

ROMANIA IN A PRESIDENTIAL ELECTION YEAR. PRESIDENT BĂSESCU PULLS OFF A NARROW VICTORY, BUT ON ALL FRONTS

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The Romanian presidential elections between November 22, and December 6, 2009 produced an extremely tight finish. President Traian Băsescu won the runoff against his challenger, Mircea Geoană, by 50.3 percent to 49.7 percent. In absolute numbers, 10.6 million voters turned out for Băsescu, about 70,000 more than showed up for his opponent. Following a complaint by the defeated Social Democratic candidate, the election result was upheld by the Constitutional Court after a review of voided ballots. President Băsescu will take office as the first president since the 1989 revolution to win a consecutive mandate, the last allowed under the Constitution.

On October 1, two months before the presidential elections, the growing tension between Democrats and Social Democrats led to the exit of the PSD from the government. The resignation of the PSD minister was preceded by the dismissal of the Deputy Prime Minister and Interior Minister Dan Nica by President Traian Băsescu on the same day. Nica's dismissal by Prime Minister Emil Boc September 28 had been proposed after the Interior Minister had speculated publicly a few days earlier about election fraud planned by "other parties" during the presidential elections scheduled for November. Nica had alleged that all passenger buses throughout the country had already been rented for the period of the election, to allow voters to enter ballots at multiple locations. After the Home Secretary, on the request of the Prime Minister, was unable to provide any evidence for this assertion, Boc decided to dismiss the minister from the Cabinet. Nica was accused of having undermined the trust of voters in a free and fair election by his remarks. Interior Minister Nica had already come under fire during the summer, after Marian Vanghelie, a leading member of the Social Democrats, declared that Nica had access to secret service information through the Interior Ministry. The issue of access to the information services data was a critical issue from the start for the Social Democrats and the interest groups and networks within the party. For this reason too, two new appointments were made to the ministry when the coalition began. Nica was the third Social Democrat Interior Minister since the begin of the ruling coalition.

On October 13 the National Liberal Party and the Democratic Union of Hungarians successfully brought a no-confidence motion against the Boc government. As under the Romanian Constitution early elections may not be held earlier than six months before the next presidential elections, the PD-L caretaker government was able to continue in office with limited powers. The opposition had thus weakened the government's ability to act at a time when

the government, at the negotiating table with the International Monetary Fund, had to send a clear signal of its ability to govern to the IMF in order to ensure the flow of the contracted loan installments. In fact, payment was delayed because of the political instability in the country and the lack of dialogue partners for the IMF. With elections approaching, government officials were forced to take unpaid leave, hospitals ran out of resources, and the payment of pensions was up in the air. The opposition had many opportunities to go on the attack for the presidential election campaign.

Following the successful no-confidence motion, Crin Antonescu, leader of the National Liberal Party (PNL) and a presidential candidate, nominated the ethnic German mayor of Sibiu, Klaus Johannis, for the new Prime Minister. This proposal was supported by the Social Democrats and the Democratic Union of Hungarians and therefore theoretically had a majority in parliament. For President Băsescu it resulted (as intended by the opposition) in a dilemma: taking into government a nominee proposed by a presidential rival would have been deemed a success for Crin Antonescu and would have boosted Antonescu's campaign. The appointment of a candidate from the PD-L – after all, the largest bloc in parliament – also posed a big political risk in the middle of election campaign, namely the failure in Parliament of the head of government appointed by Băsescu.

In making his choice, Prime Minister Băsescu ignored the majority government situation in Parliament, drew hope from the rights he had under the Constitution, and nominated the non-party financial expert Lucian Croitoru. Croitoru's nomination as Prime Minister was, however, rejected by Parliament, by 61 votes. Croitoru did have some support from a number of deputies of the opposition, but not enough. Băsescu then asked the PD-L mayor at the time of a city sector of Bucharest, Liviu Negoita, to form the government. Coming before the presidential election, this proposal was not put to a vote in Parliament. The crisis in government was thus a central topic during the final phase of the campaign.

In the first round of the presidential election Băsescu, backed by the ruling PD-L, came out ahead with 32 percent of the vote, just ahead of Mircea Geoană with 31 percent. The Social Democrats (PSD) went into the election in a coalition with the Conservative Party (PC). Likewise enjoying prospects of getting into the second round, the National Liberal Party (PNL) candidate Crin Antonescu came third with 20 percent of the vote, the highest ever won by a PNL candidate. All the other candidates lagged far behind. Oprea was unable to exploit his position as mayor of Bucharest and received only three percent of the vote. The leader of the nationalist Greater Romania Party (PRM) took five percent, while the leader of the New Generation Party (PNG), George Becali, similarly also sitting in the European Parliament, picked up less than two percent of the vote. On voting day numerous attempts at elec-

tion fraud were evident. According to OSCE, the Ministry of the Interior received 1059 complaints, and a total of 72 violations of electoral law were observed, particularly repeat voting and/or the purchase of votes.

After the polling stations closed at 9:00 p.m. on election night, forecasts were published by four polling firms. Based on exit polls taken at 7:00 p.m., three of the firms saw a narrow lead (1–3 percent) for Geoană, while one firm predicted a tie. On that basis, both candidates declared victory. Once the polling stations had closed, forecasts based on the exit polls led three institutes to declare Geoană in the lead (though a shrunken one), while one firm predicted a slight lead for Băsescu. That same evening the Liberal Democratic Party published provisional results of its parallel count, which showed Băsescu very narrowly in the lead. The parallel count conducted by the Social Democrats also yielded a very narrow edge for Geoană. Still on election night, the perceived victor Geoană visited the headquarters of the National Liberals and thanked them for their support.

The partial results published by the National Electoral Authority on December 7, 2009 at 8 a.m. after a count of over 95 percent of the votes showed a lead, though narrow, for the incumbent president. This result firmed up during the day. Given the likely outcome of the election, Mayor Klaus Johannis announced on the morning of the December 7 that he was no longer available to help form a government. The Social Democrats alleged electoral fraud and turned to the Constitutional Court, which ordered a recount of the 138,476 voided ballots. Following the recount 2,247 ballots were declared valid – 1,169 for Băsescu, and 968 for Geoană.

Traian Băsescu was able to win 70,048 more votes than his challenger, Mircea Geoană. The analysis of electoral behaviour indicates that Băsescu was able to win the election by mobilizing non-voters from the first round. 59 percent of voters who had not voted in the first round cast their ballots for Băsescu in the second. In contrast, two thirds of the Liberal voters from the first round followed the recommendation of the PNL to vote for Geoană. Băsescu was able to achieve a clear lead in the polling stations outside Romania.

President Băsescu is therefore facing another tough mandate. Although he did indeed win the presidential election, nearly half the electorate voted against him. Shortly after the elections, however, he was able to pull off a major success. A new government was successfully in place before year's end. The president's appointee to form a government, Liviu Negoita, had withdrawn before the vote in Parliament, whereupon Băsescu called on the caretaker Prime Minister, Emil Boc, to form the government. The formation of the government succeeded, although the National Liberals again refused to take part. The Democratic Union of Hungarians and the minorities faction, as well as the Independents, who had received further recruits from the

ranks of the PSD and PNL after the presidential election, could be won over to support the new government. On Dec 23, 2009, the Boc government, with 276 votes to 135 in the Assembly of Deputies and the Senate, was confirmed in office. President Băsescu was thus able not only to win the presidential election, but to solve the government crisis in his own way.

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