



Freedom in the World 2020

Romania

83
/100

FREE

| | |
|-------------------------|---------------|
| <u>Political Rights</u> | 35 /40 |
| <u>Civil Liberties</u> | 48 /60 |

LAST YEAR'S SCORE & STATUS

81 /100 **Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Romania's multiparty system has ensured regular rotations of power through competitive elections. Civil liberties are generally respected, but they have come under growing pressure as entrenched political interests push back against civic and institutional efforts to combat systemic corruption. Discrimination against minorities and other vulnerable groups is a long-standing problem, as is control of key media outlets by businessmen with political interests.

Key Developments in 2019

- For the first six months of the year, Romania held the rotational presidency of the Council of the European Union (EU)—the first time the country had done so since becoming an EU member in 2007.
- The government led by Prime Minister Viorica Dăncilă, the Social Democratic Party (PSD) leader and a presidential candidate, was marked by frequent changes in its composition. In October, the government was dismissed in a vote of no confidence by the parliament. The president then appointed the head of the National Liberal Party (PNL), Ludovic Orban, to form the new government, which took office in November.
- Anticorruption investigations continued, despite Laura Codruța Kövesi, head of the National Anticorruption Directorate (DNA), having been forced out of office in July 2018. Kövesi was appointed by the European Council in October to head its newly created European Public Prosecutor's Office.
- Klaus Iohannis won a second term as president of Romania in the November election.

Political Rights

A. Electoral Process

A1 0-4 pts

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

4 / 4

The president, who holds some significant powers in Romania's semipresidential system, is directly elected for up to two five-year terms. The president appoints the prime minister in consultation with the parliamentary majority, and the prime minister's government requires the confidence of Parliament. Both presidential and parliamentary elections since 1991 have been generally free and fair.

Klaus Iohannis, a centrist who had belonged to the PNL, won a second five-year term as President of Romania in November 2019, defeating Viorica Dăncilă of the PSD, 66.09 percent to 33.91 percent, in a runoff vote. A minority PNL government led by Ludovic Orban took office in November 2019, after the previous government lost a no-confidence vote.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4 / 4

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 led the 2016 parliamentary elections with 67 Senate seats and 154 seats in the lower house. It formed a governing coalition with the Liberal-Democrat Alliance (ALDE), which took 9 and 20 seats in the Senate and lower house, respectively. The opposition PNL placed second with 30 and 69 seats; smaller parties and ethnic minority representatives divided the remainder.

International election monitors assessed the 2016 polls positively, and stakeholders accepted the results. As some members of parliament have since switched political camps, the number of seats for each party has

fluctuated since the election, though the PSD has retained the largest number of seats.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

4 / 4

The legal framework generally provides for fair and competitive elections. However, the May 2019 European Parliament (EP) elections revealed some problems with the implementation of the electoral code and the procedural rules for dealing with the electronic registration of voters entering the polling stations, improper management of electoral materials, and poor training of election staff, among others. The EP elections were held concurrently with a referendum called by the president of Romania comprising two questions regarding judicial reform. The merger of the two processes increased the administrative burden at the polling stations. In addition, many polling stations organized for Romanians abroad were overcrowded and some closed promptly at 9pm, with both factors preventing large numbers of people waiting in line from voting. A similar situation occurred during the presidential election of 2014, but the problem had remained unaddressed.

As a result, Parliament in July 2019 adopted modifications to address the problems registered during both 2014 and 2019. The electoral legislation now provides for polling stations in the diaspora to be open for three days, rather than one, and allows voters to cast ballots (in Romania and abroad) after 9 pm if they had waited in line and were unable to vote before the closing time. As a result of the modifications, Romanians abroad would also be able to vote by mail, which they did during the presidential election in November 2019. These changes led to a much smoother voting processes in the presidential election, with no complaints regarding denial of the right to vote.

Score Change: The score improved from 3 to 4 due to reforms of the electoral laws and framework ahead the presidential election, which

expanded opportunities to vote and eliminated flaws that had adversely affected balloting in the past.

