

ESCE

Electoral System Change in Europe since 1945



Electoral System Change in Europe since 1945: Romania

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Section 1: Overview of the Romanian Electoral System Changes since 1990

In 1990 the National Salvation Front (NSF), headed by Ion Iliescu, emerged as a caretaker administration after the violent uprising that overthrew Ceaușescu's regime, and set up a provisional government (Nelson, 1990; Gallagher, 1991), the Provisional Council of the National Union. This assembly introduced a new law on the election of the Parliament and President of Romania, which provided a closed-list PR system, with allocation of mandates using the Hare and D'Hondt methods. In 1992, electoral thresholds were introduced into the Romanian system, of 3 per cent per party and an additional 1 per cent for each extra party (with a ceiling of 8 per cent) for coalitions (Birch et al., 2002, 90, 93-94). These thresholds were then increased in 2000 to 5 per cent and between 8-10 per cent respectively (Birch et al, 2002, 102; Popescu, 2003, 326). In 2008, a new law was enacted, which scrapped party lists and introduced single-member districts, called 'uninominal colleges', within the larger 43 districts, where named candidates contest each mandate. This change created a unique type of Mixed-Member Proportional (MMP) system in which candidates with majority support in their district are elected individually (unless they are in a party that fails to pass the nationwide threshold). However, seats continue to be allocated to parties in a multi-tier process according to the principles of proportional representation. In May 2012, Parliament passed further reforms. In April 2012, a special parliamentary committee proposed an alternative mixed system. The following month, however, Parliament passed what was close to a pure system of single-member plurality. At the time of writing, it is expected that this new system would be challenged at the Constitutional Court.

Section 2: Relevant Electoral System changes in Romania since 1990

Table 1. Summary of the Romanian Electoral Laws and Amendments since 1990

Law	Amendment	Date of enactment	Location	Relevant for the research
Decree-law no. 92 of 14 March 1990 on elections of the Parliament and the President of Romania¹		14.03.1990	Official Journal (hereafter OJ), pt. 1 ² , no. 35, 18.3.90 http://www.cdep.ro/pls/legis/legis_pck.htm	Yes

¹ Decret-Lege Nr. 92 din 14 martie 1990 pentru alegerea parlamentului și a Președintelui României

² Monitorul Oficial, Partea I, Legi, decrete, hotărâri și alte acte



			_text?id=7528	
			English version:	
			http://www2.essex.ac.uk/elect/database/legislationAll.asp?country=romania&legislation=ro90	
	[Government] Decision no. 283 on the numeration and boundaries of electoral districts and determining the number of deputies and senators ³	19.03.1990	OJ, pt. 1, no.39, 21.3.90 http://www.cdep.ro/pls/legis/legis_pck.htm_act?id=720 http://www.cautalege.ro/hotarare-283-1990-numerotarea-circumscriptiilor-electorale-stabilirea-numarului-deputatilor-senatorilor-(F4COF0CCB234C80A).jsp	
	Law no. 68 of 15 July 1992 on elections to the Chamber of Deputies and the Senate⁴	15.07.1992	OJ, pt. 1, no.164, 16.7.92 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=12169 in English at: http://www.cdep.ro/legislatie/eng/vol50eng.pdf	Yes

³ Hotărâre privind numerotarea circumscriptiilor electorale și stabilirea numarului deputatilor și senatorilor

⁴ Lege nr.68 din 15 iulie 1992 pentru aLegerea Camerei Deputaților și a Senatului



[Government] decision no. 757 of 30 December 1993 to endorse a model for the specifications and delivery of polling cards ⁵	30.12.1993	OJ, pt. 1, no.31, 1.2.94 http://www.legex.ro/Hotararea-758-1993-4389.aspx
[Government] decision no. 581 of 17 July 1996 to endorse an electoral calendar to accomplish tasks as provided in the Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on the election of the President of Romania. ⁶	17.07.1996	OJ, pt. 1, no. 171, 31.7.96 http://www.legex.ro/Hotararea-581-1996-9912.aspx
[Government] decision no. 584 of 17 July 1996 on establishing a model for special electoral lists for the parliamentary	17.07.1996	OJ, pt. 1, no. 171, 31.7.96 http://www.legex.ro/Hotararea-584-1996-9919.aspx

