



Romania Report

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Sustainable Governance Indicators 2017

Executive Summary

From November 2015 to November 2016, Romania was governed by a caretaker government led by Dacian Ciolos, a former EU commissioner. The government came to office after the previous prime minister from the socialist PSD, Victor Ponta, was forced to resign amidst corruption scandals. At the same time, the parliamentary elections in December 2016 brought another electoral victory for the PSD. During the period under review, the relationship between the government, with its non-partisan affiliation, and the parliament, with its PSD majority, remained tense. The Ciolos government struggled with achieving a parliamentary majority for some of its measures and preventing parliament from adopting measures not supported by the government.

One of the main goals of the Ciolos government was to prepare for the 2016 parliamentary elections. It continued the ongoing overhaul of the electoral system and succeeded in strengthening the credibility of the Permanent Electoral Authority. The Ciolos government also continued judicial reforms and largely supported the fight against corruption by the National Anti-Corruption Directorate (DNA), led by Laura Codruta Kövesi, who was reelected in 2016. By mid-2016, the DNA had achieved nearly 500 convictions, of which 170 were final convictions of party leaders, lawmakers, businessmen, magistrates and generals. Informed by inputs from 90 public organizations, NGOs, business associations, state companies, and private firms, the government at the end of its term updated the National Anti-corruption Strategy, shifting the focus from prosecution to prevention, recouping damages and drawing special attention to education and health. However, the fight against corruption remained a protracted process. Parliament continued to deny many requests to lift immunities, and the fight against corruption suffered a further setback when the Constitutional Court reduced opportunities for the DNA to cooperate with the Romanian Secret Service (SRI) and decriminalized office misconduct. In addition, the quality of democracy in Romania has suffered from strong political control of the public media, limited pluralism among the private media and continued high-levels of discrimination of the Roma minority.

The growth of the Romanian economy further accelerated in 2016. However, growth was largely driven by an expansionary budgetary policy, thus raising fears of overheating and a deteriorating fiscal stance. Overall investment

increased despite a decline in public investment caused by a low draw of EU funds at the beginning of the new programming period. As continued high levels of foreign direct investment indicate, the Ciolos government succeeded in maintaining investor confidence. Building on reforms initiated under the Ponta government, it adopted a number of measures aimed at strengthening growth and innovation, especially in the booming ICT sector, which is one of the biggest and most dynamic in the EU. However, the economy remains dogged by high levels of corruption and a relatively inefficient public administration. Moreover, the steep wage hike, favored by the lifting of the minimum wage and strong wage increases in the public sector, has raised concerns about future competitiveness and the sustainability of economic growth. The Ciolos government paid relatively little attention to education, health, family and pension policy, but launched a comprehensive anti-poverty package in April 2016 focused on providing integrated social services to impoverished and excluded communities. The plan integrates EU and national funds. By setting up an anti-poverty coalition committee in charge of developing and monitoring measures, Ciolos hoped to involve various public institutions, civil society and academia in allocating over 572 million euro allotted by the European Regional Development Fund for 2014-2020.

Under the Ciolos government, the relationship between the government, with its non-partisan affiliation, and the parliament, with its PSD majority, remained tense. The Ciolos government struggled to get a parliamentary majority for some of its measures and to prevent parliament from adopting measures not supported by the government. The Ciolos government adopted some institutional reforms, most notably the creation of the new Ministry of Public Consultation and Civic Dialogue and the streamlining of structures and processes for absorbing EU funds. While the consultation with social actors and non-governmental experts gained importance and the EU funds absorption rate increased, the government did not address issue such as the lack of strategic planning or the low quality of RIA. The reform of the subnational administration did not move beyond pledges.

Key Challenges

The electoral victory of the socialist PSD in the parliamentary elections in December 2016 has raised strong concerns about continued judicial reform and the fight against corruption. The PSD has strongly criticized some of the recent high-level appointments in the judiciary and has done everything it can to hinder the DNA's work. Although found guilty by the courts for vote rigging, Liviu Dragnea has remained leader of the PSD, and other PSD

politicians have a similar track record. Backtracking on judicial reform and the fight against corruption will put economic achievements of the recent years at risk. One reason for the robust growth of the Romanian economy has been the renewed investor confidence. Moreover, a more lenient stance on corruption will increase political apathy and lead even more young, qualified Romanians to leave their country.

The responsibility for the fight against corruption also rests with the citizens. They should demand more integrity and transparency from elected and appointed officials, make use of their voting rights and be ready to take to the streets. Romanian citizens can be proud that their protests following the deadly fire in the Colectiv club ultimately led to the resignation of Prime Minister Victor Ponta in November 2015. They should draw self-confidence and energy from this, and other episodes, and use them to make changes irreversible.

Education and healthcare have continued to suffer from neglect under the Ciolos government. A series of protests and high-profile resignations have failed to bring effective change to the country's struggling public services. While amendments to the budget in early 2016 increased funding, government efforts to improve access to and quality of education and healthcare have remained lackluster. Both sectors are of strategic importance for different reasons. First, uneven access to education and health care is a major factor causing the strong social disparities in Romania. Second, both sectors are highly relevant in economic terms. The long-term showing of the Romanian economy strongly depends on improvements in education, especially if the country wants to maintain its promising strong position in the booming ICT sector. The health care sector can also create many new jobs. Third, both sectors are strongholds of corruption and fraud – health care with regard to procurement, education due to widespread plagiarism and academic dishonesty plaguing Romanian universities. Last but not least, in a country where public trust in government and administration is low, delivering concrete results by improving the quality of basic public services is an important way of winning over citizens.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 6

The growth of the Romanian economy further accelerated in 2016. Following a real GDP growth of 3.9% in 2015, growth in 2016 is estimated at almost 5%. Growth was driven mainly by private consumption supported by wage increases, cuts in indirect taxes and low interest rates, thus raising fears of overheating. Overall investment increased despite a decline in public investment caused by a low draw of EU funds at the beginning of the new programming period. As continued high levels of foreign direct investment indicate, the Ciolos government succeeded in maintaining investor confidence. It adopted a number of measures aimed at strengthening growth and innovation, especially in the booming ICT sector, which is one of the biggest and most dynamic in the EU. However, the economy remains dogged by high levels of corruption and a relatively inefficient public administration. Moreover, the steep wage hike, favored by the lifting of the minimum wage and strong wage increases in the public sector, has raised concerns about future competitiveness and the sustainability of economic growth.