B. Political Pluralism and Participation

B1 0-4 pts

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

Romania's multiparty system features active competition between rival blocs. Under the 2015 electoral law, the number of signatures needed to create a new party decreased dramatically, leading to the registration of many new parties. However, critics have argued that signature thresholds to register candidates for local and parliamentary elections still place new and smaller parties at a disadvantage.

Multiple new parties were formed during 2018, two of which managed to send representatives to the European Parliament after elections in May 2019: PRO România and the Liberty, Unity, and Solidarity Party (PLUS). A few new parties were also registered during 2019.

Twenty-three parties and seven independent candidates registered with the Central Electoral Bureau to participate in the May 2019 European Parliament elections. Also, 14 candidates (two of whom ran as independents) participated in the first round of the presidential election in November. During the European Parliament elections, the preferences of the electorate reversed the ranking of the main political parties, pushing the PNL to the first position, followed by PSD, and the Save Romania Union (USR) alliance with PLUS with almost equal support.

B2 0-4 pts

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

4 / 4

The country has established a record of peaceful transfers of power between rival parties, and no single force has been able to control both the executive and legislative branches since 2012. Prime Minister Dăncilă, in office from January 2018 to November 2019, led a government characterized by high volatility. The latest government reshuffle of the Dăncilă government took place in August 2019 when ALDE, the junior coalition partner, decided to leave both the government and the coalition. After this, several cabinet positions remained under the authority of acting ministers, also partly as a result of the president's refusal to appoint new nominees.

The PNL and other parliamentary opposition parties initiated four votes of no confidence against the PSD government: two in 2018, one in June 2019, and one in October 2019. They cited threats to the rule of law, as well as politicization of government bodies and bad governance.

The most recent vote of no confidence in October 2019 was successful, and the leader of the PNL was tasked by the president with forming a new government. A minority PNL government led by Ludovic Orban took office in November 2019.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

3 / 4

People are generally free to make political choices without undue pressure from unaccountable actors. However, clientelism in local politics remains a problem. In small towns and villages, mayors retain significant leverage over voters. Moreover, civil society organizations have uncovered evidence

revealing political influence that the central government (and the party in power) retains over mayors through governmental funding allocations. Watchdogs have also expressed concern over the increasing presence of disinformation and propaganda in the media, which could allow powerful interests to improperly influence public views.

B4 0-4 pts

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. While a number of women hold cabinet-level or other senior positions—including that of the prime minister in 2018 and most of 2019, and the vice prime minister since November 2019—women are underrepresented in the Chamber of Deputies, where they hold just over 21 percent of seats, and in regional assemblies, where they hold 18 percent of seats. None of the major political parties are led by a woman. Social discrimination against LGBT+ people discourages political advocacy for their rights.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4 / 4

Elected officials are generally able to craft and implement government policy without outside interference. However, former PSD leader Liviu Dragnea, who served as speaker of the lower house but could not become prime minister due to a criminal conviction, was accused of exerting undue influence over the government until May 2019, when he was ordered to begin serving three and a half years in prison for abuse of power; he had been sentenced in 2018 but appealed.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

2 / 4

High levels of corruption, bribery, and abuse of power persist. The June 2019 report from the Council of Europe's Group of States against Corruption (GRECO) criticized Romania for failing to establish adequate measures to address corruption among members of parliament and magistrates, as well as for controversial attempts to enact legislation pertaining to the justice system that would have the effect of undermining anticorruption efforts.

In the past, the National Anticorruption Directorate (DNA) won international praise for fairly investigating corruption cases across the political spectrum and frequently securing convictions of powerful figures. However, in July 2018, after a protracted effort, the government secured the dismissal of DNA chief Laura Codruța Kövesi in what was seen as a blow to the directorate's independence. The justice minister initiated the move, and the president carried it out after the Constitutional Court ruled in May 2018 that he could not refuse to do so. Since January 2019, the DNA has been led by an acting chief prosecutor, Călin Nistor. Similarly, after the highly politicized retirement of general prosecutor Augustin Lazăr in April 2019, the general prosecutor's office has also been under interim leadership.

