "nontraditional" religious organizations encounter both difficulties in registering with the state and discrimination by some local officials and Orthodox priests. The government formally recognizes 18 religions, each of which is eligible for proportional state support. The Romanian Orthodox Church remains dominant and politically powerful. The government does not restrict academic freedom, but the education system is weakened by rampant corruption. Anticheating measures implemented in 2011 led to a sharp drop in the pass rate of high school graduation exams, from 69 percent in 2010 to just 44 percent. The lack of eligible freshmen triggered a funding crisis at universities.

The constitution guarantees freedoms of assembly and association, and the government respects these rights in practice. 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. Unions continued to demonstrate against the government's austerity and labor code reforms in 2011, and objected to a provision of the new ANI law that forces union leaders, like public officials, to submit asset declarations. One union leader was detained for alleged corruption in March.

The judiciary is one of the most problematic institutions in Romania. The 2011 EU progress report welcomed the removal of certain procedural obstacles that had contributed to lengthy trial delays, but noted that the courts continue to suffer from serious staffing shortages, inefficient resource allocation, and a weak judicial disciplinary system. Conditions in Romanian prisons remain poor.

Roma, homosexuals, 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. A Romany rights group sued the municipality of Baia Mare in late 2011 after local authorities constructed a concrete wall around a Romany neighborhood, citing problems with crime and disorder.

The constitution guarantees women equal rights, but gender discrimination is a problem. Only about 10 percent of the seats in Parliament are held by women. Trafficking of women and girls for forced prostitution remains a major concern, as does trafficking of children for forced begging. The criminal code does not provide for restraining orders in domestic violence cases.

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