⁵ Hotărâre Nr. 758 din 30 decembrie 1993 pentru aprobarea Metodologiei privind întocmirea și eliberarea cartilor de alegător

⁶ Hotărâre Nr. 581 din 17 iulie 1996 privind aprobarea Programului calendaristic pentru realizarea acțiunilor prevăzute în Legea nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului, precum și în Legea nr. 69/1992 pentru alegerea Președintelui României



	and presidential elections of 1996 ⁷		
Law no. 115 of 16 October 1996 on the declaration and regulation of the wealth of dignitaries, magistrates, public officials and of those serving in government [includes the abrogation of Article 68, para.3 of the law on elections to the Chamber of Deputies and the Senate ⁸	16.10.1996	OJ, pt.1, no.263, 28.10.96 http://www.cdep.ro/pls/legis/legis_pck.htp_act_text?id=9344	
Central Electoral Commission. Decision no. 39 of 21 October 1996 ⁹	21.10.1996	OJ, pt 1, no.270, 31.10.96 http://www.legex.ro/Hotararea-39-1996-8808.aspx	Yes
Central Electoral Commission. Decision no. 54	24.10.1996	OJ, pt 1, no.270, 31.10.96 http://www.legex.ro/Hotararea	

⁷ Hotărâre Nr. 584 din 17 iulie 1996 privind stabilirea modelului listei electorale speciale pentru alegerile parlamentare și prezidențiale din anul 1996

⁸ Lege nr.115 din 16 octombrie 1996 privind declararea și controlul averii demnitarilor, magistraților, funcționarilor publici și a unor persoane cu funcții de conducere

⁹ Biroul Electoral Central. Hotărâre Nr. 39 din 21 octombrie 1996



of 24 October 1996 ¹⁰			-54-1996-8894.aspx	
Central Electoral Commission. Decision no. 55 of 24 October 1996 ¹¹	24.10.1996	OJ, pt.1, no.270, 31.10.96	http://www.legex.ro/Hotararea-55-1996-8899.aspx	
	Emergency Government Ordinance no. 63 of 26 May 2000 to amend and supplement the Law no. 68/1992 on elections to the Chamber of Deputies and the Senate, to amend Law no. 69/1992 on the election of the President of Romania and to amend and supplement Law no. 70/1991 on local elections. ¹²	26.05.2000	OJ, pt.1, no.240, 31.5.00 http://www.legex.ro/OUG-63-2000-20847.aspx	Maybe
	Emergency Government Ordinance no. 129/2000 of 30 June 2000 to amend Law no.	30.06.2000	OJ, pt.1, no. 311, 5.07.00 http://www.legex.ro/OUG-129-2000-21322.aspx in English at:	Yes

¹⁰ Biroul Electoral Central. Hotărâre Nr. 54 din 24 octombrie 1996

¹¹ Biroul Electoral Central. Hotărâre Nr. 55 din 24 octombrie 1996

¹² Ordonanța de urgență, Nr. 63 din 26 mai 2000 privind modificarea și completarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului, modificarea Legii nr. 69/1992 pentru alegerea Președintelui României și modificarea și completarea Legii nr. 70/1991 privind alegerile locale



<p>68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania¹³</p>	<p>10.04.2002</p>	<p>http://www.cdep.ro/legislatie/eng/vol50eng.pdf</p> <p>OJ, pt.1, no. 252, 15.4.02</p> <p>http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=34600</p>
<p>Law no. 159 of 10 April 2002 to endorse the emergency Government ordinance no. 129/2000 on the amendment to Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania¹⁴</p>	<p>17.08.2000</p>	<p>OJ, pt.1, no.397, 24.8.00</p> <p>http://www.legex.ro/Hotararea-697-2000-23014.aspx</p>
<p><i>[Government] Decision no. 697 of 17 August 2000 on polling cards¹⁵</i></p>		

¹³ Ordonanța de urgență Nr. 129 din 30 iunie 2000 privind modificarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului și a Legii nr. 69/1992 pentru alegerea Președintelui României

