

SGI Sustainable
Governance
Indicators

2015 Romania Report

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Executive Summary

The 2014 presidential elections were marred by the inadequate organization of the diaspora ballot, causing thousands of Romanians living overseas to endure excessive waiting times (of up to 11 hours) before they could exercise their right to vote. Too few polling stations were set up abroad, and in the first round, voting among diaspora Romanians was further slowed by time-consuming verification procedures. At the end of election day, ignoring requests from several embassies, Romania's Central Electoral Bureau refused to extend polling deadlines beyond 9 p.m.; as a consequence, thousands of voters were denied the opportunity to vote, triggering widespread protests both in Romania and abroad. However, the government's unwillingness or inability to ensure adequate voting opportunities for the millions of Romanians living and working abroad ended up backfiring against Prime Minister Victor Ponta; despite a 10% first-round advantage over his main challenger, Klaus Iohannis, as well as public-opinion polls forecasting a very similar outcome for the second-round run-off, Ponta ended up losing the election by a surprisingly large margin (9%), in large part due to a wave of voter mobilization that disproportionately benefitted Iohannis.

While the November 2014 presidential elections were tarnished by dirty campaigning and accusations of voter fraud linked to the high proportion of votes on supplementary lists, they nevertheless featured a number of encouraging signs. First, the election of Iohannis, who is German and Lutheran in an overwhelmingly Romanian and Orthodox country, represents a remarkable instance of ethno-religious tolerance in a region with both a long-standing and a recent history of ethnic conflict. Second, unlike in recent elections in neighboring countries, nationalist, extremist and anti-European candidates performed only modestly despite the potential catalyst of having a visible ethnic-minority candidate. Finally, the unexpected success of Iohannis' low-profile anti-corruption message over Ponta's aggressive media presence and populist/clientelist appeals has sent an encouraging message regarding the priorities of large parts of the Romanian electorate.

In 2014, the National Anti-Corruption Directorate (DNA) uncovered a massive corruption scandal that revealed deeply rooted clientelistic networks stretching back over four governments. However, the DNA's efforts were undermined by the parliament, which repeatedly attempted to legislate loopholes facilitating

corrupt practices, and refused or delayed demands to lift parliamentarians' immunity. As a result, conflict of interest continues to be a serious problem in the allocation of public and particularly EU funds. Standards within the Romanian judiciary are systematically undermined by both internal corruption scandals and government efforts to influence court rulings. However, new legislation rendering magistrates convicted of corruption-related crimes ineligible for special pensions marks an important milestone reinforcing the judiciary's power.

Policymaking has continued to be haphazard, relying heavily on government emergency ordinances (OUG) as legal instruments, especially on divisive partisan issues. One such ordinance (No. 55/2014), which overrode earlier legislation barring local elected officials from changing their place of residence for political reasons, but giving them a 45-day deadline to change their political affiliation, prompted a strong outcry from both the opposition parties and civil society. However, Ombudsman Victor Ciorbea failed to bring this highly controversial OUG before the Court. This in turn led to criticisms of Ciorbea for acting as a government puppet rather than as an advocate for the people.

The Ponta government suffered significant setbacks on two of its main institutional-reform priorities: a decentralization law, and a revision of the constitution. The decentralization project, prepared by Deputy Prime Minister Liviu Dragnea, would have introduced amendments in important areas such as agriculture, health, environment, education, culture and tourism, and was prominent in the government's agenda for the first half of 2013. However, the actual decentralization law was introduced to the public in October 2013 without prior deliberation. In November 2013, the Democratic Liberals decided to challenge the legislative act at the Romanian Constitutional Court, which unanimously repealed the measure in January 2014. The revision of the constitution, which had been one of the centerpieces of the Social Liberal electoral campaign in 2012, also ran into political and legal difficulties. Politically, the project – spearheaded by the president of the National Liberal Party, Crin Antonescu – was undermined by the growing rift between the Liberals and the Socialists. Moreover, in February 2014, the Constitutional Court identified numerous unconstitutional provisions in the constitutional-revision proposal. The project was sidelined by the dissolution of the Social Liberal alliance and the subsequent presidential elections, though it again figures on the agenda of the Ponta government for 2015.

Economic policy was affected by the breakup of the Social Liberal Union and the decision of the center-right National Liberal Party (PNL) to leave the governing coalition, as well as by the electoral campaign for the November

2014 presidential elections. As expected, Prime Minister Ponta's new government engaged in a number of populist measures meant to improve Ponta's prospects of winning the presidential elections. Nonetheless, these populist tendencies were kept in check by the economic slowdown in the first part of 2014, and by the policy constraints imposed by the new two-year IMF standby agreement signed by the government in September 2013.

Key Challenges

The election to the presidency of Klaus Iohannis, a relative newcomer to the national political scene, highlights the popular crisis of confidence in the established political elite, while ushering in significant uncertainty regarding Romania's economic and political trajectory over the next two years. Despite losing the presidential elections and facing calls for his resignation as both prime minister and president of the Social Democratic Party (PSD), Victor Ponta was able to secure a narrow parliamentary majority and hang on to his governmental and party-leadership positions. As a result, Romania's political trajectory will depend in the short term on the nature of the cohabitation relationship between President Iohannis and Prime Minister Ponta. Even though both leaders have vowed to work together constructively and avoid the public clashes that characterized the relationship between Ponta and ex-President Basescu, the prospects for cooperation are undermined by both policy and political considerations. In policy terms, Iohannis' electoral-campaign promises, which included a reduced state role in the economy and a more aggressive anti-corruption campaign, are likely to clash with the agenda of the Ponta government and the PSD-led parliamentary majority. Even though following Iohannis' victory, the parliament overwhelmingly rejected a PSD-sponsored amnesty bill that would have benefited those convicted on corruption charges, it is too early to tell whether the PSD and its allies have really changed course in response to the anti-corruption message sent by the Romanian electorate.

Politically, the relationship between Ponta and Iohannis will be complicated by the partisan struggle between their respective parties in the run-up to the 2016 parliamentary elections. Moreover, given the fragility of the current parliamentary majority and the insistent calls by many Iohannis supporters for a new government aligned with his political-reform agenda, there is a real possibility that early elections could be called sometime in 2015. This would in all likelihood mean that any reforms would be sidelined by political considerations. Moreover, given the narrow and heterogeneous parliamentary majority held by Ponta's government, the prime minister will be tempted to

continue the worrying trend of the past few years of relying heavily on emergency government ordinances to push through legislation, a tactic that would likely trigger new conflict with both the president and civil society.

A further complicating political factor is the uncertainty over potential alliances and splits on both sides of the political spectrum in the aftermath of the 2014 presidential elections. On the left, Ponta's loss has already led to a number of high-profile defections, and may lead to a more significant split if his leadership position in the PSD is seriously challenged. On the right, the fusion between the Liberals and the Liberal-Democrats has led to a partial consolidation of center-right forces, but as the presence of four center-right candidates (Iohannis, Macovei, Udrea and Tariceanu) in the first round of the presidential elections indicated, this process is far from over and will seriously complicate the creation of a center-right government in the near future.