Citation:

European Commission (2017): Country report Romania 2017. SWD(2017) 88 final, Brussels (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-romania-en.pdf>).

Labor Markets

Labor Market
Policy
Score: 4

On the back of strong economic growth, the labor market situation improved in 2016. However, the decline in the unemployment rate and the increase in the employment rate were relatively modest. From a comparative perspective, economic inactivity, including the share of young people not in employment, education or training has remained high. The Ciolos government launched an overhaul of active labor market policy, which had been rudimentary and

ineffective in the past. It also set up a tripartite working group to establish an indexation mechanism for future minimum wage adjustments. The substantial minimum wage increases in January and July 2016, however, were still adopted in an ad hoc fashion. As a result of the increases in the minimum wage in recent years, the share of workers earning the minimum wage has increased and the wage distribution has been strongly compressed at its bottom. Similar concerns about the negative employment effects of rising labor costs have been raised by public sector wage hikes in 2016, which has contributed to a strong overall growth in wages.

Citation:

European Commission (2017): Country report Romania 2017. SWD(2017) 88 final, Brussels, 20-22 (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-romania-en.pdf>).

IMF (2016): Romania: Selected Issues. Country Report No. 16/114, Washington, D.C., 29-44 (<http://www.imf.org/en/Publications/CR/Issues/2016/12/31/Romania-Selected-Issues-43890>).

Taxes

Tax Policy
Score: 4

Romania's tax system has generated relatively little revenue. Despite a cut in the standard VAT rate from 24 to 20% in January 2016 and down to 19% in January 2017, as adopted under the Ponta government in 2015, the system still strongly relies on indirect taxes. This may favor economic growth, but it clearly infringes upon vertical equity, as does the 16% flat income tax rate in place since 2005. Despite the adoption of various anti-fraud measures, tax compliance has been low, partly because of the low efficacy of the National Tax Administration Agency (ANAF). The high VAT gap, the largest in the EU, has led the Ministry of Finance to explore the implementation of reverse taxation. Under the Ciolos government, tax policy suffered from a lack of certainty. Several times, the PSD-majority parliament passed tax measures that were subsequently blocked by the government. In September 2016, the Ciolos government seriously considered overhauling the Fiscal Code via an emergency government ordinance, i.e., by circumventing the normal legislative process.

Citation:

European Commission (2017): Country report Romania 2017. SWD(2017) 88 final, Brussels, 14-15 (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-romania-en.pdf>).

Budgets

Budgetary Policy
Score: 5

Budgetary policy was procyclical in 2016. Despite the strong economic growth, the general government fiscal deficit is estimated to have increased from 0.8% of GDP in 2015 to 2.8% of GDP in 2016, and is expected to widen further to 3.6% in 2017. As a result, the debt-to-GDP, which stands at about

40%, but is sensitive to ageing costs and exchange rate risk, increased. As highlighted by the Romanian Fiscal Council, the original 2016 budget, prepared by the former Ponta government, as well as the budget amendments in August and November 2016 violated rules enshrined in the 2010 Fiscal Responsibility Law, thereby reducing the credibility of the country's fiscal framework. The preparation of a 2017 budget by the Ciolos government proved controversial, with opposition representatives criticizing it as unconstitutional since the December 2016 parliamentary elections could bring in a new government with new policy priorities. On a positive note, the transparency of budgetary policy substantially increased under the Ciolos government.

Citation:

European Commission (2017): Country report Romania 2017. SWD(2017) 88 final, Brussels, 7-8, 15-16 (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-romania-en.pdf>).

IMF (2017): Romania. Country Report No. 17/133, Washington, D.C., 8-11 (<http://www.imf.org/en/Publications/CR/Issues/2017/05/25/Romania-2017-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-the-44944>).

Research and Innovation

R&I Policy
Score: 4

Years of mismanagement and underinvestment in the sciences and industries which drive research development have resulted in a brain-drain of innovators, educators and entrepreneurs. In line with the National Research-Development and Innovation Plan 2015-2020 adopted by the Ponta government, R&D spending has grown. Romania's research budget increased by one-third from 2015 to 2016 and was paired with investments and grants from various sources including the European Research Council, Norwegian Financial Mechanism, and Research and Innovation Center of the Ford Motor Company. The increased budget will close out existing projects and provide initial funding to new projects in research, development, and innovation, with particular attention paid to green industry. Romania's current status as an emergent high-tech and communications hub has driven private and public sector innovation. However, this increased funding might take some time before actually reaching interested researchers. UEFISCDI, the state authority in charge of disbursing research funds, has been very slow in organizing funding competitions and adjudicating applications. As in previous years, there is the danger that funding for winning applications might be considerably delayed.

Global Financial System

Stabilizing
Global Financial
Markets
Score: 6

Romania has participated in the EU and other international fora, but has not been very active on the international scene. Ongoing regulatory reform has improved the functioning of domestic financial markets.

II. Social Policies

Education

Education Policy
Score: 4

The Romanian education system has suffered from low public spending, unequal access and high dropout rates (especially among Roma and students from rural areas and poor families), low tertiary attainment and weak labor market relevance for both higher and vocational education. Moreover, the widespread plagiarism and academic dishonesty plaguing Romanian universities has eroded their credibility in- and outside the country. President Klaus Iohannis has continued to emphasize the political, economic and social importance of the education system and the need for its improvement. While modernizing curricula and changing university financing have been on the way, debates on education policy in the period under review were dominated by negotiations between the Ministry of Labor and the public education trade unions over wage increases in summer 2016. In April 2016, the Ciolos government adopted a national strategy on vocational education and training aimed at implementing a dual system involving private companies. The Ministry of Education appointed a new National Commission for Academic Titles and Diplomas, tasked with revamping the criteria for appointment and promotion, in order to restore credibility to Romanian universities.