¹⁴ Lege nr.159 din 10 aprilie 2002 pentru aprobarea Ordonanței de urgență a Guvernului nr. 129/2000 privind modificarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului și a Legii nr. 69/1992 pentru alegerea Președintelui României

¹⁵ Hotărâre Nr. 697 din 17 august 2000 privind cartea de alegător



<i>President of Romania</i> ¹⁷	
Emergency Government Ordinance, No. 154 of 10 October 2000 to amend Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania ¹⁸	10.10.2000
	OJ, pt.1, no.498, 11.10.00
	http://www.lex.ro/Ordonanta%20urgenta-Nr.154-din-10.10.2000-21479.aspx
	in English at:
	http://www.cdep.ro/legislatie/eng/vol50eng.pdf
	10.04.2002
	OJ, pt.1, no. 254, 16.4.02
	http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=34644
Law no. 175 of 10 April 2002 to endorse the emergency Government Ordinance nr. 154/2000 on the amendment and supplement to Law no.68/1992 on elections to the Chamber of	

¹⁷ Lege nr.160 din 10 aprilie 2002 pentru aprobarea Ordonanței de urgență a Guvernului nr. 140/2000 privind modificarea și completarea Legii nr. 68/1992 pentru aLegerea Camerei Deputaților și a Senatului și a Legii nr. 69/1992 pentru alegerea Președintelui României

¹⁸ Ordonanța de urgenta Nr. 154 din 10 octombrie 2000 privind modificarea si completarea Legii nr. 68/1992 pentru alegerea Camerei Deputatilor si a Senatului si modificarea Legii nr. 69/1992 pentru alegerea Presedintelui Romaniei



	<p>Deputies and the Senate and amendment to the Law no. 69/1992 on electing the President of Romania.¹⁹</p>			
	<p>Emergency Government Ordinance no. 165 of 13 October 2000 to supplement Article 5 of the Law no. 68/1992 on elections to the Chamber of Deputies and the Senate²⁰</p>	<p>13.10.2000</p>	<p>OJ, pt.1, no.514, 19.10.00</p> <p>http://www.legex.ro/Ordonanta%20urgenta-Nr.165-din-13.10.2000-21539.aspx</p> <p>in English at:</p> <p>http://www.cdep.ro/legislatie/eng/vol50eng.pdf</p>	<p>Maybe</p>
	<p>Law no. 171 of 10 April 2002 to endorse the emergency Government Ordinance no. 165/2000 on the supplement to Article 5 of Law no.68/1992 on elections to the Chamber of</p>	<p>10.04.2002</p>	<p>OJ, pt.1, no. 256, 16.4.02</p> <p>http://www.cdep.ro/pls/legis/legis_pck.htp_act_text?id=34663</p>	

¹⁹ Lege nr.175 din 10 aprilie 2002 pentru aprobarea Ordonanței de urgență a Guvernului nr. 154/2000 privind modificarea și completarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului și modificarea Legii nr. 69/1992 pentru aLegerea Președintelui României

²⁰ Ordonanța de urgenta Nr. 165 din 13 octombrie 2000 pentru completarea art. 5 din Legea nr. 68/1992 privind alegerea Camerei Deputatilor si a Senatului



Deputies and the Senate ²¹			
Emergency Government Ordinance No. 212 of 21 November 2000 to amend and supplement Law no. 68/1992 on elections to the Chamber of Deputies and the Senate ²²	21.11.2000	10.04.2002	OJ, pt.1, no.594, 22.11.00 http://www.legex.ro/OUG-212-2000-21804.aspx
Law no. 172 of 10 April 2002 to endorse the emergency Government Ordinance no. 212/2000 on the amendment and supplement to Law no. 68/1992 on elections to the Chamber of Deputies and the Senate. ²³			OJ, pt.1, no. 256, 16.4.02 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=34665
Law no. 372 of 11 June 2002 to endorse the emergency Government Ordinance no. 84/2001 on the	11.06.2002		OJ, pt.1, no. 447, 26.6.02 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=36382

²¹ Lege nr.171 din 10 aprilie 2002 privind aprobarea Ordonanței de urgență a Guvernului nr. 165/2000 pentru completarea art. 5 din Legea nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului

²² Ordonanța de urgenta Nr. 212 din 21 noiembrie 2000 privind modificarea și completarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului

²³ Lege nr.172 din 10 aprilie 2002 pentru aprobarea Ordonanței de urgență a Guvernului nr. 212/2000 privind modificarea și completarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului



	establishment, organisation and function of municipal public services and of public records ²⁴		
Law no.43 of 21 January 2003 on the financing of political parties' activities and electoral campaigns. ²⁵		21.01.2003	OJ, pt.1, no. 54, 30.1.03 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=39954
	Law no. 286 of 27 June 2003 on the amendment and supplement to Law no. 68/1992 on elections to the Chamber of Deputies and the Senate. ²⁶	27.06.2003	OJ, pt.1, no. 473, 2.7.03 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=49074
Government Decision no. 279 of 4 March 2004 to endorse the Regulation of the organisation and functions of the Permanent Electoral Authority's		4.03.2004	OJ, pt.1, no. 220, 12.3.04 http://www.legex.ro/Hotararea-279-2004-43373.aspx

²⁴ Lege nr.372 din 11 iunie 2002 pentru aprobarea Ordonanței Guvernului nr. 84/2001 privind înființarea, organizarea și funcționarea serviciilor publice comunitare de evidență a persoanelor

²⁵ Lege nr.43 din 21 ianuarie 2003 privind finanțarea activității partidelor politice și a campaniilor electorale

²⁶ Lege nr.286 din 27 iunie 2003 privind modificarea și completarea Legii nr. 68/1992 pentru alegerea Camerei Deputaților și a Senatului



own branch of study ²⁷			
Emergency Government Ordinance no. 50 of 15 June 2004 to amend and supplement certain normative acts with a view to establishing the organizational and functional cadre with respect to the distribution and certification of identity cards, certificates of citizenship, passports, drivers licenses and vehicle registration documents ²⁸	15.06.2004	OJ, pt.1, no. 595, 1.7.04	http://www.legex.ro/OUG-50-2004-41505.aspx
Law no. 520 of 23 November 2004 to endorse the Emergency Government Ordinance no. 50/2004 on the amendments and supplements to certain	23.11.2004	OJ, pt.1, no.1153, 7.12.04	http://www.legex.ro/Legea-520-2004-44851.aspx

²⁷ Hotărâre Nr. 279 din 4 martie 2004 pentru aprobarea Regulamentului privind organizarea și funcționarea aparatului propriu de specialitate al Autorității Electorale Permanente

²⁸ Ordonanță de urgență Nr. 50 din 15 iunie 2004 pentru modificarea și completarea unor acte normative în vederea stabilirii cadrului organizatoric și funcțional corespunzător desfășurării activităților de eliberare și evidență a cărților de identitate, actelor de stare civilă, pașapoartelor simple, permiselor de conducere și certificatelor de înmatriculare a vehiculelor



normative acts... ²⁹			
Law no. 373 of 24 September 2004 on elections to the Chamber of Deputies and the Senate ³⁰	24.09.2004	OJ, pt.1, no. 887, 29.9.04 http://www.cdep.ro/pls/legis/legis_pck.htm?act_text?id=58521 in English at: http://www.legislationline.org/download/action/download/id/948/file/d600561164bf69b7f0b9693ec092.pdf	Yes
Emergency Government Ordinance no. 80 of 14 October 2004 on the amendment and supplement to some of the provisions in Law no. 373/2004 on the elections to the Chamber of Deputies and to the Senate ³¹		OJ, pt.1, no.941, 14.10.04 http://www.cdep.ro/pls/legis/legis_pck.frame	
Corrections [to] Law no. 373 of		OJ, pt.1, no.969,	

²⁹ Lege Nr. 520 din 23 noiembrie 2004 privind aprobarea Ordonantei de urgenta a Guvernului nr. 50/2004 pentru modificarea si completarea unor acte normative in vederea stabilirii cadrului organizatoric si functional corespunzator desfasurarii activitatilor de eliberare si evidenta a cartilor de identitate, actelor de stare civila, pasapoartelor simple, permiselor de conducere si certificatelor de inmatriculare a vehiculelor