Major open questions also persist beyond the dynamics of mainstream elite politics. The large reservoir of popular discontent, which continues to be fueled by revelations of corruption involving politicians from all major parties, may propel new political parties to national prominence. While such discontent could benefit pro-Western reformers such as Iohannis, it could also channel support toward extremist or anti-systemic parties/candidates (as in the 2000 presidential elections). Similarly, while the growing levels of civic and political mobilization among Romanian citizens in the last two years (including a vibrant social-media scene among the youth) were crucial in propelling Iohannis to victory, and could be a crucial catalyst for dislodging the corrupt oligarchic structures that still control large parts of the Romanian state, this energy could easily be wasted or even turn against the reformers if Iohannis fails to deliver on the high – and often unrealistic – expectations that accompanied his victory.

While a series of high-profile prison sentences suggest that anti-corruption efforts are producing tangible results, the durability of such progress depends on whether institutions such as the Anti-Corruption Directorate (DNA) or the National Integrity Agency can be shielded from the attacks of an influential part of Romania's political elite. In this sense, the victory of Iohannis, who unreservedly adopted the anti-corruption platform of Romania's most prominent justice reform crusader – former Justice Minister and European Parliament member Monica Macovei – is promising in the sense that it will prevent the full-on offensive against the anti-corruption institutions that many observers had expected if the PSD had controlled both the parliament and the presidency. However, given how many politicians from all major parties have to fear an effective justice system, the prospects of significant judicial reforms are highly uncertain. An important step in this direction would be affording

greater transparency to votes on immunity questions, thus providing the public with access to information on parliamentarians' voting records on such issues. Moreover, the Romanian parliament should act on the DNA's investigation requests promptly and within a set time interval.

The country's future growth prospects depend on the government's ability to improve governance in crucial areas, thus attracting more foreign investment and improving the country's ability to absorb EU funds. Though absorption rates have increased from 17% in mid-2013 to almost 35% in late 2013, they were still below the government's 50% target by late 2014, and remained well below the regional average. While the electoral victory of Iohannis, who campaigned on a promise to reduce corruption and the state's role in the economy, may provide an impetus for progress, the potential for power struggles between President Iohannis and Prime Minister Ponta, as well as the prospect of early parliamentary elections, could lead to political instability and undermine the adoption of necessary economic and governance reforms.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 5

Economic policy in 2014 was affected by the decision of the center-right National Liberal Party (PNL) to leave the governing coalition, as well as by the electoral campaign for the November 2014 presidential elections. As expected, Prime Minister Victor Ponta's new government engaged in a number of populist measures meant to improve Ponta's prospects of winning the presidential elections. However, these populist tendencies were kept in check by the economic slowdown that materialized in the first part of 2014, and by the policy constraints imposed by the new two-year standby agreement signed by the government and the International Monetary Fund in September 2013.

Future growth prospects will depend on the government's ability to improve governance in crucial areas, thus attracting more foreign investment and improving the country's ability to absorb EU funds. Although absorption rates increased from 17% in mid-2013 to almost 35% in late 2013, they were still below the government's 50% target by late 2014, and remained well below the regional average. While the electoral victory of Iohannis, who campaigned on the promise to reduce corruption and the state's role in the economy, may provide an impetus for progress, the potential for power struggles between President Iohannis and Prime Minister Ponta, as well as the prospect of early parliamentary elections, could lead to political instability and undermine the adoption of necessary economic and governance reforms.

Citation:

Romanian Academic Society 2014 annual report, www.sar.org.ro

Economist Intelligence Unit 2014, Country Report - Romania, www.eiu.com

Labor Markets

Labor Market
Policy
Score: 4

Despite some progress with decentralizing wage bargaining, Romania has not experienced significant improvements with regard to labor-market policies since 2013. The majority of labor-market-policy spending, which was already low by European standards, went to paying for unemployment benefits. As a result, active labor-market policies remained inadequate for dealing with the persistently high levels of youth unemployment, which continue to hover around 24%.

Romania's unemployment rate rose from 4.9% in May 2013 to 5.8% in February 2014, but declined again to 5.1% in September 2014. While these levels are below the EU average, official unemployment statistics are not a very reliable gauge of Romania's employment situation, given the large number of Romanians working either abroad or in the informal economy. These trends are likely to continue in the coming years given that nine EU countries removed labor restrictions for Romanian citizens in 2014.

Citation:

EU Commission (2014) EU recommendations for Romania – 2011-2014 http://ec.europa.eu/europe2020/pdf/csr2014/challenges2014_romania_en.pdf (Accessed 12/22/2014)

Economist Intelligence Unit (2014) Country data – Romania <https://eiu.bvdep.com> (Accessed 12/22/2014)

Taxes

Tax Policy
Score: 4

The vertical equity of Romania's tax system is very low. The country has a flat income-tax rate of 16% and one of the highest value-added-tax (VAT) rates in Europe, both of which have regressive distributional consequences. The situation worsened as a result of the 2010 austerity measures, when the VAT was further increased from 19% to 24%. During the 2012 electoral campaign, Prime Minister Ponta proposed a return to a progressive income-tax structure, while retaining the current tax level on corporate profits (16%) and reducing the VAT to 19%. However, these promises were not kept even after the National Liberal Party (PNL), which favored a continuation of the flat-tax system, left the government in February 2014. One partial exception was the reduction of the VAT on bread to 9%. Prime Minister Ponta has promised to expand this rate to other food categories (including fruit and vegetables and possibly meat) in 2015.

Romania's fiscal income is among EU's lowest, hampering the financing of public services and infrastructure. The primary reason for this shortfall is the

high degree of tax evasion, which peaked at 16.7% of GDP in 2012 and improved only marginally (falling to 16.2%) in 2013. This persistent fiscal evasion, which is considerably above the EU average, is attributable to the large informal economy (which accounts for over a quarter of employment and GDP) and endemic corruption within the country's tax-collection institutions.

Budgets

Budgetary Policy
Score: 5

Despite continuing problems with tax collection, fiscal sustainability has been fairly high due to low expenditures. Having exited the excessive deficit procedure in May 2013, Romania had a 2.3% budget deficit for 2013, down from 2.9% in 2012. The deficit estimate for 2014 is 2.2% of GDP, thus continuing the positive trend. The European Commission estimates that Romania faces low fiscal-sustainability risks in the medium term, in large part due to the relatively low levels of public debt. However, the government will struggle to reconcile its electoral promises regarding reductions in social-security contributions and VAT levels for agricultural products with the 1.83% fiscal deficit target it agreed upon with the IMF in December 2014.