Citation:

European Commission (2016) Education and Training Monitor Romania 2016. Luxembourg: European Union (https://ec.europa.eu/education/sites/education/files/monitor2016-ro_en.pdf).

Social Inclusion

Social Inclusion
Policy
Score: 4

Poverty and income inequality have been among the highest in the EU. Moreover, social inclusion has suffered from strong rural-urban disparities and the discrimination of the Roma population. As a result of the high share of unremunerated family workers in rural areas, in-work poverty is two times the EU average. The share of people who live in very poor quality housing and spend over 40% of their incomes on housing is one of the highest in the EU. The Ciolos government sought to foster social inclusion by adopting a comprehensive anti-poverty package in April 2016 focused on providing integrated social services to impoverished and excluded communities through integrated EU and national funds. By setting up an anti-poverty coalition committee in charge of developing and monitoring measures, Ciolos hoped to involve various public institutions, civil society and academia in allocating

over 572 million euro allotted by the European Regional Development Fund for 2014-2020. The effective, timely, and transparent implementation of this integrated approach will be a big test for Romanian society.

Citation:

European Commission (2017): Country report Romania 2017. SWD(2017) 88 final, Brussels, 22-23 15-16 (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-romania-en.pdf>).

Pop, L. (2016): The “Integrated Package to fight poverty” of social services in Romania: a possible road to institutional effectiveness. European Social Policy Network, Flash Report 2016/28.

Health

Health Policy
Score: 4

Romania has a public health insurance system. Despite its claim to universal coverage, however, many citizens are not insured, as highlighted by the deadly nightclub fire in Bucharest in October 2015. Access to health care is further limited by a high salience of informal payments and a low density of doctors in rural areas. The problems are aggravated by relatively low public spending, large-scale emigration of medical staff and rampant corruption. In 2016, an outbreak of a nosocomial infection at a Bucharest hospital, summer protests by doctors demanding better pay for over-time hours and the resignation of Health Minister Voiculescu helped to put health care reform on the agenda. However, overall changes remained modest. While the medical staff benefited from the wage increases in the public sector and health care spending increased in the course of the amendments to the 2016 budget, relatively little was done to address other structural problems. A new law on community care setting up health centers and teams, adopted as part of the government’s anti-poverty package in October 2016, might improve access to healthcare for vulnerable groups in rural areas. Compared to its predecessor, the new national anti-corruption strategy 2016-2020 from August 2016 put more emphasis on fighting corruption in the health sector.

Citation:

European Observatory on Health Systems and Policies (2016): Romania: Health System Review 2016. Brussels (http://www.euro.who.int/__data/assets/pdf_file/0017/317240/Hit-Romania.pdf?ua=1).

Families

Family Policy
Score: 5

Romanian parental-leave benefits have been relatively generous and were further increased in the period under review. 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. As a result, the total fertility rate has stagnated at 1.4. The problems with combining parenting with participation in the labor market might even be visible in emigration trends. Unlike in the 2000s, women now represent the majority of out-going Romanians.

Citation:

Pop, L. (2016): Child-rearing leave in Romania: an effective instrument for increasing the birth rate and improving child care? European Social Policy Network, Flash Report No. 2016/29.

Pensions

Pension Policy
Score: 4

In Romania, low fertility rates combined with the massive out-migration 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 threaten to undermine the pension system's sustainability, even more so as the actual retirement age has continued to decline despite an increase in the official retirement age in 2014.

Poverty among pensioners remains a problem as well. 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 Ciolos government did little to address these issues. It ignored the repeated recommendation by the European Commission to harmonize the retirement age for men and women, and even weakened the sustainability and credibility of the pension system by deviating from the original rules on the financing of the second, fully-funded pension pillar. The 2008 pension reform, which introduced a three-pillar system along World Bank guidelines, contained provisions for a statutory 0.5 percentage point increase per year in contributions to the mandatory fully-funded second pillar, with a target of reaching 6% of employees' gross salaries by 2016. In 2016, however, contributions were raised only to 5.1%, with the government pleading budget constraints and pressures on public spending. With a little help from the constitutional court, the Ciolos government succeeded in preventing new

special pension rights for mayors, deputy mayors, local and county counsellors, as legislated by parliament. It did not dare to tackle existing huge pension privileges of certain occupational groups.

Integration

Integration Policy
Score: 6

Romania remains a sending country in terms of immigration and fails to provide adequate incentives to reverse the trend of a shrinking and aging population. A small number of Moldovans receive preferential access to citizenship, education and basic services.

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.

Growing numbers of non-European migrants have entered the country in recent years, most recently as part of the larger EU refugee crisis. Romania has upheld its commitment to receive and integrate according to its migrant quotas. Migrant accommodation has raised concerns in regards to their shelter, support and employment. Moreover, the discrimination which has beset the Roma threatens to marginalize refugee and migrant peoples arriving from abroad.

Safe Living

Safe Living
Conditions
Score: 6

Despite some high-profile cases in 2016, Romania's homicide and violent crime rates have remained relatively low. The dominant challenges to Romanian public safety are transnational and organized crime, as seen in the Black Cube firm spying case and in various arrests related to smuggling and human trafficking. Romania continues to be a willing participant in international police cooperation with European and regional partners, issuing 1,500 warnings related to European arrest warrants and transferring 520 individuals into foreign custody.

Global Inequalities

Global Social
Policy
Score: 4

Romania remains a minor player on the global stage when dealing with issues of development, social inclusion, and inequality. As an EU member and maritime neighbor of Turkey, Romania has contributed security sector resources to the regional effort to manage migrant flows. Assistance and aid to neighboring Moldova has continued, alongside participation in NATO exercises and missions and contributions to the FRONTEX operation in the Mediterranean Sea. Despite President Iohannis' commitment to fulfill Romania's migrant quota, the country does not aspire to exceed or increase its intake of refugees and migrants from the Middle East, North Africa and South Asia. Earlier in 2016, President Iohannis articulated Romania's persistent desire to join the Schengen agreement, indicating a desire to keep trade, travel and social barriers down. There is very little effort to promote a fair global trade system, maybe because Romania is a small market and a rather weak trading partner.