³⁰ Lege nr.373 din 24 septembrie 2004 pentru alegerea Camerei Deputaților și a Senatului

³¹ Ordonanță de urgență nr.80 din 14 octombrie 2004 privind modificarea și completarea unor dispoziții din Legea nr. 373/2004 pentru alegerea Camerei Deputaților și a Senatului



24 September 2004 on elections to the Chamber of Deputies and the Senate ³²		21.10.04 http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=58983
Emergency Ordinance no. 14/2005 with regard to amending the procedure for declaring wealth and interests ³³	4.03.2005	OJ, pt.1, no. 200, 9.3.05 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20200-2005.pdf
Emergency Government Ordinance no. 89 of 14 July 2005 on the amendment and supplement to the law no 373/2004 on the elections to the Chamber of Deputies and the Senate ³⁴	14.07.2005	OJ, pt.1, no. 634, 19.7.05 http://www.cdep.ro/pls/legis/legis_pck.frame
Law no. 144/2007 with regard to the establishment, organisation and functions of the National Agency for Transparency³⁵	21.05.2007	OJ, pt.1, no. 359, 25.5.07 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20359-2007.pdf

³² Lege nr.373 din 24 septembrie 2004 pentru aLegerea Camerei Deputaţilor şi a Senatului

³³ Ordonanță de urgență nr. 14/2005 privind modificarea formulelor pentru declarația de avere și pentru declarația de interese

³⁴ Ordonanță de urgență nr.89 din 14 iulie 2005 privind modificarea și completarea Legii nr. 373/2004 pentru alegerea Camerei Deputaţilor și a Senatului

³⁵ Legea nr. 144/2007 privind înființarea, organizarea și funcționarea Agenției Naționale de Integritate



<p>Emergency Ordinance no. 49/2007 to amend and supplement the Law no. 144/2007 with regard to the establishment, organisation and functions of the National Agency of Transparency³⁶</p>	<p>30.05.2007</p>	<p>OJ, pt.1, no. 375, 1.6.07</p> <p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20375-2007.pdf</p>	
<p>Constitutional Court decision no. 1.177 of 12 December 2007 regarding the unconstitutionality of the Law on elections to the Chamber of Deputies and to the Senate and on amendment and supplement to the law no. 67/2004 on the election of public local administrative officials and the Law on public local administration no. 215/2001 and the law no. 393/2004 on the statute regarding local elections³⁷</p>	<p>12.12.2007</p>	<p>http://www.ccr.ro/decisions/pdf/ro/2007/D1177_07.pdf</p>	<p>Maybe</p>

³⁶ Ordonanță de urgență nr. 49/2007 pentru modificarea și completarea Legii nr. 144/2007 privind înființarea, organizarea și funcționarea Agenției Naționale de Integritate

³⁷ Decizia nr. 1.177 din 12 decembrie 2007 referitoare la sesizarea de neconstituționalitate a Legii pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru



Emergency Ordinance no. 24/2008 with regard to access of ones own file and declassifying Securitate files ³⁸	5.03.2008	OJ, pt.1, no. 182, 10.3.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20182-2008.pdf	
Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law 67/2004 on elections of local public administrative authorities, the Law on Local public administration no. 215/2001 and the Law no. 393/2004 with regard to the Statute on locally elected officials ³⁹	13.03.2008	OJ, pt.1, no. 196, 13.3.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20196-2008.pdf in English at: http://www.roaep.ro/en/section.php?id=5	Yes
Emergency Ordinance no. 66/2008 to amend and supplement the Law on Local public administration no. 215/2001 and the Law no.	28.05.2008	OJ, pt.1, no. 409, 30.5.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20409-2008.pdf	

alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali

³⁸ Ordonanță de urgență nr. 24/2008 privind accesul la propriul dosar și deconspirarea Securității

³⁹ Lege nr. 35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr. 67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr. 215/2001 și a Legii nr. 393/2004 privind Statutul aleșilor locali