Nevertheless, in 2019 the DNA continued to carry out investigations, including against members of parliament. Several ongoing cases received

final court decisions, including those involving a number of former deputy ministers, presidents of county councils, and judges. Former member of parliament Cristian Rizea was sentenced in March by the High Court of Cassation and Justice to a term of more than four years for money laundering and influence peddling; he left Romania and was living elsewhere at year's end. And, the High Court of Cassation and Justice in May upheld the three-and-a-half year prison sentence that had been handed down in 2018 to Liviu Dragnea, former head of the PSD and speaker of the lower chamber of the Romanian parliament, for offenses committed while he was president of the Teleorman County Council.

A controversy regarding a new special prosecution unit for cases against magistrates, which transferred the relevant cases away from the DNA and has the potential to introduce undue pressure on magistrates, continued in 2019. Expert opinions from the Venice Commission and GRECO in 2018 were critical of the new unit, citing many irregularities and the potential for abuse of power. Romanian magistrates' associations have been vocal in advocating for the immediate dismantling of the new body. Adina Florea, who was nominated in 2018 by the then minister of justice to replace Kövesi as head of the DNA but was rejected for that position, was the front runner to be chief prosecutor of the new special unit for cases against magistrates. However, in 2019 the Superior Council of Magistracy was unable to decide on her candidacy after several attempts to get the necessary quorum for making a decision, and she eventually withdrew her candidacy in December.

C3 0-4 pts

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| 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. A new online platform allowing users to track government policies and bills has been running since March 2019. However, processes for soliciting participation and input from various stakeholders and

civil society experts are not well defined, and the government still widely utilizes emergency ordinances for legislating.

Several mechanisms implemented in recent years were designed to improve transparency. For example, a software system managed by the National Integrity Agency now contains well over seven and a half million asset and interest declarations. However, the profile of the conflict-of-interest cases brought to court remains rather low, and the agency's activity is not highly publicized.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

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| Are there free and independent media? | 3 / 4 |
|---------------------------------------|--------------|

Although the media environment is relatively free and pluralistic, key outlets remain controlled by businessmen with political interests, and their coverage is highly distorted by the priorities of the owners.

Politicians frequently spar with journalists on social media, with some instances constituting improper pressure. For instance, in March 2019 the former minister of justice threatened two journalists with the withdrawal of their media credentials. The Center for Independent Journalism, an NGO, qualified the minister's declaration as a limitation to media freedom.

In November 2018, investigative journalists from the Rise Project, which looks into corruption and organized crime, were targeted by the Romanian Data Protection Authority in an apparent attempt to intimidate them after they

published information received about Liviu Dragnea and would not reveal their source. During 2019, two journalists received anonymous death threats as a result of investigations they were conducting, into allegations of plagiarism by public officials and senior security agents, and into claims of sexual abuse of children at an Orthodox seminary, respectively.

D2 0-4 pts

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. Others can register as religious associations.

There have been reports of discrimination and harassment of religious minorities, including vandalism of Jewish cemeteries and occasional pieces in the media that portray Islam and Muslim migrants as a threat to the nation. In November 2019, Turkish diplomats interrupted a religious event organized by Muslim community leaders, and participants said government officials present did not respond.

In July 2018, President Iohannis promulgated a law that criminalized the promotion of antisemitism, and in October 2019 he signed a decree to establish the first museum dedicated to the history and memory of the Holocaust in Romania.

D3 0-4 pts

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

3 / 4

The government generally does not restrict academic freedom, but the education system is weakened by widespread corruption and politically influenced appointments and financing.

D4 0-4 pts

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.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

4 / 4

Romania's constitution guarantees freedom of assembly, and numerous peaceful public demonstrations were held during 2019, including demonstrations marking one year since the police crackdown on a large protest against government corruption that took place in August 2018. No similar incidents were recorded in 2019.

Score Change: The score improved from 3 to 4 because protest-related violence that took place in 2018 was not repeated.