III. Environmental Policies

Environment

Environmental
Policy
Score: 5

Despite its membership in the EU, Romania continues to struggle with developing and implementing comprehensive environmental regulations. The main challenges have been industrial pollution, illegal resource extraction and systemic corruption. To address issues such as waste management and pollution, Romania has strongly relied on taxation. This led to the introduction of a solid waste fee in January 2016. In the period, the Ministry of Environment and Forests secured 130 million euros in EU funding to reduce recyclable waste by 50% by 2020, but made headlines primarily because of protests by its employees over wages and labor disputes in summer. Together with the Ministry of Transport and Infrastructure, it also received negative press following a report which found that the two ministries had failed to allocate approximately three billion in EU grant funding, largely as a result of delays in capital projects like waste and water treatment plants in the environment portfolio.

Global Environmental Protection

Global
Environmental

Romania participated in the 2015 Paris Conference on Climate Change and has undertaken some measures to uphold its commitments. Additionally,

Policy
Score: 5

Romanian diplomats participated in the July 2016 Vienna climate meetings, focused on finding agreement on reducing Hydrofluorocarbons (HFCs). Industry and government leaders have supported the effort, recognizing its importance in advance of a summit in Kigali, Rwanda in October.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 7

Electoral legislation was amended in the first half of 2015 with an eye to the local and parliamentary elections in 2016. One amendment substantially lowered the typically high stakes involved in establishing a political party – 25,000 signatures drawn from at least 18 counties now required the same number of signatures from only three counties. Moreover, the requirement to submit financial deposits for candidate registration was lifted, and citizens have been allowed to support multiple candidates and parties with their signatures. Partly as a result of these changes, the number of parties participating in the 2016 parliamentary elections was relatively high.

A major problem has been the candidacy rules for the four deputies and two senators elected by the Romanian diaspora. As criticized by the Federation of Romanians' Associations in Europe and others, diaspora candidates were discriminated against in the 2016 parliamentary elections because they were required to collect 6,090 signatures rather than 1,000 to enter the race. Moreover, their electoral colleges extend across several countries, impeding the collection of required signatures.

The conservative-liberal PNL has been the only party with explicit integrity requirements for its candidates. Introduced in 2015, the criteria are as follows: candidates may not have been members or collaborators of the communist political police, the Securitate, and may not have held positions in the former Communist Party; Candidates cannot have hired a family member or first-degree relative to public office, hold conflicting business interests, or have lied in their declaration of assets or interests; Candidates may not hold any racist, chauvinistic, xenophobic, or discriminatory attitudes nor have debts to the local budget older than one year, or degrees or diplomas attained through plagiarism; and finally, candidates may never have been found guilty of corruption, offences committed with intent or violence, nor be taken to court for a bribe-related offence, or any other criminal offence committed with intent. The application of these criteria disqualified 100 out of 1,100 PNL mayors from re-election. The other parties have refrained from adopting similar requirement. As a matter fact, some of the winning candidates in the

2016 general elections have been convicted by courts for fraud, corruption, embezzlement, and influence peddling – chief among them the Social Democrat leader Liviu Dragnea, found guilty by the courts of vote rigging.

Citation:

OSCE/ODIHR (2016): Needs Assessment Mission Report: Romania, Parliamentary Elections 11 December 2016, Warsaw, 6 (<http://www.osce.org/odihr/elections/romania/278346?download=true>).

Media Access
Score: 5

Campaign coverage by broadcast media, both private and public, is subject to detailed and complex regulations. The law provides for free access to public television and radio for all parliamentary parties to promote their platforms. Such access is also granted to non-parliamentary parties that submit full candidate lists in at least 23 constituencies. Broadcasting time granted by public and private broadcasters and editorial boards must ensure non-discriminatory conditions. However, the monitoring capacity and the sanctioning power of the National Audiovisual Council, the regulatory body in charge, are limited. Media access in a broader sense is uneven, as the public media has been susceptible to governmental and parliamentary influence, while private media is biased by its owners' political and economic interests. Talk-show hosts and political programs seldom invite speakers with views other than those of the media outlet's owner, and politicians and companies that buy ads often ask media outlets to refrain from criticizing them.

Citation:

OSCE/ODIHR (2016): Needs Assessment Mission Report: Romania, Parliamentary Elections 11 December 2016, Warsaw, 8-9 (<http://www.osce.org/odihr/elections/romania/278346?download=true>).

Voting and
Registrations
Rights
Score: 6

Citizens aged 18 years or older on election day are eligible to vote, unless disenfranchised by a final court decision for reasons of legal incapacity or as part of a judicial sentence. There is a central voter register based on a compilation of information from various government authorities. To minimize voter fraud, which has been a major issue in the past, Teamnet was awarded a RON 31 million contract to provide high-tech voting equipment to monitor whether voters have their voting rights in good standing and cast only one ballot. Despite these measures, trust in the voting system remains low.

The fact that thousands of Romanians abroad were unable to cast their votes in the 2014 presidential elections prompted the introduction of a postal vote for diaspora voters in November 2015. However, less than 10,000 out of more than 600,000 Romanians abroad participated in the 2016 parliamentary elections. Information was weak, voters had to register with the Permanent Electoral Authority before the vote and the authorities asked for proof of residence before registration, which deterred many Romanians who feared that Romania's Tax Authority would use that information to trigger an

Party Financing
Score: 5

investigation against them.

The legal framework for party and campaign financing was amended in 2016. One important amendment has required parties to declare all contributions received along with the sums earmarked for television ads and posters while identifying the contributors. A second amendment strengthened the obligation of parties to document the use of public funds, which constitute a significant portion of party resources. While these amendments have enhanced the transparency and accountability of party financing, other changes have pointed in the opposite direction. In early 2016, the two biggest parties, PSD and PNL, both highly indebted, colluded and reduced the possibility for creditors to get their money back from parties. However, the main problem still is lagging implementation. 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 their declared resources, and true donor support exceeds parties' stated income. Sanctions are rare even in cases of blatant legal breaches.

