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HUMAN RIGHTS SITUATION IN ROMANIA

BACKGROUND

The human rights situation in Romania is essentially good. Since December 1989, the country has voted itself a new constitution which contains features common to basic laws of most West European states and places particular emphasis on individual rights and the rule of law. The relevant chapters dealing with human rights are subordinate to international conventions on the subject. A new constitutional court has been established to deal with any disputes arising out of interpretation of the constitution and the judicial system is being changed to meet new constitutional requirements.

Between February and October 1992, Romania has also held local, parliamentary and presidential elections which were judged to be free and fair by both domestic and international observers. The specific division of powers between the President and Parliament concerning responsibility for governance has yet to be defined with precision. This will probably only emerge with time. Nonetheless, Parliament and its committee system play an increasingly active role in both approving the composition of the government and policy oversight.

Life for the average Romanian remains hard and many are preoccupied with basic problems of food, heat and shelter. Nevertheless, the concept of constitutional government has found fertile soil and is starting to bear fruit. All Romanian citizens, regardless of ethnic origin or religious persuasion, are deemed to be equal under the law. Political parties and organizations appear, and disappear, with alarming regularity. The print media is flourishing, making an active, if not always responsible, contribution to the debate on public policy. The status of government-owned television remains a contentious issue, especially in the eyes of the opposition political parties and of some foreign observers, but private TV channels are being formed. Trade unions are encouraged to form bargaining units and to negotiate wages and conditions with both private and public employers. Special attention is being paid to the disadvantaged. The oppressive and coercive hand of the Securitate and the Communist Party apparatus has faded, albeit not disappeared. Over the past three years, we have witnessed turmoil but also rebirth.

The process of transition from a totalitarian Communist state, which was virtually the fiefdom of one family, to a democratic society based on the rule of law has not been easy. Presidential and parliamentary elections, combined with the fractious nature of Romanian politics, have caused delay in the implementation of laws which are expected to give reality to constitutional provisions. Acute economic difficulties, caused in part by efforts to create a market economy, have led to widespread social dislocation. Funds are often simply not