

Freedom in the World 2014 - Romania

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2014 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 2.0

Civil Liberties (1 = best, 7 = worst): 2

Political Rights (1 = best, 7 = worst): 2

OVERVIEW

Prime Minister Victor Ponta of the Social Democratic Party (PSD) continued his cohabitation with right-leaning president Traian Băsescu in 2013, though their relationship remained scarred by Ponta's attempt to have Băsescu removed in an impeachment referendum in July 2012.

The ruling Social Liberal Union (USL) – a coalition of the PSD, the National Liberal Party (PNL), and the small Conservative Party (PC) – in February announced the creation of a commission to draft amendments to the constitution, which were expected to be put to a referendum in late 2014. Planned revisions included a reduction of the president's powers, possible changes to the parliamentary electoral system, and a reorganization of the country's administrative divisions.

The government in 2013 struggled to implement economic plans such as the overhaul and privatization of indebted state-owned enterprises and a long-delayed mining project known as Roșia Montană. In late August, the government sent legislation to Parliament that would allow the controversial gold-mining project, led by a Canadian company, to move forward, setting off protests by environmentalists, academics, and local residents. By year's end the effort to activate Roșia Montană had suffered a series of defeats in Parliament.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 35 / 40 (+3)

A. Electoral Process: 12 / 12 (+2)

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. Elections since 1991 have been considered generally free and fair.

The presidential impeachment crisis of 2012 featured a number of legally dubious maneuvers by the USL government. Băsescu was temporarily suspended, and Senate president Crin Antonescu of the PNL served as acting president for several weeks. Băsescu resumed his post that August, after the Constitutional Court affirmed that the previous month's impeachment referendum had failed due to low turnout. The next presidential election is scheduled for November 2014; Băsescu is barred from running due to term limits.

In the December 2012 parliamentary elections, the USL took 273 of 412 seats in the lower house and 122 of 176 seats in the Senate. The opposition Democratic Liberal Party (PDL) and its 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 Democratic Union of Hungarians in Romania (UDMR) with 18 and 9, and various national minority representatives with a total of 18 seats in the lower house. The elections received a generally positive assessment from international observers, and enabled a return to normal political order in 2013.

B. Political Pluralism and Participation: 14 / 16

Romania's unfettered multiparty system features vigorous competition between rival blocs, and no single force has been able to dominate both the executive and legislative branches in recent years. However, some parties display little ideological consistency and tend to seek coalitions that will advance their leaders' personal or business interests. A splinter faction of the opposition PDL formed a new center-right party, the Popular Movement, in July 2013. Some PDL members and Băsescu had expressed frustration with Vasile Blaga's reelection as PDL leader at a party congress in March.

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 ethnic Hungarians, and in 2013 it lobbied for the creation of an autonomous region for the minority's Szekler subgroup. 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.

C. Functioning of Government: 9 / 12 (+1)

Romania, which joined the European Union (EU) in 2007, has struggled to meet the bloc's anticorruption requirements. In May 2013, a new National Anticorruption Directorate (DNA) chief was sworn in after a reported compromise on the post between Ponta and Băsescu. The director and two deputies were selected without an open application process.

Although political resistance and parliamentary immunity remained key obstacles in 2013, the year featured a number of new charges and successful convictions against high-ranking officials,

including cabinet ministers and members of Parliament. Among several other cases, in July, Transport Minister Relu Fenechiu of the PNL was sentenced to five years in prison for illegally selling used electrical equipment as new to a state-owned enterprise through a firm he controlled. He was reportedly the first cabinet minister to be convicted of corruption while in office. He immediately lost his post, but remained a member of Parliament at year's end, pending an appeal. In September 2013, Senator Antonie Solomon was sentenced to three years in prison for taking a bribe from a businessman while mayor of Craiova. Also that month, PC founder and media mogul Dan Voiculescu was sentenced to five years in prison on fraud and corruption charges, having already resigned as a senator.

Economy Minister Varujan Vosganian of the PNL resigned in October due to accusations that he had harmed national interests by granting a special gas-pricing deal to an indebted chemical company, though the Senate rejected anticorruption officials' request to prosecute him. Also that month, Deputy Prime Minister Liviu Dragnea – the former PSD secretary general – and 74 local officials were charged with attempting to falsify the results of the 2012 impeachment referendum in a bid to ensure Băsescu's removal, but Dragnea denied the charges and refused to step down. Ponta accused Băsescu of manipulating the case against Dragnea, and the prosecutor who prepared it was reportedly removed from office.

Former prime minister Adrian Năstase, who was sentenced to two years in prison in January 2012 for misappropriating state funds for his 2004 presidential campaign, was released early for good behavior in March 2013.

In December 2013, the lower house passed a bill that would exempt many national and local elected officials, including the president and Parliament members, from most corruption charges in the criminal code. The measure was under review by the Constitutional Court at year's end. Romania was ranked 69 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 49 / 60

D. Freedom of Expression and Belief: 14 / 16

The constitution protects freedom of the press, and the media have been characterized by considerable pluralism. However, poor economic conditions have led some 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. Many outlets have also been forced to close, cut staff, or change to more entertainment-based formats. Financially hobbled public media remain dependent on the state budget and vulnerable to political influence. A Constitutional Court ruling in April 2013 created new ambiguity on defamation, raising the possibility that it could be treated as a criminal offense. In December the Chamber of Deputies passed a bill that would restore defamation to the criminal code, but the president promised to block it.

Religious freedom is generally respected, but the Romanian Orthodox Church remains dominant and politically powerful. Critics have described conflicts of interest whereby politicians with ties to construction firms ensure generous state funding for the building of new Orthodox churches, and clergymen then endorse the politicians during electoral campaigns. The government formally

recognizes 18 religions, each of which is eligible for proportional state support, but the Orthodox Church accounts for about 85 percent of the population. Religious minorities report discrimination by some local officials and hostility from Orthodox priests.

The government does not restrict academic freedom, but the education system is weakened by widespread corruption.

E. Associational and Organizational Rights: 11 / 12

The constitution guarantees freedoms of assembly and association, and the government respects these rights in practice. Protests were held during 2013 on issues including shale gas exploration and the Roșia Montană gold-mining project. Thousands of ethnic Hungarians held demonstrations in October to call for a Szekler autonomous region.

Nongovernmental organizations 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, but in practice many employers work against unions, and enforcement of union and labor protections is weak. Employees at financially troubled state-owned companies mounted strikes and protests in 2013 over unpaid wages or cost-cutting plans as the firms prepared for privatization.

F. Rule of Law: 12 / 16

The country's courts continue to suffer from chronic problems such as corruption, political influence, staffing shortages, and inefficient resource allocation. In January 2013, Băsescu rejected the justice minister's nominees for chief prosecutor and DNA director, adhering to advisory opinions from the Superior Council of Magistrates. Ponta, temporarily acting as justice minister, subsequently nominated new candidates who took office in May. Critics noted that the appointments were made without an open application process as part of an apparent political compromise between the president and prime minister. Conditions in Romanian prisons remain poor, though overcrowding has eased in recent years.

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. Language in the draft constitution under consideration in 2013 would define marriage to exclude same-sex relationships.

G. Personal Autonomy and Individual Rights: 12 / 16

A large proportion of business activity in Romania takes place in the so-called gray economy and is exposed to criminal influences and practices. Despite tax cuts, tighter controls, and other improvements in recent years, nearly a quarter of working people in the country are unofficially employed, and tax evasion cost the state budget the equivalent of 13.8 percent of gross domestic product in 2012.

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 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.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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