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 in 2007 and 2012). In addition, the president can (after consultation with parliament) call for referendums on matters of national interest, as in the case of the 2007 electoral-system referendum and the 2009 referendum on parliamentary reform. 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 in May 2013. At the national level, citizens do not have the general right to initiate a referendum. However, if more than 500,000 citizens support a change in the constitution, parliament can approve a revision, which then must pass a nationwide referendum. At the county level, citizens can initiate referendums. However, such initiatives are subject to approval by the County Council and have remained rare.

In the period under review, the initiative to make the definition of marriage enshrined in the constitution more restrictive, launched in December 2015 by the conservative Coalition for Family and supported by the Romanian Orthodox Church, has sparked a controversy about LGBT rights. Within a month, the petition gathered 825,000 signatures, thus easily achieving the legal threshold. Over time, the number of signatures, many of them collected in churches, rose to three million. Parliament delayed the decision on the issue until May 2017.

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, parliament has continued its efforts to control media outlets. The director of Romanian National Television (TVR) is appointed for five years, but can be dismissed by simple parliamentary majority relatively easily. After the position had remained vacant for several months, parliament, with the votes of the socialist PSD only, in May 2016 made Irina Radu the new director despite not being endorsed by TVR's own board, as required by internal regulations. Due to TVR's precarious financial situation, journalists have faced an uncertain situation. At the end of October, a decision by the parliament to abolish the existing TV-radio fee and to have the public media financed directly out of the central government budget, hidden in a list of popular tax cuts, has raised fears about a further increase in the political control of the public media. On a more positive note, a controversial anti-defamation law, which would have criminalized criticism of politicians, was ultimately defeated in parliament in February 2016.

Citation:

Constantinoiu, M. (2016): Romania: public broadcaster threatened by populism. Osservatorio Balcani e Caucaso (<https://www.balcanicaucaso.org/eng/Areas/Romania/Romania-public-broadcaster-threatened-by-populism-175167>).

Popescu, M., A. Mihai, A. Marincea (2016): Media Pluralism Monitor 2016: Romania. Florence (<http://cmpf.eui.eu/media-pluralism-monitor/mpm-2016-results/romania/>).

Media Pluralism
Score: 4

There is a large number of different media outlets in Romania, suggesting that Romanians have access to a multitude of information sources. But these sources lack diversity and predominantly represent the views of only the two major political parties. Many media outlets have shady owners and suffer from financial troubles. Editorial independence is limited.

Citation:

Popescu, M., A. Mihai, A. Marincea (2016): Media Pluralism Monitor 2016: Romania. Florence (<http://cmpf.eui.eu/media-pluralism-monitor/mpm-2016-results/romania/>).

Access to
Government
Information
Score: 6

Law 544/2001, known as the Freedom of Information Act (FOIA), ensures citizens' access to public information. Its remit 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 from the terms of the existing legislation. Privacy and secrecy considerations often trump the transparency principle. In

December 2015, the director for the Centre for Independent Journalism, Ioana Avadani, complained that ‘public institutions use everything they can to delay access to information’, even when the law guarantees it with clear deadlines set for these institutions. In reaction, Violeta Alexandru, Minister for Public Consultation and Civil Dialogue, promised to create an ‘integrated platform’ designed to increase access to government information. However, public consultation on this issue did not occur.

Civil Rights and Political Liberties

Civil Rights
Score: 5

Civil rights are guaranteed by the constitution and are generally respected in practice. Romania responded to the decision by the European Court of Human Rights by adopting a new civil procedure order, which came into effect in February 2013. However, court protection has continued to suffer as a result of long and unpredictable proceedings. More specific concerns have been raised by the disproportionate use of preventive detention, often against the existing European legal standards, and the large-scale surveillance activities of the Romanian Intelligence Service (SRI).

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. In 2015 and 2016, a wave of protests took the country by storm. Protests focused on corruption and on the social situation and/or employment conditions of various social groups, including court clerks, doctors, teachers and retired soldiers.

Non-discrimination
Score: 5

The Romanian state has been ineffective in countering discrimination against a number of vulnerable groups, including members of the LGBT community, adults and children infected with HIV, people with disabilities, and the country’s large Roma minority. The civil code still prohibits same-sex partnership and marriage, and fails to recognize any such marriages registered abroad. In September 2015, the European Commission Against Racism and Intolerance (ECRI) and Romania’s Council for Combating Discrimination recommended that Romanian authorities enforce legislation to penalize discrimination, initiate a public awareness campaign, and provide training to societal actors such as teachers, police officers and judges. The Ciolos government failed to follow these recommendations. The popular initiative to make the constitutional definition of marriage more restrictive, with strong support by the Romanian Orthodox Church, has favored the discrimination of members of the LGBT community.

Rule of Law

Legal Certainty
Score: 4

In order to make the law more consistent, the High Court of Cassation and Justice introduced two new mechanisms in 2015, namely preliminary rulings

and appeals in the interest of the law. However, legal certainty has continued to suffer from frequent changes in the judiciary and frequent amendments to the law, as well as from the widespread use of government emergency ordinances (OUG), which continued under the Ciolos government. 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. In some cases, however, OUGs have helped to clarify the situation and have served as the first step towards a harmonization of legislation.

Judicial Review
Score: 6

The judiciary has become more professional and independent as shown by the various indictments and convictions of prominent politicians and businessmen and the increasing assertiveness of the Supreme Council of Magistrates (CSM). However, vying for influence continued. The appointments to the High Court of Cassation and Justice, the General Prosecutor's Office, the Constitutional Court and the CSM were tainted by political bias, and the decision of the Constitutional Court to decriminalize malfeasance in office in June 2016 was criticized as a concession to corrupt elites. Little progress has been made to balance the workload between and within courts.

European Commission (2017): Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism. COM(2017) 44, Brussels (https://ec.europa.eu/info/sites/info/files/com-2017-44_en_1.pdf).

