



# Weekly Briefing

**Romania Political briefing:**  
**Romania's 2017 main political events in retrospective**  
**Oana Cristina Popovici**

## China-CEE Institute

Kiadó: Kína-KKE Intézet Nonprofit Kft.

Szerkesztésért felelős személy: Chen Xin

Kiadásért felelős személy: Huang Ping

 1052 Budapest Petőfi Sándor utca 11.

 +36 1 5858 690

 [office@china-cee.eu](mailto:office@china-cee.eu)

 [china-cee.eu](http://china-cee.eu)

## **Romania's 2017 main political events in retrospective**

The political events of the year 2017 in Romania could be placed into a bi-dimensional framework: the political crisis at the middle of the year which culminated with the change of the Prime Minister even by the political party that initially proposed it and the justice reform. Therefore, the expected state of calm favourable for a sustainable construction of the economic development – so much needed after the electoral year of 2016 – was inflamed by a continuous struggle in the political arena. The attention was cast from the urgent needs of economic improvements to the political decisions.

### **The political crisis in June**

Having won the parliamentary elections in December 2016 and obtaining the relative majority in the both Houses of the Parliament, the Social Democrat Party (PSD) had the task of proposing the Prime Minister. Therefore, since 4th January until 29th June 2017, the Government was led by Sorin Grindeanu, who benefited from the political support of both the Social Democrat Party and the Alliance of Liberals and Democrats Party (ALDE).

The new formed Government resisted to a censure motion initiated by the opposition in February 2008 due to the way of dealing with the justice laws, described above. On the 31st January, the Government adopted the Emergency Ordinance no. 13 amending and supplementing Law 286/2009 on the Criminal Code and Law no. 135/2010 on the Code of Criminal Procedure. The justice changes scheduled by the law targeted several issues related to the amnesty and pardon. The way in which the Emergency Ordinance was adopted, the suspicion that was specially dedicated for removing the criminal charges that burdened certain politicians and the obstacle that would have been created for the fight against corruption led to massive protests in Bucharest and other important cities

in Romania. The result of such a pressure from the citizens was the repealing of the Ordinance no. 13 by another emergency ordinance.

At the end of May, the relationships between the leader of the Social Democrat Party, Liviu Dragnea, and the Prime-Minister Grindeanu became strained. While the reasons are not completely clear, the Prime-Minister was accused of lack of consultations with the ministers in the decision-making process. In the same period, an evaluation process on the implementation of the governance program seemed to cast in a negative light the activity of the Government and to require its change, although at that time, EU official statistics indicated that Romania registered the highest economic growth in the European Union in the first quarter of 2017. The political crisis started soon afterwards. The leader of the PSD, Liviu Dragnea, asked several times for the resignation of the Prime Minister, but each time he refused to do so. As a result, the coalition PSD-ALDE have withdrawn their political support from the government; therefore, all the ministers have resigned, except for the Prime minister and the Minister of Communications.

The coalitions' efforts for removing its own government turned out to be quite difficult. The Prime Minister refusal to resign left the coalition with only one inglorious solution for achieving its goals – that of a censure motion in the Parliament, given that PSD-ALDE had the needed majority. Therefore, Sorin Grindeanu was dismissed after 175 days of government following a motion of censure introduced by the ruling coalition PSD-ALDE, the same which initially designated the government.

The government coalition succeeded in June what the opposition failed in February: to resign the Grindeanu government. Also, the former Prime Minister was excluded from the PSD. With a slight delay given the almost one month of disputes inside the coalition, PSD-ALDE managed to find a way for continuing their political projects, due to the appointment of Mihai Tudose, a PSD member, at the head of the Government. Moreover, 16 of the ministers in the Tudose Government were also part of the Grindeanu government.

The main risk of the political crisis was the slowdown of the government activity, which could also have hampered the investment projects; at that moment, the capital expenditures of the state were at very low levels. Unfortunately, the situation minimally improved in the subsequent period, even with a stable government. Few investment projects were started, while the main financing needs – in infrastructure, education or health – are still hard to be tackled with.