E2 0-4 pts

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

4 / 4

Nongovernmental organizations (NGOs) operate without major formal restrictions. Nevertheless, many human rights and governance groups suffer from funding shortages and often face hostility and smears from politicians and other actors. Legislation to combat money laundering approved in 2018 that had initially imposed onerous reporting obligations on NGOs was modified in June 2019, when it was formally adopted by parliament, to exclude NGOs from the list of entities envisaged by the law.

E3 0-4 pts

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, though laws against the violation of these rights are not well enforced. There are legal constraints on the ability of unions to participate in political activity.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

3 / 4

The judiciary is generally independent, but it faces increasing pressure from the executive and legislative branches. The controversy around the new special prosecution unit focusing on magistrates continued in 2019, with magistrates' associations and supranational bodies raising concerns that the transfer of cases to the new body could allow avenues for the intimidation of magistrates and other abuses.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

3 / 4

The law provides safeguards against arbitrary arrest and detention, and these are generally respected, but the right to a fair and timely trial is often undermined by institutional problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Many government officials and lawmakers retain their positions despite criminal indictments or convictions by exploiting such weaknesses in the system. The Venice Commission has warned that recent changes to laws governing the justice system will “likely undermine” the independence of its officials.

The criminal investigation into an August 2018 crackdown on anticorruption protesters has been slow and so far inconclusive. Disinformation about the 2018 demonstration continued into 2019, with prime minister Dăncilă claiming there was written proof that the protest was a coup attempt, although she backed away from the assertion late in the year. The investigation is now being carried out by the specialized antiorganized crime prosecution service, as the investigation into the violence has been merged with one regarding the alleged coup.

F3 0-4 pts

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| Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 3 / 4 |
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The population faces no major threats to physical security, but prisons and detention centers feature harsh conditions, and the abuse of detainees by police and fellow prisoners remains a problem.

F4 0-4 pts

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

The law provides broad protections against discrimination based on gender, race, ethnicity, sexual orientation, and other categories. However, people

with disabilities, LGBT+ people, Roma, and HIV-positive children and adults face discrimination in education, employment, medical service provision, and other areas. The constitution guarantees women equal rights, but gender discrimination remains a problem in many aspects of life. In August 2018 the president signed a law that imposes fines for sexual and psychological harassment in public and private spaces.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

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 freedom of movement, whether for internal or external travel, and can freely change their place of employment or education.

G2 0-4 pts

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

2 / 4

Property rights are protected by law, but despite significant progress, the country has struggled to adjudicate restitution claims for property confiscated during the communist era. Bureaucratic barriers, corruption, and broader weaknesses in the rule of law hamper private business activity.

G3 0-4 pts

3 / 4

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| Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? | |
|--|--|

While personal social freedoms are generally protected, domestic violence remains a serious problem, and laws meant to combat it are poorly enforced. Same-sex marriages are not permitted under Romanian law, but in July 2018 the Constitutional Court recognized the residency rights of same-sex couples married elsewhere provided that one member of the couple is a European Union citizen. A government-backed referendum meant to define marriage in the constitution as a union between a man and a woman failed in October 2018 due to low turnout. Antigay rhetoric is still sometimes instrumentalized by political actors in order to galvanize conservative parts of society against political adversaries.

G4 0-4 pts

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| Do individuals enjoy equality of opportunity and freedom from economic exploitation? | 3 / 4 |
|---|--------------|

The law provides basic protections against exploitative working conditions, though they are unevenly enforced, particularly in the large informal economy. Economic opportunity varies widely between urban and rural areas, and such disparities limit social mobility for some.

Human trafficking for the purpose of forced labor and prostitution remains a serious problem in Romania. Women and children from the Roma minority are especially vulnerable to forced begging. After a shocking murder case in July 2019—in which police took 19 hours to respond after receiving calls from a kidnapped teenager, who was later found dead—human trafficking resurfaced as an area of public concern, considered improperly addressed by law enforcement authorities.



On Romania

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Country Facts

Global Freedom Score

83/100 Free

Other Years

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1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

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info@freedomhouse.org

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press@freedomhouse.org

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