Appointment of
Justices
Score: 5

According to Article 142 of Romania's constitution, every three years three judges are appointed to the Constitutional Court (CCR) 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), Constitutional Court justices are in practice appointed along partisan lines. In 2016, the terms of three justices appointed in 2007 expired: CCR president Augustin Zegrean (appointed by former President Basescu), Valentin-Zoltán Puskás (appointed by the Senate at the suggestion of the Democratic Union of Magyars in Romania), and Tudorel Toader (appointed by the Chamber of Deputies at the suggestion of the National Liberal Party). They were replaced on July 14 by Livia Stannic (proposed by President Iohannis), Attila Varga (proposed by the Chamber of Deputies at the suggestion of the Democratic Union of Magyars), and Marian Enache (proposed by the Senate at the suggestion of the Social Democrats). The following day, Valeriu Dorneanu (supported by the socialist PSD) was elected the new president of the CCR.

Corruption
Prevention
Score: 5

Corruption has been a major political issue in Romania for some time. After all, the Ciolos government came to office after Prime Minister Victor Ponta resigned in the midst of corruption scandals. The National Anti-Corruption

Directorate (DNA), led by Laura Codruta Kövesi (reelected in 2016), continued its much acclaimed anti-corruption fight. By mid-2016, the DNA had achieved nearly 500 convictions, of which 170 were final convictions of party leaders, lawmakers, businessmen, magistrates and generals. High-profile corruption cases investigated by DNA in 2016 involved former Deputy Prime Minister Gabriel Oprea, Senator Dan Sova, Senator and former Foreign Minister Titus Corlatean, businessman Remus Truica and the former owners of the Colectiv club, where the deadly nightclub fire occurred, killing 64 people and leading to mass anti-corruption protests in 2015. However, parliament has continued to deny many requests to lift immunity. The Constitutional Court, in a ruling in February 2016, reduced the possibilities of the DNA to cooperate with the Romanian Secret Service (SRI). The fight against corruption suffered a further setback when the Constitutional Court decriminalized malfeasance in office in June 2016. This decision was criticized by the DNA as a way to help roughly 800 indicted politicians and civil servants with their legal problems, while the Constitutional Court defended the decision as a much needed clarification of the Criminal Code. In 2016, the conservative-national PNL remained the only party to demand strict integrity criteria for its candidates.

In August 2016, public consultations on the 2016-2020 National Anticorruption Strategy began. Informed by inputs from 90 public organizations, NGOs, business associations, state companies and private firms, it emphasized the shared responsibility of the state and citizens to address anti-corruption, provided a framework for handling plagiarism and singled out education and health care as key areas for the future fight against corruption.

Citation:

European Commission (2017): Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism. COM(2017) 44, Brussels (https://ec.europa.eu/info/sites/info/files/com-2017-44_en_1.pdf).

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 3

Policymaking in Romania continues to suffer from a lack of strategic planning. The most important strategic-planning unit within Romania's government is the Secretariat General of the Government, which was established in 2001. The Secretariat General is in charge of developing the Integrated Strategic Plan and overseeing its implementation. Members of the Secretariat General can take part in cabinet meetings. In practice, however, the roles of the Secretariat General and the Integrated Strategic Plan have been limited. In September 2016, the Secretariat's activity was disrupted by the replacement of its leader, who resigned to run in the December 2016 parliamentary elections.

Scholarly Advice
Score: 6

Cooperation between the Romanian government and non-governmental academic experts traditionally has been only weakly institutionalized. Under the Ciolos government, some progress has been made. Since November 2015, the newly created Ministry of Public Consultation and Civic Dialogue has been responsible for facilitating communication between government and non-governmental experts and the greater society for major political projects. Prominent instances of consultations with non-governmental academic experts include a meeting of dozens of energy sector experts in Bucharest to discuss Romania's Energy Strategy 2016-2030 in July 2016 and a consultation of representatives from the National Bank of Romania and the Romanian Academy on the repercussions of the Brexit referendum on the Romanian economy held by Prime Minister Ciolos himself. Academics have also been coopted at an unparalleled level into an effort by the Ministry of Education to tighten the hiring and promotion criteria in universities. While consultations have increased, they could be more frequent and transparent.

Interministerial Coordination

GO Expertise
Score: 6

The Chancellery of the Prime Minister is one of the bodies responsible for the evaluation of national programs, and consists of about 15 state counsellors with varying degrees and depths of expertise. However, there is no particular unit for policy evaluation, so that ministry proposals are not always assessed properly in terms of their content.

Citation:

OECD (2016): Public Governance Scan Romania. Paris (<https://www.oecd.org/countries/romania/public-governance-review-scan-romania.pdf>).

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.

Citation:

OECD (2016): Public Governance Scan Romania. Paris (<https://www.oecd.org/countries/romania/public-governance-review-scan-romania.pdf>).

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

In Romania, ministerial committees, composed of one minister, deputy ministers and public servants, feature prominently in interministerial coordination. By contrast, committees consisting only of ministers or with several ministers are rare.

Ministerial
Bureaucracy
Score: 6

Much of the coordination takes place in interministerial committees, usually presided over by a minister and composed primarily of deputy ministers (political positions) and top civil servants. In the absence of these committees, bills are subject to interministerial consultation by being sent for review to the ministries affected by each 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 the proposal in order to harmonize their views. While these procedures promote coordination, the capacity limitations of many ministries and the short

<p>Informal Coordination Score: 3</p>	<p>turnaround time allowed for review undermine effective review and hence allow for only superficial coordination in many cases.</p> <p>Under the Ciolos government, the relationship between the government, with its non-partisan affiliation, and the parliament, with its PSD majority, remained tense. The Ciolos government struggled with difficulty to get a parliamentary majority for some of its measures and to prevent parliament from adopting measures not supported by the government. These struggles grew stronger the closer the parliamentary elections came. To gain parliament's favor, cabinet members attended parliament one day per week for informal meetings with parliamentary groups. However, this informal coordination mechanism did not prove very effective.</p>
<p>RIA Application Score: 6</p>	<p>Evidence-based Instruments</p> <p>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) of the Secretariat General of the Government (GSG). In practice, the use and the quality of RIA is highly uneven, and many RIAs are superficial. The Ciolos government did not take up pledges by its predecessor to overhaul the RIA system.</p>
<p>Quality of RIA Process Score: 5</p>	<p>The 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 in 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.</p>
<p>Sustainability Check Score: 3</p>	<p>In theory, the RIA methodology manual requires that sustainability concerns be incorporated in assessment reports. In practice, most such reports are primarily legalistic and pay limited attention to issues of sustainability. The consideration of sustainability in Romanian regulations tends to be the result of EU directives.</p>