Citation:

European Commission (2014) Assessment of the 2014 national reform programme and convergence programme for ROMANIA Accessed [23/12/14]

Research and Innovation

R&I Policy
Score: 3

Romania's expenditures on R&D are among the lowest in the EU, accounting for only 0.12% of GDP for business R&D and 0.3% for public R&D in 2013. As a result, Romania faces a crisis in the research sector characterized by a chronic shortage of active researchers (Romania had 2.09 researchers per 1,000 employees in 2012, compared to an EU average of 7.8). Resource scarcity has led to the massive migration of the most capable researchers to other sectors of the economy or other countries. At the same time, poor remuneration and uncertain prospects of professional advancement prevent the influx of young talent. Despite the Ponta government's promise that the 2013 and 2014 budgets would be development-oriented, there were no significant increases in the public R&D budget. However, one positive development was the increase in the tax deductibility of R&D investments from 20% to 50% in 2013. The National Council for Sciences and Technology Policy still lacks the executive ability to plan, prioritize and coordinate R&D in Romania.

Global Financial System

Stabilizing
Global Financial
Markets
Score: 6

Romania has not been very active on the international scene, but has improved the regulation and supervision of domestic financial markets. The country has made some progress in strengthening deposit-guarantee funds, which should help reduce the magnitude of the fallout in future financial crises. There has also been progress in terms of complying with international-reporting standards. Progress with respect to increasing the effectiveness of and legal framework for the Financial Supervisory Authority (ASF) has been slow, but a World Bank project initiated in July 2014 may provide some impetus for faster reforms. The ASF was created in late 2012 in an effort to improve supervision and regulation of the securities, insurance and private-pension sectors.

II. Social Policies

Education

Education Policy
Score: 4

In the period under review, Romania made limited progress in addressing the shortcomings of the education system, including early-childhood education, pre-university schooling and vocational training. The most important change was the June 2014 Emergency Ordinance No. 49/2014, which reshaped the 2011 Law on National Education. This included provisions allowing students who have not passed the high-school graduation exam to enroll in universities, reintroducing part-time doctoral programs and granting a broader autonomy to private universities (including the right to expand to pre-tertiary educational services). This development has produced mixed reactions. Education-sector unions, which were given a greater role in the higher-education system, have praised the reform, while others (including two former education ministers) have condemned it.

Social Inclusion

Social Inclusion
Policy
Score: 4

Social inclusion has suffered from high levels of poverty and low employment rates. Poverty levels in Romania remain the highest in the European Union. While the Gini coefficient for disposable income gradually fell between 2007 and 2012, it rose again in 2013, and is above the EU average. The country's large Roma minority is particularly vulnerable to this poverty and marginalization, as the community's economic and educational disadvantages are exacerbated by discrimination. The Romanian government still has a long way to go with respect to the establishment of an effective safety net for the

poorest, as well as with the formulation and implementation of long-term strategies creating more equal education and employment opportunities for the marginalized. A long-term social-inclusion project, supported by the World Bank, which focused on improving living conditions among the Roma, persons with disabilities, children at risk and victims of domestic violence revealed strong institutional fragmentation and weak institutional capacities at the local level.

Citation:

World Bank, 2015: Implementation Completion and Results Report (IBRD-4825-RO) on a Loan in the Amount of €47.2 Million to Romania for a Social Inclusion Project. Washington, D.C.

(<http://www->

[wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/03/23/000477144_20150323094757/Rendered/PDF/ICR33910REVISE0C0disclosed030230150.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/03/23/000477144_20150323094757/Rendered/PDF/ICR33910REVISE0C0disclosed030230150.pdf))

Health

Health Policy
Score: 4

Romania has a public health-insurance system with claim to universal coverage. However, the quality and equity of Romania's public-health system has been undermined by inadequate funding: Romania has the lowest health-budget allocation of any EU member state. Moreover, after a gradual increase from 3.5% of GDP in 2002 to 4.8% in 2010, health care spending declined again to 4.2% in 2014, and has been set at 4% in the 2015 budget despite rising health care demand. Due largely to this underfunding, the de facto availability of many medical services is severely limited, thereby leading to widespread bribe-giving by patients even for basic services. When an illness requires hospitalization, the Romanian patient typically has to bribe three or four health workers for sums often totaling a significant percentage of the family's monthly income. Moreover, for many specialized procedures patients have to resort to private providers, which offer higher-quality services but are often quite expensive, thereby leading to significant inequities in medical-care access. Cost efficiency is undermined by the failure of the National Health Insurance Agency (CNAS) and local authorities to monitor hospitals' performance and program investments in the sector. The complex and sometimes contradictory set of regulations concerning the relationship between the private and the public sector further aggravates this problem.

Citation:

http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/organized-crime-and-human-trafficking/corruption/docs/acr_2014_en.pdf

Families

Family Policy
Score: 5

Romanian parental-leave benefits are relatively generous. Parents can claim parental leave for up to two years, and during the period of parental leave – and for six months afterwards – they have job security and cannot be dismissed. However, overall spending on children and families has remained low. One of the consequences of this low spending is that child-care density has been low. Combined with the shortage of part-time work, the shortage of affordable child care (especially full-time day care) creates a significant obstacle for women attempting to combine parenting and employment.

Pensions

Pension Policy
Score: 4

In Romania, low fertility rates combined with the massive outmigration of working-age citizens have contributed to a rapidly aging population. Forecasts for 2050 predict that 43% of the population will be over the age of 65 – a dramatic increase from the comparable figure of 27% in 2011. These demographic pressures, combined with a gradual lowering of the pension age and the widespread recourse to early retirement after 1990, threaten to undermine the pension system's sustainability.

In an economy susceptible to sudden upheavals, the fragility of the pension system exposes different strata of the population to the twin phenomena of poverty and insecurity. The situation is particularly dire in the agricultural sector, where workers of the former agricultural cooperatives were left with very low pensions following the dissolution of these cooperatives after 1990. As a result, many retirees live below or near the poverty limit, and many more rely on support from relatives to supplement their pensions. In part due to their lower pension-eligibility age, women typically have considerably lower pensions than men, and therefore have double the poverty-risk rates.

The inconsistencies of pension policy, the volatile budgetary and economic situation, and the country's low employment rates have combined to severely undermine the pension system's overall fiscal sustainability. Fiscal imbalances will be exacerbated at least in the short term by a January 2013 parliamentary decision to raise pensions, bringing the total pension budget up to €1.5 billion. However, this politically highly popular move will be accompanied by a rise in the retirement age for women to 60 years and for men to 65, which should help with longer-term sustainability.

Pensions will increase by 5% in 2015, with the minimum pension reaching RON 400, and the state's overall disbursement totaling EUR 613 million. These funds

are contained in the 2015 draft budget, and will be balanced partially by lower expenses on goods and services and more effective VAT collection. According to the Romanian Pension Funds' Association (APAPR), private-pension funds were managing 30% more money in 2014 than they did in the previous year.

Citation:

European Commission (2014) Assessment of the 2014 national reform programme and convergence programme for ROMANIA http://ec.europa.eu/europe2020/pdf/csr2014/swd2014_romania_en.pdf Accessed [23/12/14]

Integration

Integration Policy
Score: 6

Romania is still primarily a sending country in terms of migrants, and has not yet experienced significant immigration. Half of the country's incoming migrants come from neighboring Moldova, whose citizens benefit from preferential access to the Romanian education system and can easily obtain Romanian citizenship. More recently, immigrants from Turkey, Asia (especially China) and Africa have come to Romania in search of business and work opportunities; however, their numbers have been fairly modest, as low wages reduce the country's attractiveness to guest workers.

