

PARLIAMENT OF ROMANIA

Chamber of Deputies



President

Bucharest, 29 August 2005

Distinguished colleague,

Recent political developments in Romania are preoccupying. I felt the need to write about them to the distinguished President of the European Parliament, Mr. Josep Borrell. You will find attached the letter I conveyed to him, for your information.

Please accept, distinguished colleague, the assurances of my highest consideration.

Sincerely yours,

with best regards,


Adrian NĂSTASE

Mr. Christian Mejdahl
President

PARLIAMENT OF ROMANIA

Chamber of Deputies



President

Bucharest, August 2005

Dear Mr. President,

Allow me to kindly thank you for your important contribution to the development of the relations between the Parliament of Romania and the European Parliament as well as for your personal support to the process of Romania's EU accession.

I recall with great pleasure our meetings and discussions in Bucharest during your visit of 1st of March 2005, as well as in Budapest on 6 May 2005 concerning the participation of Romanian and Bulgarian observer MPs to the activities of the European Parliament.

I would like to inform you on the recent political developments in Romania.

As you certainly remember, during the last general elections in Romania in November 2004, the Social Democratic Party (PSD), in electoral coalition with the Humanist Party, which changed its name recently into Conservative Party won the parliamentary elections. We got more votes than the other coalition – the "DA" coalition, consisting of the National Liberal Party and the Democratic Party. The natural consequence of that fact was the election of Mr. Nicolae Văcăroiu, as president of the Senate and my election as president of the Chamber of Deputies of the Romanian Parliament upon proposal of the parliamentary groups of our party.

The second natural consequence of the result of the parliamentary elections would have been that the PSD should have been asked to nominate a Prime Minister and form the Government, according to the arrangements made to continue the co-operation with UDMR (the Democratic Union of Hungarians of Romania). However, this did not happen given the turn of events after the second round of the presidential elections.

MR. JOSEP BORRELL

PRESIDENT OF THE EUROPEAN PARLIAMENT

You may also remember that the first round of presidential elections took place simultaneously with the parliamentary elections. The main competitors were myself, as PSD candidate, and the candidate of the "DA" coalition, with myself on the leading position.

In the second round of the presidential elections, which took place two weeks later, however, the candidate of the "DA" coalition, Mr. Traian Băsescu, won more votes than me due to the support of the Greater Romania Party voters, and, consequently, he became President of Romania.

At this point I have to say that such a result, which contradicted the options of the electorate expressed only two weeks earlier, was made possible due to the tactics adopted by the "DA" coalition to copy the model of the "Orange Revolution" in Ukraine, where elections were taking place about the same time. Strong unproved accusations of "electoral frauds" in the first round of the presidential elections, sustained by an ample and intensive publicity campaign in the media, had the expected results for the "DA" coalition. This accusation rounded up an emotional support among voters. This emotional support overhauled the results of the first round of presidential elections which had placed the PSD candidate as the favourite one. Among other factors, the result of these false allegations was that Mr. Traian Băsescu obtained 240,000 more votes than the PSD candidate in the second round.

As a matter of fact, only last week the Office of the General Prosecutor of Romania, which was seized by the "DA" coalition with electoral frauds, made public the finding of its investigations that no deliberate governmental frauds were perpetrated in the first round of presidential elections in November 2004. Actually, neither the numerous foreign observers at those elections reported frauds or major irregularities. As far as December 2004, "Asociația Pro-Democrația" (considered one of the most prominent NGOs of Romania) had conducted its own examination using independent experts and had concluded that there was a very high degree of transparency of the election results, that there had been no data corruption or wrongly entered data from the official protocols. They also concluded that as far as the process of registration of votes through the software of the National Institute for Statistics, no wrongdoings had been committed. They underlined the transparency showed by both the members of the Central Electoral Bureau as well as the representatives of the National Institute for Statistics.

What followed after the second round of the presidential elections was again rather unusual for a state that is expected to strengthen its democratic system and aspires to become member of the European Union in less than two years from now. The newly elected President resorted to political manoeuvring and to blackmailing the two smaller parties that formed the electoral coalition or had an arrangement to form the Government with my party, with the goal of achieving another configuration of the majority in the Parliament than the one resulting from the elections. This political blackmail based on threats of launching early elections succeeded and the two parties which were our allies in the elections, being around of 5% threshold, joined the "DA" coalition, which allowed it to nominate the Prime Minister and form the Government.

Despite serious misgivings, the PSD accepted this situation as a fact of life and has started to prepare itself for a co-habitation with its political competitors running the Government. In so doing, we had in view the interests of the country, which needs a strong Government, capable of designing and implementing the difficult reform agenda resulting from our accession negotiations with the EU, which would allow Romania to join the Union in January 2007.