Societal Consultation

Negotiating
Public Support
Score: 4

After the resignation of Prime Minister Ponta in November 2015, President Iohannis was quick to invite a delegation of 20 civil society leaders representing Freedom House, Union of Romania's Students and others for a consultation in the Presidential Palace. While Iohannis promised to hold similar consultations on a regular basis, they have not taken place. By contrast, the Ciolos government established the Ministry of Public Consultation and Civic Dialogue (MCPDC) to enhance communication and transparency in decision-making, ensure public access to information and involve civil-society in the government processes. While the MCPDC organized many consultations with social actors, it was largely excluded from the government's decision-making. Consultations on the 2016 budget provoked discontent as the legislation was largely completed prior to MCPDC consultations with civil society. Moreover, important legislation such as the introduction of a postal vote for Romanians living abroad passed without adequate public consultation.

Policy Communication

Coherent
Communication
Score: 5

Despite the technocratic character of the Ciolos government, its communication has suffered from a lack of coordination. For example in June 2016, Prime Minister Ciolos requested that Communications Minister Marius Bostan publicly apologize after making controversial statements about Romania's education system and teachers. Compared to previous governments, however, communication was more coherent.

Implementation

Government
Efficiency
Score: 5

As a caretaker government, the agenda of the Ciolos government was limited. At the beginning of its term in November 2015, Prime Minister Ciolos emphasized that the aim of the government was not to reform the Romanian society on all fronts, but to lay the foundations for such reform. The main goals laid out in the government manifesto were the amendment of electoral law and the organization of the 2016 general elections, improved access to European development funds, expanded investment in infrastructure (especially completing some of the main highways and railways already under construction), an improved relationship with the European Union, a contingency plan to deal with Brexit, and more active involvement in negotiating the number of accepted refugees. The government succeeded in

meeting most of these goals, even though some amendments of electoral law remained controversial and the government's plan to have mayors elected in two rounds was killed by the Constitutional Court. Moreover, the Ciolos government made little progress with policy reform.

Ministerial
Compliance
Score: 6

Ministers in Romania have historically held significant leeway in terms of deciding policy details within their departments. Ministers' dismissals often triggered political backlash and the allocation of smaller budgets to disobedient ministries was often constrained by coalition politics and political costs. Under the Ciolos government, the situation differed. Its non-political nature empowered the prime minister to dismiss ministers not only in the case of scandal (as was often the case with the preceding Ponta government), but also if they were simply failing to perform to his standards. From November 2015 to September 2016, nine ministers were dismissed or asked to resign.

Monitoring
Ministries
Score: 6

The government has a special office in charge of monitoring the activities of line ministries and other public bodies, the Control Body of the Prime Minister. While suffering from having limited staff and resources, this office monitors the activity of most line ministries fairly effectively. In 2016, it identified a number of situations in which payments were made with disregard to the law.

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 on their websites, which is in violation of decisional transparency legislation. Under the Ciolos government, the situation did not change.

Task Funding
Score: 3

The funding of subnational governments has proved a serious problem in Romania in the past. Most localities are strongly dependent on discretionary allocations from the central government, which are predominantly allocated along partisan criteria. The Ciolos government did not expand funding for subnational governments.

Constitutional
Discretion
Score: 3

Autonomy of 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 continued under the Ciolos government. Another problem is that allocations are often made with considerable delay, which affects the capacity of subnational units to initiate and complete projects. This problem seems to be especially pronounced in the predominantly Hungarian counties of Transylvania, Covasna and Harghita.

National
Standards
Score: 5

The central government generally tries to ensure that subnational governments realize national public-service standards. The prefects have an important role in this respect. However, enforcement is sometimes undermined by the inadequate funding provided to subnational governments, which undermines

their capacity to deliver services meeting national standards. This issue was not prioritized by the Ciolos government, therefore there has been no tangible change.

Adaptability

Domestic
Adaptability
Score: 7

Romania's capacity to adapt its domestic government structures in response to international developments improved under the Ciolos administration. The Ciolos government succeeded in increasing Romania's absorption rate of European Union funds from 56.67% between 2007 and 2015 to 76.9% in 2016, resulting in European funds of 2.9 billion euros coming to Romania. This is a significant increase from previous years, and represents tangible improvements in an area where the country has historically faced difficulties. The increase was achieved by joint efforts by the Romanian authorities and the European Commission, including the restructuring of the Romania unit at the European Commission and better communication between Romanian authorities and the commission. With Romania's Presidency of the Council of the European Union in 2019 in view, the Ciolos government paid more attention to EU affairs than its predecessor and started to think about how to adapt Romanian government structures to the requirements of the presidency. President Iohannis has emphasized Romania's desire to be more deeply integrated into the EU.

International
Coordination
Score: 5

Romania's NATO and EU accessions were celebrated as significant milestones and part of a reunification process with Western Europe following the collapse of communism. Romanian governments have supported international efforts to provide global public goods. As of September of 2016, Romanian military forces were deployed in 10 ongoing United Nations peacekeeping missions, in addition to two special political missions. Romania ratified the Paris Agreement on the United Nations Framework Convention on Climate Change. The country's international ambitions are evident in its intention to seek a non-permanent seat on the UN Security Council from 2020-2021.

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. Occasionally, OECD and World Bank have been involved in governance reviews.

Institutional
Reform
Score: 5

The Ciolos government adopted some institutional reforms, most notably the creation of the new Ministry of Public Consultation and Civic Dialogue and the streamlining of the structures and processes for absorbing EU funds. While

consultations with social actors and non-governmental experts increased, the government did not address issues such as the lack of strategic planning or the low quality of RIA. The reform of the subnational administration remained only pledges.