In the run-up to EU accession in 2007, legal rules on family reunification, long-term residence and anti-discrimination were adopted to ensure conformity with EU law. From a comparative perspective, Romania's legislation has been fairly favorable toward immigrants. Romania scores particularly well with respect to anti-discrimination and labor-market mobility, but policies are less welcoming with respect to education access and access to citizenship. Moreover, foreign workers are not represented by local labor unions, and often fall victim to dubious contracts leading to worse work and pay conditions than initially promised.

Safe Living

Safe Living
Conditions
Score: 6

In Romania, homicide and violent-crime rates have been relatively low. According to the Global Competitiveness Report, threats of terrorism, crime and violence were not particularly important concerns among businesses in Romania (the country performed better in this regard than several EU members, including Greece, Hungary and Bulgaria). Nonetheless, the majority of Romanians reveal low trust levels when it comes to the activities of the police forces, which are known to be rife with corruption (though the extent of police corruption has declined since the 1990s). The European Commission decided in 2005 to take direct involvement in the implementation of the Anti-Corruption General Directorate (DGA) within Romania's Ministry of Internal Affairs

(encompassing the gendarmerie, the police and the immigration office). In 2010, the salaries and bonuses of police officers were cut significantly as part of the austerity measures, which undermined anti-corruption efforts by acting as a disincentive to attracting and retaining qualified staff. However, in the past year salaries have increased by 25% for police employees with higher education, and are scheduled to increase by about 15% across the board in January 2015.

Global Inequalities

Global Social
Policy
Score: 4

Even though in theory Romania became a donor of development assistance following its EU accession, in practice the Romanian government shows limited engagement in international efforts to promote equal socioeconomic opportunities beyond its borders, particularly in developing countries. The most important exceptions are a series of cooperation programs with neighboring Moldova.

III. Environmental Policies

Environment

Environmental
Policy
Score: 5

Romania continues to suffer from a range of environmental problems that are insufficiently addressed by government policies. A recent report by the European Commission (2014) highlights problems with poor air quality and insufficient flood-prevention control measures. Moreover, Romania is the worst performer in the European Union with respect to municipal waste management. The European Commission will commence legal action against Romania for failure to comply with EU regulations on mining-waste management. The case stems from Romania's Bosneag tailings pond, a 102-hectare abandoned wasteland that once served the Moldova Noua copper and zinc mines. The European Commission considers the pond a major toxic-dusts pollution source, detrimental to both human health and environment. Environmental issues have also featured prominently in the mass protests in September and October 2013 against a government bill allowing Roșia Montană Gold Corporation (RMGC) to extract gold in Roșia Montană. The protestors claimed that these mining operations would cause serious environmental degradation due to the use of cyanide. Even though the parties of the governing coalition had campaigned against the project in 2012, the Ponta government initially chose to continue with the project in part because the Romanian state has a 19% stake in RMGC and would have received 6% of the project's royalties. Protesters also asserted that many top politicians had personal financial interests in promoting the

project. Upon civil society's pressure, the parliamentary commission responsible for reviewing the draft measure rejected the gold-mining project.

Citation:

European Commission (2014) Assessment of the 2014 national reform programme and convergence programme for ROMANIA http://ec.europa.eu/europe2020/pdf/csr2014/swd2014_romania_en.pdf Accessed [23/12/14]

Global Environmental Protection

Global
Environmental
Policy
Score: 5

Since 1992, Romania has ratified over 20 international environmental treaties. It was the first country to ratify the Kyoto Protocol in 2001. It has also made efforts to transpose the European Union's Environmental Action Program (EAP) under the National Sustainable Development Strategy of Romania for 2013 – 2020 – 2030. However, it has not played a very active role in the design and promotion of global environmental-protection regimes.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 7

The current electoral law provides disincentives to the creation of new political parties, both through formal signature requirements (parties require 25,000 signatures drawn from at least 18 counties) and other financial and legal hurdles. Draft legislation proposed by the Alliance for a Clean Romania (ARC) would have eliminated these stringent rules by reducing the number of signatures required for registration to 500 citizens hailing from 10 counties. Despite support from some politicians, the proposal has been opposed by the major parties. During the presidential elections, only one candidate, Monica Macovei, supported the initiative.

Media Access
Score: 5

The first round of the November 2014 presidential elections suffered from the lack of any televised debate between the 14 candidates. Despite civil-society efforts to organize such a debate, several candidates either failed to respond to the invitation (Kelemen Hunor, Dan Diaconescu and Corneliu Vadim Tudor) or rejected it outright (Călin Popescu Tăriceanu). As a result, Prime Minister Ponta, who had conditioned his participation on the presence of all 14 candidates, also declined to attend, and the debate was not held. While the main candidates had access to the mass media (including free access in line with Romanian legislation), Ponta was more visible than other candidates, in part because of his role as prime minister. Moreover, candidates typically made their media appearances through friendly media outlets, which reduced the ability to create genuine political dialogue and reinforced partisan coverage by most major TV outlets.

Voting and
Registrations
Rights
Score: 5

The 2014 presidential elections were marred by the inadequate organization of the diaspora ballot, which caused thousands of Romanians living abroad to endure excessive waiting times (of up to 11 hours) before they could exercise their right to vote. Too few polling stations were set up abroad, and first-round voting for diaspora Romanians was further slowed by time-consuming verification procedures. At the end of election day, ignoring requests from several embassies, Romania's Central Electoral Bureau refused to extend voting deadlines beyond 9 p.m., which resulted in thousands of voters being denied the opportunity to cast their ballots, triggering widespread protests both in Romania and abroad.

The first round of presidential elections also saw the highest number of voters on supplementary lists, triggering accusations of vote fraud, given that the highest rates of electoral tourism occurred in counties that voted in favor of Ponta.

Party Financing
Score: 5

Political parties' funding sources include party membership fees, donations, income from the party's own activities and subsidies from the state budget. The maximum level of membership fees is limited by law, and all political parties have the obligation to publish these contributions in the Romanian Official Journal. Anonymous donations received by a political party cannot exceed 0.006% of its fiscal-year funding from the state's budget, and the total amount assigned annually to political parties cannot exceed 0.04% of the budget itself. However, while laws and regulations governing party financing are in place, their implementation is lagging. Parties circumvent regulations through a variety of methods such as the creation of fictitious positions and party structures, thus enabling them to hide additional sources of income. As a result, spending by parties and candidates surpasses the resources they claim, and true donor support exceeds parties' stated income. Sanctions are rare even in cases of blatant legal breaches. Throughout the 2013 – 2014 period, Social Democratic lawmakers proposed draft legislation that would amend Article 11 of Law 334/2006 on the financing of political parties, electoral campaigns and NGOs. Rather than simplifying the process and encouraging transparency, the amendment would in fact have increased the opacity of the process. Romania's new president, Klaus Iohannis, has promised to change Romania's party-financing legislation to promote greater transparency and accountability.

