



Published on *Freedom House* (<https://freedomhouse.org>)

[Home](#) > Romania

Romania

Country:

Romania

Year:

2018

Freedom Status:

Free

Political Rights:

2

Civil Liberties:

2

Aggregate Score:

84

Freedom Rating:

2.0

Overview:

Romania's multiparty system has ensured regular rotations of power. Civil liberties are generally respected, though ongoing concerns include corruption in the police force, discrimination against Roma and other vulnerable groups, and interference in the judiciary. Key media outlets are controlled by businessmen with political interests. Political corruption is an entrenched problem that continues to prompt public protests.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state and is directly elected to up to two five-year terms. The prime minister is the head of government, and is appointed by the president with the approval of the parliament; thus the prime minister's legitimacy is dependent in part on the

conduct of parliamentary elections. Both presidential and parliamentary elections since 1991 have been generally free and fair.

After the December 2016 parliamentary elections, a majority comprised of the PSD and the Alliance of Democrats and Liberals (ALDE) proposed Sorin Grindeanu of the PSD to be prime minister. President Klaus Iohannis designated Grindeanu, and the new cabinet was sworn into office in January 2017. In June, Grindeanu was ousted in a vote of no confidence filed by the PSD and initiated by party chair Liviu Dragnea. Grindeanu was replaced late in the month by Mihai Tudose of the PSD.

Iohannis, Romania's centrist president, was elected in 2014.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Under the 2015 electoral law, 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 took a plurality of seats in both houses in the December 2016 parliamentary elections. International election monitors assessed the poll positively, and stakeholders accepted the results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral law adopted in 2015 regulated the 2016 elections. The number of MPs decreased from 588 to 465, and the uninominal system was replaced by a closed party-list proportional system. A 5 percent electoral threshold for parties was maintained, while a new threshold of 8 to 10 percent was introduced for alliances.

The 2016 parliamentary elections revealed some gaps in the new electoral code, such as flawed procedures for vetting candidate eligibility, registering as an observer, and conducting ballot recounts. Analysts also noted a scarcity of regulations on party financing. The law also allowed mail-in voting for citizens living abroad, though participation was limited; fewer than 9,000 people registered to vote by mail, and some 4,000 ballots were cast by mail. New technological measures were introduced to help prevent fraud, including video cameras to record the ballot count.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. 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

Under the electoral law adopted in 2015, the number of members needed to create a new party decreased from 25,000 to 3, leading to the registration of many new parties. However, watchdogs have raised concerns about a provision stating that newly created parties can be eliminated if they skip two consecutive elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

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. The mainstream parties display little ideological consistency and tend to seek coalitions that advance their leaders' personal or business interests. Watchdogs have expressed concern about the large number of signatures required to place candidates on ballots for local and parliamentary elections, which can disadvantage small parties.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 3 / 4

People are generally free to express their political choices without undue influence from nondemocratic actors. However, clientelism in local politics remains a problem, and undermines political accountability. Watchdogs have expressed concern over the increasing presence of disinformation and propaganda in the media, which could influence people's political choices and views.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

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. A number of women hold cabinet-level positions, but 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 LGBT rights.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elections are held without delays, and elected officials are duly seated and generally able to craft policy. In 2017, intraparty disputes in the PSD hampered policymaking activities. PSD chairman Liviu Dragnea, who sits in the parliament but is not eligible for the prime minister's seat due to his 2015 conviction on electoral fraud charges, successfully forced out Prime Minister Grindeanu, also of PSD, through his efforts to bring a June no-confidence vote.

C2. Are safeguards against official corruption strong and effective? 3 / 4

High levels of corruption, bribery, and the abuse of power remain a problem. In spite of intense political interference and media pressure, the National Anticorruption Directorate (DNA) remains independent and powerful, and fairly investigates corruption cases across the political spectrum. In September, the DNA opened an investigation of Deputy Prime Minister Sevil Shhaideh of the PSD for abuse of power in a case that dates back to 2013, when she was in the Ministry of Regional Development and Public Administration. In November, the DNA announced that Dragnea was being investigated on allegations of abusing power for personal gain, and defrauding the European Union (EU) through the misappropriation of EU funds. Allegations of high-level corruption are typically given a substantive airing in the media.

In November, the European Commission raised concerns over the lack of political support for the implementation of the National Anti-Corruption Strategy (NAS) that was introduced by the government in 2016, and noted a resistance by politicians to lift the immunity of lawmakers so that corruption claims could be investigated and prosecuted.

In February, the government cancelled a pair of emergency ordinance that would have decriminalized some kinds of corruption, in the wake of massive public protests. A draft law that would offer amnesty for some corruption convictions was introduced in April and sparked more protests, and had not been adopted at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

Citizens have the legal right to obtain public information and can petition government agencies for it. In 2016, a new computer system, known as PREVENT, was established under the National Integrity Agency in order to prevent conflicts of interests in public procurements. The system entered into operation in June 2017.