What has actually happened since, therefore, was an unprecedented degradation of the political, economic and social environment in Romania, under the effect of the governing coalition, whose actions and declarations defy constitutional and legal norms and weaken institutional and legislative stability.

I. The Council of Coordination of the governing coalition adopted on 10 August 2005 a Declaration that sets out as priorities **revoking** the Presidents of the two Chambers of Parliament and modification of the Law on local public administration (Law no. 215) in order to allow for the **replacement** of presidents in function of County Councils. This shows that the sole objective of the present ruling coalition is to continue the electoral campaign against the Social Democratic Party and, in spite of its results, to achieve full political dominance at central and local level.

This Declaration of the governing coalition of 10 August 2005 represents an anti-democratic and anti-constitutional pact, a "declaration of war" against the rule of law and the political democratic opposition, a political commitment to violate the Constitution and the norms that regulate the functioning of Parliament and local councils. It demonstrates once again that the current ruling coalition of Romania is incapable of political dialogue and cohabitation.

Modifying laws and rules of procedure regarding the election of authorities during a mandate with the purpose of achieving political changes and for personal interests represents a serious blow to legislative and institutional stability.

My party considers that the decision of the ruling coalition regarding the replacement of the presidents of the Chambers of Parliament not only defies constitutional and legal norms, but also distorts the vote of the electorate who decided on the structure of parties in Parliament and in local councils. It attempts to amputate the result of the political vote of November 2004, when the PSD obtained 37% of the votes of the citizens of Romania (the highest electoral score of all participating parties), aiming to redistribute functions in central and local structures by means of modification of rules of procedure and laws regarding the organisation of internal elections within central and local structures.

According to the Constitution of Romania, the presidents of the two chambers are elected for the chambers' term in office, i.e. four years. They can only be **revoked** by the parliamentary group that nominated them, or, obviously, in case of misconduct in their functions, as a sanction. Or, none is the case so far. In other words, **the coalition decided already to sanction the presidents of the two Chambers, until the deadline of 15 September, with no charge related to the manner in which they fulfilled their duties, other than that they belong to another political party.**

On 24 August 2005, the Special Committee on the Rules of Procedure of the Chamber of Deputies adopted under majority pressures an amendment proposing, in contradiction with the Constitutional Court ruling from the 1st of February 2005, the revocation of the President of the Chamber of Deputies **on the basis of a political change in the parliamentary majority**, despite the **initial** political configuration of the Parliament, based on popular vote – which was the rule in the two Chambers in order to maintain institutional stability. I have to mention that, according to the Constitution, the speakers of the two Chambers are elected for a mandate of four years, while the other members of the standing bureaus are elected every parliamentary session.

II. The Current majority's intention to modify the Law no. 215/2001 on local public administration so as to allow for the modification of the conditions for revoking the Presidents and Vice-presidents of County Councils as well as the Vice-mayors, is meant also to ensure the political control of the governing coalition, and more precisely the "Alliance D.A." that forms its main locomotive.

The main purpose of these manoeuvres is to replace 19 out of 42 County Councils Presidents belonging to the Social Democratic Party.

This is why it is important to note that the **National Union of the County Councils (UNCJR)**, which is an association that is comprised of all political parties (governmental parties: Democratic Party, National Liberal Party, the Democratic Union of the Hungarians of Romania and the Conservative Party, as well as opposition parties such as the Social Democratic Party) **rejected this proposal.**

III. The reason why we wished to draw attention on this situation is because that the tendencies of the present governing coalition of Romania towards authoritarian rule and lack of inclination towards political dialogue and co-habitation can be corrected, also with the help of the European parliament, before it is too late, so that Romania's accession to the EU could take place according to the agreed calendar and continue to observe the political criteria.

IV. It is important to note also that no legislative initiative with regard to the European Union and the national interest of Romania was ever confronted with criticism from the PSD group in Parliament.

The real objective of the political parties in the coalition should be to maintain Romania within the parameters of the calendar established for Romania's European integration, as the failure to meet the 2007 objective would seriously affect the destiny of Romania.

In a call for political dialogue and cooperation in the interest of Romania and the Romanian citizens, taking into consideration also recent positive developments in Bulgaria, the Social Democratic Party (PSD) proposed to the governing coalition a "**Pro-European political pact**", namely a set of measures for a common action in order to meet urgently all the accession criteria, while expressing its openness to support and cooperate in all areas of importance for Romania.

Convinced that Romania will be able to overcome these difficulties including with the support offered by the European Parliament and by you, I would like to reassure you, Mr. President, of my personal commitment and of the commitment of my colleagues to continue to closely cooperate with the European Parliament.

Sincerely yours,

with best regards,



Adrian NASTASE