Popular Decision-
Making
Score: 4

According to the Romanian Constitution, national referendums are required automatically for any revision to the constitution (as happened in 1991 and 2003) and following the impeachment of the president (as happened in 2007 and 2012). In addition, the president can (after consultation with parliament) call for referenda on matters of national interest, as in the case of the electoral-system referendum of 2007 and the referendum on parliamentary reform in 2009. For referendum results to be legally binding, turnout needs to be above a certain threshold, which was lowered from 50% to 30% by a law passed by parliament in May 2013. Given that several earlier referenda, including the July 2012 referendum to impeach President Basescu, were invalidated because they failed to reach the 50% threshold, this law could increase politicians' temptation to resort to referenda to settle political disputes. In the 2014 presidential elections, Prime Minister Ponta expressed his desire to organize a referendum on the country's form of government if he were to be elected as Romania's president. At the county level, citizens can initiate referenda. However, such initiatives are subject to approval by the County Council and have remained rare.

Access to Information

Media Freedom
Score: 3

While the 2011 Civil Code, the Broadcast Law and the Laws on the Organization and Functioning of the Public Media Services have advanced the cause of media freedom, the parliament has continued in its efforts to control media outlets. In 2014, the broadcasting regulatory body, the National Audiovisual Council (CNA), whose members are politically appointed, intervened in the presidential electoral campaign in a manner that critics regarded as highly partisan, imposing greater restrictions on anti-government and neutral TV stations than on media outlets allied with Prime Minister Ponta.

Moreover, Social Democratic Senator Serban Nicolae's proposal to impose three-year prison sentences on anyone who makes information about ongoing criminal investigations public constitutes a serious threat to media freedom and the right to information in general, as well as to investigative journalism in particular. Despite opposition from within civil society, the proposal was still on the agenda of the Chamber of Deputies as of the time of writing.

Media Pluralism
Score: 4

In May 2014, a number of civil-society organizations, including the Romanian Academic Society, Active Watch and the Center for Independent Journalism, created the Coalition for a Clean Press (CPC) in an effort to promote the transparency of media corporations' funding sources. The CPC called on all major media corporations to post the names of their shareholders and advertisers; however, only 5% proved willing to do so. This refusal reinforced the widespread concern about the prominent role of politicians and oligarchs among mass-media owners and the centrality of non-transparent funding sources, including government advertising and offshore havens. For example, several of the largest TV stations in Romania, including Antena 3 and Romania TV, are owned by businessmen with close ties to parties in Prime Minister Ponta's current governing coalition. The owner of Antena 3, Dan Voiculescu, was convicted of money laundering and sentenced to 10 years in prison in August 2014.

The dangers of these oligopolistic ownership structures became apparent during the protests against the Roșia Montană gold-mining project in the fall of 2013. Most mainstream media organizations provided minimal coverage of the protests, and were consequently accused of being heavily biased in favor of the mining company (RMGC) promoting the project. By contrast, an active group of independent online news outlets covered the protests, helping to disseminate the other side of the story, although this sector's impact was largely limited to younger and urban audiences.

Access to
Government
Information
Score: 6

Law 544/2001, also referred to as the Freedom of Information Act (FOIA), ensures citizens' access to public information. The remit of the law creates obligations for all central and local state institutions as well as public companies for which the state is the majority shareholder. Along with ministries, central agencies and local governments, public universities, hospitals, and many off-budget central and local public companies have to comply with the terms of Law 544. However, actual enforcement differs somewhat from the terms of the existing legislation. Privacy and secrecy considerations often trump the transparency principle. Media and civil-society organizations have launched public protests and legal disputes seeking to set precedents and invigorate the already codified procedures. For example, in the summer of 2014, the European Court of Human Right ordered the Romanian government to pay approximately €9,000 after the former mayor of Baia Mare rejected journalist Ioan Romeo Rossianu's request for access to public information (despite three final court rulings).

Citation:

Iordache, Adriana, 2014: The Implementation of the Principle of Decisional Transparency in Romania. Romanian Academic Society, Policy Brief #64, Bucharest. http://sar.org.ro/wp-content/uploads/2014/08/Policy-brief-64_The-implementation-of-the-principle-of-decisional-transparency-in-Romania_v2.pdf

Civil Rights and Political Liberties

Civil Rights
Score: 5

Civil rights are guaranteed by the Romanian Constitution and are generally respected in practice. Romania responded to decisions by the European Court of Human Rights by adopting a new Civil Procedure Code, which came into effect in February 2013, and by passing new legislation on the restitution of property seized in communist times in March 2013. However, court protections have continued to suffer as a result of long and unpredictable proceedings. Poor detention conditions in Romania's penitentiaries also remain a problem.

Political Liberties
Score: 7

The Romanian state largely concedes and protects the right to speak, think and assemble without any government interference or restraint. Infringements of this right occur, but have been rare. The activists protesting against the Roșia Montană gold-mine project received fines for violating Law No. 60/1991 on the organization of public gatherings. What led to these penalties was a discretionary interpretation (subsequently upheld by the court) that the law itself encourages. The law asks prospective organizers to declare their intentions in advance, and stipulates a concept of responsibility that remains largely undefined. One of the more egregious applications of the law – the imposition of a large fine on a university student holding a bullhorn at one of the protests – led to the creation of solidarity fund to assist activists in their

disputes with the state. Despite such infringements on political liberties, the period under review witnessed an increase in the number of protests in which Romanians have effectively pressured the government to reverse unpopular political decisions. In the case of the Roșia Montană project, the government eventually backed down and put the project on hold. Similarly, a lower-chamber vote to pass a number of very problematic amendments to the Criminal Code (including decriminalizing conflict of interest) triggered widespread media criticism and protests. As a result, Prime Minister Ponta declared that he would recall the law, which was eventually declared unconstitutional by the Romanian Constitutional Court (CCR).

Non-discrimination
Score: 5

The Romanian state has been ineffective in countering discrimination against a number of vulnerable groups, including members of the LBGT community, adults and children infected with HIV, people with disabilities, and the country's large Roma minority. When President Basescu was fined for making a derogatory statement against the country's Roma population in February 2014, the National Council for Combating Discrimination initially refused to exercise authority on grounds that the statement had been made outside Romania. However, the Supreme Court compelled it to take the case. The agency ultimately fined Basescu for having stated that the Roma people did not generally want to work, preferring instead to live off stealing. The Civil Code still prohibits same-sex partnership and marriage, and fails to recognize any such marriages registered abroad. In March 2014, the Romanian parliament rejected a bill that would have legalized same-sex civil unions. The bill provided for the registration of both same-sex and heterosexual partnerships with rights of inheritance, mutual health insurance and joint mortgage.