### **The struggle for the adoption of changes on three major justice laws**

For Romania, it seems that the year 2017 is finishing in the same way it started: with protests related to the justice laws.

The strive on the justice laws started at the beginning of 2017, when the law of amnesty and pardon was brought on the public agenda. The attention of the public was drawn by the speed in deploying such a project – in both its writing and adoption. The law would have generated the cessation of all ongoing processes and investigations on the offenses absolved by the amnesty. The legislative changes were interpreted as measures for rescuing the corrupts in the political class.

The stake was to adopt the law by February at the latest. A first attempt of passing such measures was on 18 January, without success due to the unforeseen presence of the President Klaus Iohannis at the Government meeting in which the legislative changes were supposed to be adopted. Several massive protests occurred in the main cities in Romania, in order to determine the Government to completely give up the project of changing the justice laws. Still, the Government scheduled an intriguing meeting in the evening of 31st of January, under the pretext of discussing economic initiatives. Instead, it adopted the Emergency Ordinance no. 13 amending and supplementing Law 286/2009 on the Criminal Code and Law no. 135/2010 on the Code of Criminal Procedure. Certainly, the decision was followed by a series of protests in the whole country, starting with that evening. In brief, the Emergency Ordinance 13 decriminalized

the abuse of service whereby a civil servant produces damages of less than 200,000 lei and reduced the punishments for offenses with damages higher than 200,000 lei. Due to the fact that the Ordinance would entry into force in ten days, protests took place daily, recording the largest amplitude since the Revolution in 1989. Five days later, the Government issued the Emergency Ordinance 14, repealing the provisions of Ordinance 13. The resignation of the Justice Minister put an end to these events for a period of several months.

The situation escalated in August, when the new Justice Minister announced again several changes to the justice law. Again, the rush to enact them as soon as possible instead of following the normal legislative procedure, obtaining the agreement of the main involved and affected institutions or conducting impact studies, triggered a similar situation as the one in January. Moreover, international recommendations were either disregarded, either not expected (such as the suggestions of the Venice Commission). The changes would provoke a politicization of the justice and will put pressure on the human resource in the judiciary system in a way that would affect their impartiality.

There are three main laws envisaged to be changed: the Law 303/2004 on the status of judges and prosecutors, the Law 304/2004 on judicial organization and the Law 317/2004 on the organization and functioning of the Superior Council of Magistracy. These were registered on 31st October 2017 at the Chamber of Deputies, with the aim of being approved in the emergency procedure in the Parliament. Despite new rounds of protests against the adoption of these laws, the Government coalition seem determined to pass them by the end of the year.

On 27th of November, the US Department of State launched a press statement expressing concerns related to the situation in Romania, because the envisaged legislation “could undermine the fight against corruption and weaken judicial independence”, while threatening “the progress Romania has made in recent years to build strong judicial institutions shielded from political interference”. The justice minister assisted to a meeting with several

ambassadors of EU countries, USA and Canada in December, in the framework of the continuous dialogue on the justice reform at both national and international level. The meeting reiterated the firm need for Romania to continue the process of strengthening the rule of law, the independence of the judiciary and the fight against corruption. The ambassadors emphasized the Romania should create the necessary framework for accomplishing the objectives under the EU's Cooperation and Verification Mechanism and to avoid any decision that could endanger this objective. The importance of a broad and open consultation process with all stakeholders, including the Venice Commission's opinion on some basic aspects of the justice reform, were also among the main messages.

At present, these laws and their amendments are discussing in the Parliament; a part of them already passed by the Chamber of Deputies, while others are being discussed in the Special Parliamentary Commission on Justice and then they will be sent to the plenary of the two Houses and then to the promulgation. Given that the coalition PSD and ALDE already have a majority in the Parliament, their adoption is under political influence. New manifestations are expected in the following days.