II. Executive Accountability

Citizens' Participatory Competence

Policy
Knowledge
Score: 5

The majority of Romanian citizens have very limited knowledge about government policies. This reflects both the low quality of media reporting and a far-reaching lack of trust in the political system. The massive protests and demonstrations that shook Romania in 2015 and 2016 have not improved policy knowledge. Following the deadly nightclub fire in October 2015, attention focused on top-level political corruption. Throughout 2016, citizens demonstrated greater interest in corruption prevention initiatives of individual political parties and the government's failure to provide adequate salaries and working environments in education and health care. The focus on corruption and government wrong doing had ambivalent impacts. On the one hand, it has ushered in unprecedented levels of political participation, while, on the other, it has favored a strong distrust in elected officials and a general disenchantment with the political process. As a result, voter turnout in local elections in Romania hit a record low in 2016. In the June 2016 elections, only 8.8 million of 18 million registered voters (just 48.4% of the population) cast a ballot. By contrast, the 2012 local elections saw a voter turnout of 56.4%. Urban areas saw a voter turnout of 40.77%, significantly less than the rural area turnout of 61.25%, with Bucharest seeing the poorest turnout at 33%.

Legislative Actors' Resources

Parliamentary
Resources
Score: 6

The Romanian parliament has a Department of Parliamentary Studies and EU Policies, 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. When independent experts are called to provide their opinion on various aspects of government activity, these points of view might not be reflected in the reports and studies produced by the department.

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. Members of parliament also complain about delays in the provision of documents and information.

Summoning
Ministers
Score: 9

According to Article 54(1) of the Chamber of Deputies Regulations, ministers are permitted to attend committee meetings, and "if their attendance has been requested, their presence in the meeting shall be mandatory." Furthermore, ministers are requested to present a work report and strategy of their ministry before committees once per session. Notably, the frequency with which ministers attend committee meetings is not documented. Sometimes ministers send deputies who are not always able to respond to queries raised by parliamentarians.

Summoning
Experts
Score: 9

According to Article 55(2) of the Chamber of Deputies Regulations, "committees may invite interested persons, representatives of non-governmental organizations and experts from public authorities or from other specialized institutions to attend their meetings. The representatives of non-governmental organizations and the experts may present their opinions on the matters that are under discussion in the Committee, or may hand over documents regarding the matters under discussion to the Committee President." The frequency with which experts are invited has differed among committees.

Task Area
Congruence
Score: 6

The number of committees in the Senate and the Chamber of Deputies is roughly in line with the number of ministries in the government. However, the legislature's oversight capacity is reduced by the incomplete match between ministries and parliamentary committees. For instance, 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, Social Protection and Elderly, while the latter ministry also falls under the supervision of the Committee for Labor and Social Protection. In the period under review, various changes in the portfolios of ministries or committees have increased task area congruence. As a result of the creation of an Independent Committee on the Environment and Ecological Balance (previously part of the Committee for Public Administration and Territorial Planning), the Ministry of Environment and Forests now has a clear

Audit Office
Score: 9

counterpart. Likewise, the new Ministry of Regional Development and Public Administration better aligns with the priorities of the Committee for Public Administration and Territorial Planning.

The Court of Accounts is an independent institution in charge of conducting external audits on the propriety of money management by state institutions. Parliament adopts the budget proposed by the court's plenum and appoints the court's members, but cannot remove them. The court president (currently former Prime Minister Nicolae Vacaroiu, who has served in this position since 2008) is appointed by parliament for a nine-year term from among the counselors of account. Thus while court presidents tend to be appointed on a partisan basis, they are not always representing the current parliamentary majority. The court submits to parliament annual and specific reports that are 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. The fact that the Court of Accounts was criticized in 2015 by Prime Minister Ponta and Minister Liviu Dragnea for its excessive audits documents the independence of the court and the quality of its work.

Ombuds Office
Score: 3

Following the dismissal of Gheorghe Iancu as ombudsman in July 2012, the ombuds office has undergone a period of instability and ineffectiveness. 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 former prime minister and senator, Victor Ciorbea, who has not played any substantial advocacy role. In the period under review, the ombudsman did not follow the call by the conservative-liberal PNL to challenge the Constitutional Court on not allowing two round voting procedures in the June local elections. In late September the office of the Ombudsman issued a statement calling for the Ministry of Health to explain the failure to implement the mandatory vaccination bill that had passed in April.

Citation:

A partial list of the cases investigated by the Ombudsman in 2016 is available at: http://www.avp.ro/sesizari%20din%20oficiu/sesizari_oficiu_2016.pdf

Media

Media Reporting
Score: 4

Media coverage of government decisions and action on the television stations and newspapers holding the highest market shares is highly partisan, largely focusing on political scandals and key politicians' personalities rather than in-depth policy analysis. Nevertheless, 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. NineOClock.ro also serves as a useful political news outlet, but is produced in English and targets a foreign market. These sources – as well as some of the more serious print media (such as the 22 weekly) – 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

In 2016 intra-party democracy remained weak, as demonstrated by the consistent unilateral decisions made at the executive level. Party leaders consistently display a lack of accountability to their fellow party members, and often implement executive-level decisions without consulting the party grassroots. Early in the year ALDE made the unilateral decision to exclude the current leader of the ALDE senate group. Later in the year, Ionut Negoii, leader of the Alliance of Liberals and Democrats Youth Organization resigned complaining that his party leadership is catering to the interests of PSD leadership and their personal entourage by bypassing the opinions of its youngest members and rewarding servilism through the promotion system. Another indication of weak intra-party democracy was the decision by the PSD local and central leaders to forgo the party's Code of Ethics to allow former premier Victor Ponta to run for a parliamentary seat in the December 2016 elections.

Association
Competence
(Business)
Score: 3

While trade unions played a strong role in politics during 2016 by staging multiple protests, they still did not have clear and coherent policy recommendations. In general, the government reacted with a soft response, meeting some of the protesters' demands, but certainly not accommodating in full the social actors' preferences.

Association
Competence
(Others)
Score: 6

NGOs have significant analytical capacities, especially in areas such as environmental policy and social protection. However, many NGOs have suffered from a lack of resources and have been dependent on international financing. The Romanian Orthodox Church, which represents as much as 85% of the population, has been a powerful actor, but has promoted a relatively narrow agenda. When the amendment to the fiscal code in 2015 renewed public debate on the many tax exemptions and subsidies the church enjoys, the church used its political influence to defend its privileges.

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