Rule of Law

Legal Certainty
Score: 4

Policymaking has continued to be haphazard, relying heavily on government emergency ordinances (OUG) as legal instruments. Since Article 115 of the constitution provides for OUGs only in exceptional circumstances, their frequency represents an abuse of the government's constitutional powers and undermines legal certainty.

Judicial Review
Score: 6

Standards within Romania's judiciary are systematically undermined by internal corruption scandals and government efforts to influence court rulings. A number of high-profile scandals in the period under review, including the corruption-related arrests of Prosecutor Angela Eugenia Nicolae from the High Court of Cassation and Justice (ICCJ) and Judge Stan Mustata, highlight the gravity of the problem but also suggest a positive development – insofar as such clientelistic networks can no longer function with the same impunity as in the past. Most importantly, a law eliminating special pensions for magistrates convicted of corruption (Law No. 303/2004) was promulgated in July 2014

following its adoption by the Senate with a 98-vote majority. The executive's persistent efforts to influence high-profile court cases represent another problem undermining judicial independence. Examples include Prime Minister Ponta's interference in the Lukoil tax-evasion and money-laundering case. Romanian prosecutors and police raided the offices at Lukoil's Petrotel refinery near Ploiesti, seizing the company's accounting documents on suspicion of losses nearing €230 million. When the firm threatened to close the refinery, Prime Minister Ponta urged prosecutors to halt the seizure procedure. He justified his intrusion by making a reference to his responsibility to protect the approximately 3,500 employees who would march against the government if they lost their jobs.

Appointment of
Justices
Score: 5

According to Article 142 of the Romanian Constitution, every three years three judges are appointed to the Constitutional Court for nine-year terms, with one judge each appointed by the Chamber of Deputies, the Senate, and the president of Romania. Since there are no qualified-majority requirements in either the Chamber of Deputies or the Senate, and since these appointments occur independently (i.e., they do not need to be approved by or coordinated with any other institution), this has meant that Constitutional Court justices are in practice appointed along partisan lines.

Corruption
Prevention
Score: 5

In the period under review, corruption was a prominent issue in Romanian politics. The courts and the National Anti-Corruption Directorate (DNA) have been successful in prosecuting a number of high-profile cases, yet have faced strong opposition by the parliament. In 2014, the DNA uncovered a massive corruption scandal that revealed deep-rooted clientelistic networks stretching back across four governments. It concerned a complex bribery and money-laundering scheme whereby successive governments purchased Microsoft software licenses at 30% to 40% above market prices. The DNA opened investigations against nine former ministers, but when asked to revoke the immunity of the former ministers, the parliament gave priority to its holiday period, delaying the prosecutors' work. The parliament also continued to legislate legal loopholes that facilitate corrupt practices. For example, amendments made to Law 215/2001 in spring 2014 allowed mayors and county-council presidents to delegate official responsibilities such as the signing of contracts to their subordinates. This was a clear attempt to circumvent the ban on the participation of companies with links to elected officials in public-procurement contracts. Moreover, the legislation hampered the capacity of the National Integrity Agency and DNA to investigate mayors and county-council presidents on the basis of conflict-of-interest or abuse-of-office issues, as the responsibility for such contracts would fall on the shoulders of their subordinates.

Not surprisingly, the issue of corruption also featured prominently during the presidential elections. Two persons close to Prime Minister Ponta (his father-

in-law and his main business and law-firm partner) were under investigation by the DNA as the election campaign was unfolding, and the governing PSD had sponsored an amnesty bill would have benefited politicians recently convicted on corruption charges. Echoing the perspective of the two center-right parties, President-Elect Iohannis proposed a bipartisan compromise to reject the bill. Prime Minister Ponta's refusal to deliver on Iohannis' call may have been one of the causes of his defeat, and the bill was quasi-unanimously rejected immediately after the announcement of Iohannis' victory.

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 3

The most important strategic-planning unit within Romania's government is the Secretariat General of the Government, which is in charge of developing the Integrated Strategic Plan and overseeing its implementation. However, this plan in practice plays only a minor role in policymaking. Overall, the lack of a long-term approach to policymaking undermines the continuity and coherence of public policies.

Scholarly Advice
Score: 4

The cooperation between the Romanian government and non-governmental academic experts is only weakly institutionalized. The Romanian Academic Society (SAR) prepares an Annual Policy Analysis and Forecast Report, the presentation of which involves a number of politicians and ministers, but it is unclear how this report feeds into policymaking. The presidential elections gave non-governmental academic experts a certain degree of influence on the public agenda in 2014, primarily through informal means rather than institutional channels, as official consultation mechanisms remain unusable.

Interministerial Coordination

GO Expertise
Score: 6

The prime minister evaluates important draft bills. He can draw on the sectoral expertise of a set of about 15 state counselors that are part of his Chancellery. The depth of the expertise varies by sector.

GO Gatekeeping
Score: 7

Both the Prime Minister's Chancellery and the Secretariat General of the Government can formally return proposals to line ministries. Whereas the Secretariat General of the Government focuses on technical issues, the Prime Minister's Chancellery can and does return items on policy grounds.

Line Ministries
Score: 5

Policy proposals are usually drafted within ministries. The Secretariat General of the Government provides technical support for policymaking. The Prime Minister's Chancellery usually becomes involved only after the compulsory

public-consultation procedures are finalized. While the prime minister occasionally gets publicly involved in debating certain legislative proposals and may contradict line ministers, the final decision on the content of the policy proposal tends to be made by the line ministry.

Cabinet
Committees
Score: 5

Ministerial committees composed of cabinet and non-cabinet members (state secretaries, agency directors) can play an important role in shaping policy decisions on issues that involve multiple ministries. However, de facto coordination of the process is typically led by the line ministry initiating the policy proposal.

Ministerial
Bureaucracy
Score: 6

Much of the coordination takes place in interministerial committees, which are usually presided over by a minister but composed primarily of secretaries of state (political positions) and top civil servants and seem quite effective. Moreover, even in the absence of interministerial committees, normative acts are subject to interministerial consultation by being sent for review to the ministries affected by such an act. If ministries do not respond to the review request within five days, the non-response is considered tacit approval. Prior to government meetings discussing a particular legislative proposal, the Secretariat General of the Government organizes working groups between the representatives of ministries and agencies involved in initiating or reviewing a given proposal in order to harmonize their views. While these procedures promote coordination, the capacity limitations of many ministries, combined with the short turnaround time allowed for review, undermine effective review and hence allow for only superficial coordination in many cases.

Informal
Coordination
Score: 3

Informal coordination mechanisms – which in the case of political appointees are often based on partisan affiliations – can act as a double-edged sword. In some instances they complement the formal mechanisms of interministerial coordination, while in others they undermine these mechanisms' functioning.

Evidence-based Instruments

RIA Application
Score: 6

RIA-related procedures were introduced in Romania in 2005. At least in theory, legislative proposals cannot enter the legislative process without RIA approval from the Public Policy Unit (PPU) located in the Secretariat General of the Government (GSG). In practice, however, the use and the quality of RIA is highly uneven. As part of an action plan to boost U.S.-Romanian trade, presented in the context of a visit to Romania by U.S. Vice President Joe Biden in May 2014, Prime Minister Ponta announced an overhaul of the RIA system.