However, apparent efforts by lawmakers to keep various government operations shrouded in secrecy continued in 2017. January's emergency ordinances that decriminalized some forms of corruption (and were later repealed) had not been debated extensively by the newly seated government, and were published unexpectedly, and late at night. Lawmakers also sought in 2017 to exempt a number of state-owned companies from corporate governance rules, and the government replaced the leaders of a number of state owned companies with loyalists.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Although the media environment is pluralistic, key media outlets are controlled by businessmen with political interests, and coverage is highly distorted by the interests of owners. The watchdog group ActiveWatch in a May 2017 report warned that the media played a key role in spreading misinformation during the January and February antigovernment protests, and that many outlets had served as platforms for political actors to disseminate propaganda. It further accused the National Audiovisual Council of turning a blind eye to unprofessional behavior by media outlets as well as to intimidation of

journalists by political figures, police, and members of the public. There were reports of police forcing journalists to delete footage of the protests.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

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. There have been reports of discrimination and harassment against religious minorities. In October, a performance at the Cluj-Napoca Opera House was interrupted by self-described anti-Muslim activists. In 2017 there were reports of hate speech on social media against Jewish people, as well as vandalism of Jewish cemeteries.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom, though the education system is weakened by widespread corruption and by the power of local and national government officials in electing and approving heads of schools and academic institutions.

D4. 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. However, watchdogs reported that during the massive protests in January and February 2017, the Interior Ministry produced a list with names of journalists and politicians who has endorsed the street movements.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Romania's constitution guarantees freedom of assembly, and the government generally respects this rights in practice. Numerous public demonstrations were held throughout 2017, including a two-month-long anticorruption street movement that at times attracted as many as 500,000 protesters across the country.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely and play a role in informing and educating the public. Nevertheless, many groups focusing on human rights– or governance-related work suffer from funding shortages, and often face hostility and smears from politicians and other actors.

E3. 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. There are legal limits on the ability of unions to participate in political activity, and the International Labor Organization has expressed concern about the level of government supervision of unions' finances.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent, but faces pressure from the executive and legislative branches. Many judges and prosecutors denounced proposed changes to the legal system in 2017, including a measure that would ban public statements about investigations and trials, and would allow suspects to attend court sessions when witnesses are giving testimony, the latter of which could contribute to witness intimidation.

A Code of Conduct adopted in October by Parliament acknowledges the respect of lawmakers for the principle of separation of powers.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The country's courts and law enforcement authorities continue to suffer from problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Dozens of law enforcement officials were arrested and prosecuted during the year for bribery, abuse of power, and corruption.

Separately, in November 2017, the European Commission warned that the lack of an independent and powerful process for appointing top prosecutors threatened the rule of law.

Many officials and lawmakers retain their positions despite criminal indictments or convictions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Romania is free from war and insurgencies. Conditions in prisons, however, are harsh. In April, the European Court of Human Rights (ECHR) sanctioned Romania for poor prison conditions, and ordered it to take immediate measures to improve the conditions of inmates and come up with a timetable for resolving the problems within six months. In response, the government in October passed legislation reducing the sentences of some prisoners; under it, about 530 inmates were initially released early and some 3,500 more became eligible for release the next month. Civil society groups and others expressed concern that the release of inmates as a measure to reduce overcrowding in the prisons was not a proper response to the ECHR's criticisms, and warned that the measure could be used to grant parole to officials convicted for corruption.

Abuse of detainees by police remains a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

People with disabilities, LGBT people, the Roma community, and HIV-positive children and adults continue to face discrimination in education, employment, and other areas. The Constitution guarantees women equal rights, but gender discrimination remains a problem. According to the European Commission's 2017 Report on Equality between Men and Women in the EU, Romanian women are paid more than 5 percent less on average than their male counterparts.

While the number of recently arrived refugees and migrants is low in Romania compared to other countries in the region, some media outlets have carried harsh rhetoric aiming to stoke fears about a "migrant influx." Residents of refugee centers are subject to curfews.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. 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 the freedom of movement, whether for internal or external travel, and are free to change residence and employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Bureaucracy, corruption, and fiscal unpredictability hamper business development and investments.

The right to property is protected by law. Although significant progress has been made to support the property restitution process after the fall of Communism, Romania's government has not yet ensured the full restitution of religious properties.

G3. 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

Domestic violence against women remains a serious problem. Same-sex marriages are not permitted under Romanian law, and the rights of same-sex couples married elsewhere are not protected. In 2016, activists collected some 3 million signatures calling for marriage to be defined as between a man and a woman. The Constitutional Court accepted the validity of the proposal, paving the way for an expected referendum on the topic.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Human trafficking for the purpose of forced labor and prostitution remains a serious problem in Romania. Women and children from the Roma minority are particularly susceptible to forced begging. The government has worked to increase prosecutions, and has taken some action aimed at bolstering victim identification efforts.

Source URL: <https://freedomhouse.org/report/freedom-world/2018/romania>