Quality of RIA
Process
Score: 5

The controlling legislation explicitly states that the RIA process should integrate other impact-assessment methodologies, especially those related to economic- or environmental-impact assessment. The Public Policy Unit, located within the General Secretariat of the Government, is the central RIA

coordination unit, and addresses functions such as the improvement of ex ante impact assessments, state-capacity evaluations and intra-governmental epistemic exchanges. Although the access-to-information legislation stipulating that results should be posted for 30 days on ministerial websites is usually respected, the majority of RIA processes involve stakeholders or transparent methodologies such as public hearings, surveys or debates to only a small degree. Moreover, in practice RIA exists in many areas mainly on paper, and has been primarily aimed at assessing potential legal conflicts arising from new proposals rather than focusing on their policy impact. However, in some areas (such as environmental policy), there has been greater progress toward true policy-based RIA.

Sustainability
Check
Score: 3

In theory, the RIA methodology manual requires that sustainability concerns be incorporated in assessment reports. However, in practice most such reports are primarily legalistic and pay limited attention to the issue of sustainability. The consideration of sustainability in Romanian regulations tends to be the result of EU directives.

Societal Consultation

Negotiating
Public Support
Score: 3

Consultation with societal actors remained limited throughout 2013 and 2014, with emergency ordinances used on a regular basis. In September 2014, however, the Minister for Social Dialogue invited a handful of prestigious NGOs to form a permanent advisory group that would assist the prime minister and relevant ministries in the discussion and management of several social topics. The initiative, called the Coalition for the Development of Romania, was conceived as the civic counterpart of the existing business coalition, and asserted itself as an institutional channel for collaboration between the government and civil society. While most civil-society representatives expressed a clear desire for an increase in decisional transparency, they did not necessarily agree on the terms proposed by the government officials.

Policy Communication

Coherent
Communication
Score: 4

As the breakdown of Romania's Social-Liberal governing alliance in February 2014 underlined, the Ponta government has been only partially successful in its attempts to coordinate communication across ministries. Romanian media organizations have repeatedly reported contradictory statements issued by various ministers and the prime minister, undermining the coherence of the government's message.

Implementation

Government
Efficiency
Score: 4

During the period under review, the government suffered significant setbacks regarding two of its main priorities: a decentralization law, and a revision of the constitution. The decentralization project, prepared by Deputy Prime Minister Liviu Dragnea, would have introduced amendments in important areas such as agriculture, health, environment, education, culture and tourism, and took a prominent place on the government's agenda during the first half of 2013. However, the decentralization law was introduced to the public in October 2013 without prior deliberation in November 2013. The Democratic Liberals decided to challenge the act at the level of the Constitutional Court, which unanimously repealed the law in January 2014. The revision of the constitution, which was one of the centerpieces of the Social Liberal electoral campaign in 2012, also ran into political and legal difficulties. Politically, the project – spearheaded by National Liberal Party President Crin Antonescu – was undermined by the growing rift between the Liberals and the Socialists. Moreover, in February 2014, the Constitutional Court identified numerous unconstitutional provisions in the constitutional-revision proposal. The project was sidelined by the dissolution of the Social-Liberal alliance and the subsequent presidential elections, though it returned to the Ponta government's agenda for 2015.

Ministerial
Compliance
Score: 5

The prime minister can dismiss ministers for not implementing the government program, though in practice these powers are circumscribed by the fact that such a move can trigger political backlash against the prime minister, especially if the ministers are from a coalition partner whose continued cooperation is crucial for the survival of the government. While cabinet meetings are supposed to ensure that the policies of different ministries are in line with the overall government agenda, ministers nevertheless have a lot of leeway in deciding policy details within their “fiefdoms.” While the prime minister can punish significant deviations from the government agenda by allocating smaller budgets to certain ministries in the following budget, such punishments are nevertheless constrained by coalition politics and by the political costs inherent in cutting funds for certain ministries (such as education or health).

Monitoring
Ministries
Score: 6

The government has a special office in charge of monitoring the activities of line ministries and other public bodies. This office monitors the activity of most line ministries fairly effectively.

Monitoring
Agencies,
Bureaucracies
Score: 4

The monitoring of agencies in Romania has been plagued by political clientelism and the capacity reduction suffered by many ministries following the often-haphazard personnel reductions associated with the austerity measures adopted in 2010 – 2011. Many agencies fail to provide information

Task Funding Score: 3	<p>on their websites, in violation of the legislation on decisional transparency.</p> <p>The funding of subnational governments is a serious problem in Romania. In September 2014, 11 local authorities filed insolvency claims. Most localities are strongly dependent on discretionary allocations from the central government, which tend to be allocated along partisan criteria. From 2012 to 2014, the Ponta government significantly expanded the State Reserve Fund, a major instrument in providing such allocations.</p>
Constitutional Discretion Score: 3	<p>Implementation autonomy within subnational units is often curtailed by fiscal measures enforced from the central level. The allocation of discretionary financial transfers and investment projects to municipalities and counties along partisan lines has persisted throughout the period under review. The controversial Emergency Ordinance No. 55/2014, which overrode earlier legislation by allowing local mayors and county/local-council members to change their political affiliation, was an attempt by the Ponta government to secure its influence at the local level after the breakup of the socialist-liberal coalition in February 2014.</p>
National Standards Score: 5	<p>The central government generally tries to ensure that subnational governments realize national public-service standards. However, enforcement is sometimes undermined by the inadequate funding provided to subnational governments, which undermines their capacity to deliver services meeting national standards.</p>

Adaptability

Domestic Adaptability Score: 6	<p>Romania has only partially succeeded in adapting its domestic-government structures to international developments. Interministerial-coordination weaknesses have undermined EU-related coordination, and problems also exist with the absorption of EU funds. Although absorption rates increased from 17% in mid-2013 to almost 35% in late 2013, they were still below the government's 50% target by late 2014, and thus remained well below the regional average.</p>
International Coordination Score: 5	<p>Romania's NATO and EU accession were celebrated as significant milestones and part of a reunification process with Western Europe following the collapse of communism. The Romanian government has been supportive of international efforts to provide global public goods. Thus, Romania has sent troops to Afghanistan as part of the NATO mission, and it has cooperated with international efforts to combat climate change. However, for capacity reasons, it has played a more modest role in shaping such international campaigns.</p>

Organizational Reform

Self-monitoring
Score: 4

Romania's institutional arrangements of governing, including the number and organization of ministries, change rather frequently. However, there is no systematic and regular self-monitoring of institutional arrangements.

Institutional
Reform
Score: 4

While successive governments have pursued institutional changes with the ostensible goal of improving the government's strategic capacity and the effectiveness of public policymaking, most institutional changes have in reality been driven by short-term tactical calculations in the pursuit of partisan objectives. This phenomenon was particularly obvious during the weeks preceding the 2014 presidential elections.

II. Executive Accountability

Citizens' Participatory Competence

Policy
Knowledge
Score: 4

The majority of Romanian citizens have very limited knowledge about government policies. This trend has not been reversed in the last two years. The 2014 presidential campaign, which was characterized by the press as the dirtiest of the post-communist era, did little to address this deficit, as candidate statements and media coverage alike were aimed at manipulating rather than informing the electorate.

Legislative Actors' Resources

Parliamentary
Resources
Score: 6

The Romanian parliament has a Department of Parliamentary Studies and Community Law, which offers members of parliaments research support and library access and can prepare research reports at the request of members of the standing bureaus of the two chambers, as well as of the leaders of the parliamentary groups and the chairs of the parliamentary committees. However, a common complaint is that the parliament's resources are channeled to activities such as building maintenance rather than to those directly involving the main functions of a national legislature. Independent legislators have access to few material resources; moreover, little expertise is readily available, and lawmakers often rely on assistance from former parliamentarians or political-party staff rather than independent experts.

Obtaining
Documents
Score: 7

According to Article 111 of Romania's constitution, "the government and other agencies of public administration shall, within the parliamentary control over their activity, be bound to present any information and documents

requested by the Chamber of Deputies, the Senate, or parliamentary committees through their respective presidents.” However, this access is limited in case of documents containing classified information, especially with respect to national security and defense issues.

Summoning
Ministers
Score: 9

Parliamentary committees can summon ministers to their meetings. If they do so, the minister’s participation is mandatory.

Summoning
Experts
Score: 9

Parliamentary committees may summon experts to their meetings, but the presence of experts is not mandatory.

Task Area
Congruence
Score: 5

The number of commissions in the Senate and Chamber of Deputies is roughly in line with the number of ministries in the government. In theory, this should facilitate a proper match between committees’ and ministries’ task areas. In some issue areas – such as foreign affairs or European affairs – this match is indeed achieved. However, in other areas, the legislature’s oversight capacity is reduced by the incomplete match between ministries and parliamentary committees. Thus, the task areas of the Committee on Health and Family of the Chamber of Deputies overlap with both the Ministry of Health and the Ministry of Labor, Family and Social Protection, while the latter ministry also falls under the supervision of the Committee for Labor and Social Protection. Similarly, the Committee for Defense, Public Order, and National Security oversees task areas from both the Ministry of National Defense and the Ministry of Administration and Interior, while the latter ministry also overlaps with the Committee for Public Administration, Territorial Planning and Ecological Balance (which in turn is also expected to monitor the Ministry of Environment and Forests). This multiple overlap between the responsibilities of parliamentary committees and ministries undermines the clarity of responsibility and therefore the proper legislative monitoring of ministries.

Audit Office
Score: 9

The Court of Accounts is an independent institution in charge of conducting external audits on the propriety of money management by state institutions. The parliament adopts the budget proposed by the court’s plenum and appoints the court’s members, but cannot remove them. The president of the court (currently former Prime Minister Nicolae Vacaroiu, who has served in this position since 2008) is appointed by parliament from among the counselors of account for a period of nine years, which means that while they tend to be appointed on a partisan basis, they are not always from the same party as the parliamentary majority. The Court of Accounts submits its annual and specific reports to the parliament, which are then debated in the legislature after being published in the Official Gazette. The annual public report articulates the court’s observations and conclusions on the audited activities, identifies potential legal infringements and prescribes measures. In 2014, the Court of

Ombuds Office
Score: 3

Accounts played a pivotal role in shedding light on the massive corruption scandal in which successive governments purchased Microsoft software licenses at 30% to 40% above market prices.

Following the dismissal of Gheorghe Iancu as ombudsman in July 2012, the ombuds office has undergone a period of instability and ineffectiveness. Thus, Anastasiu Crisu, whose appointment in January 2013 was criticized as partisan by both the opposition and the European Commission, resigned in December 2013 after challenging only one of the government's 114 emergency ordinances (OUGs). The role was taken over in April 2014 by Victor Ciorbea, a former prime minister and National Liberal Party senator. However, despite petitions from opposition parties and civil-society groups, he failed to bring the highly controversial OUG 55/2014, which gave mayors and county/local-council members a firm 45-day deadline to change their political affiliation, to court. This act invited criticism of Ciorbea, who was charged by the opposition and civil-society members with being no more than a government puppet.

Media

Media Reporting
Score: 4

Media coverage of government decisions and action on the television stations and in the newspapers with the largest market shares is highly partisan, largely focusing on political scandals and key politicians' personalities rather than providing in-depth policy analysis. While government officials often appear on political talk shows to discuss government plans and decisions with political analysts, the format and style of these shows (where participants often interrupt each other and primarily try to score rhetorical points) is not very suitable for providing nuanced and contextualized analysis of government decisions. Nonetheless, there is a clear minority of mass-media brands, such as the Digi 24 television station and HotNews.ro, an online news source, that produce higher quality, less partisan and more in-depth information. These sources – as well as some of the more serious print media (such as 22 magazine) – have much smaller market shares than do television stations specializing in political infotainment, particularly the Antena 3 television station.

Parties and Interest Associations

Intra-party
Democracy
Score: 3

The major parties on the Romanian political scene have similar intra-party procedures, which limit the influence of rank-and-file party members and exclude non-party members from party decision-making processes. The selection of leaders in all three parties is based on delegates elected from the territorially based party organizations (based on quotas decided by the party leaderships) in national party congresses that meet every four years unless emergency congresses are convened. Beyond this, however, most important personnel and issues are decided by a small group of party leaders. The de

facto degree of intra-party democracy depends on the relative political power of different party leaders and factions, and tends to be inversely proportional to the party's electoral success.

Association
Competence
(Business)
Score: 3

While policymaking in Romania is often influenced in a particularistic fashion by individual business interests, business associations are rather weak and have played a minor role in proposing concrete policy measures, much less in offering cost-benefit analyses of the likely effects of such policies. The potential for such engagement is further reduced by the fact that Romania does not have a coherent regulatory framework for lobbying. The Romanian Lobbying Registry Association (RLRA), a weak non-profit, non-governmental private organization, has unsuccessfully petitioned in favor of regulations in the area. Even though union density is fairly high in Romania, union structure is fragmented and weakly developed, and rank-and-file members are increasingly alienated from a self-serving leadership. Unions have not played an active role in policy formulation. However, under the current Social Democratic Party (PSD) government, which has comparatively close ties to labor unions, unions have scored some political victories (such as an expanded role in the higher-education sector, following recent reforms).

Association
Competence
(Others)
Score: 6

NGOs have significant analytical capacities, especially in areas such as environmental policy and social protection. However, many NGOs have been dependent on international financing. In early August 2013, Social Democratic Deputy Mihai-Bogdan Diaconu proposed legislation to amend Article 11 of Law 334/2006 on the financing of political parties, electoral campaigns and NGOs in such a way as to ban any type of international financing. The proposal attracted considerable criticism within the NGO sector and eventually was not passed.

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