<p>334/2006 with regard to the financing of political parties and electoral campaigns and to amend the Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law no. 67/2004 on elections of public local administrative authorities and the Law on Local public administration no. 215/2001 and the law 393/2004 with regard to the Statute on locally elected officials.⁴⁰</p>		
<p>Government Decision no. 802/2008 to endorse the primary boundaries of the uninominal electoral colleges for elections to the</p>	<p>31.07.2008</p>	<p>OJ, pt.1, no. 595, 8.8.08</p> <p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20595-2008.pdf</p>

⁴⁰ Ordonanță de urgență nr. 66/2008 pentru modificarea și completarea Legii administrației publice locale nr. 215/2001 și a Legii nr. 334/2006 privind finanțarea partidelor politice și a campaniilor electorale, precum și pentru modificarea Legii nr. 35/2008 pentru aLegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr. 67/2004 pentru aLegerea autorităților administrației publice locale, a Legii administrației publice locale nr. 215/2001 și a Legii nr. 393/2004 privind Statutul aleșilor locali



Chamber of Deputies and the Senate⁴¹	Emergency Ordinance no. 97/2008 with regard to the amendment and supplement of the first section of the Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law no. 67/2004 on elections of public local administrative authorities and the Law on Local public administration no. 215/2001 and the law 393/2004 with regard to the Statute on locally elected officials ⁴²	27.08.2008	OJ, pt.1, no. 630, 29.8.08 http://www.becparlamentare2008.ro/legislat/m onitorul%20oficial%20nr.%20630-2008.pdf	Maybe
Government Decision no. 983/2008 with regard to establishing the date for the		27.08.2008	OJ, pt.1, no. 631, 1.9.08 http://www.becparlamentare2008.ro/legislat/m	

⁴¹ Hotărârea Guvernului nr. 802/2008 pentru aprobarea primei delimitări a colegiilor uninominale pentru alegerea Camerei Deputaților și a Senatului

⁴² Ordonanță de urgență nr. 97/2008 privind modificarea și completarea titlului I al Legii nr. 35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr. 67/2004 pentru aLegerea autorităților administrației publice locale, a Legii administrației publice locale nr. 215/2001 și a Legii nr. 393/2004 privind Statutul aleșilor locali



elections to the Chamber of Deputies and the Senate in 2008 ⁴³		onitorul%20oficial%20nr.%20631-2008.pdf
Government Decision no. 984/2008 with regard to endorsing the budget and expenditure required for the preparation, organisation, and holding elections to the Chamber of Deputies and the Senate in 2008 ⁴⁴	27.08.2008	OJ, pt.1, no. 631, 1.9.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20631-2008.pdf
Government Decision no. 985/2008 with regard to endorsing the scheduled Program for achieving tasks within the electoral calendar for elections to the Chamber of Deputies and the Senate in 2008 ⁴⁵	27.08.2008	OJ, pt.1, no. 631, 1.9.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20631-2008.pdf
Government Decision no. 986/2008 with regard to establishing measures for the	27.08.2008	OJ, pt.1, no. 634, 2.9.08 http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20634-2008.pdf

⁴³ Hotărârea Guvernului nr. 983/2008 privind stabilirea datei de desfășurare a alegerilor pentru Camera Deputaților și Senat din anul 2008

⁴⁴ Hotărârea Guvernului nr.984/2008 privind aprobarea bugetului și a cheltuielilor necesare pentru pregătirea, organizarea și desfășurarea alegerilor pentru Camera Deputaților și Senat din anul 2008

⁴⁵ Hotărârea Guvernului nr. 985/2008 privind aprobarea Programului calendaristic pentru realizarea acțiunilor din cuprinsul perioadei electorale, la alegerile pentru Camera Deputaților și Senat din anul 2008



<p>organisation and holding elections to the Chamber of Deputies and the Senate in 2008⁴⁶</p>		<p>al%20nr.%20634-2008.pdf</p>
<p>Government Decision no. 987/2008 to endorse the model for self-adhesive stamps and the way of printing, managing and utilising these for the elections to the Chamber of Deputies and the Senate in 2008⁴⁷</p>	<p>27.08.2008</p>	<p>OJ, pt.1, no. 634, 2.9.08</p> <p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20634-2008.pdf</p>
<p>Government Decision no. 988/2008 to endorse the model for the form for the permanent electoral register, the model for the form for supplementary electoral registers, the statement of permanent electoral registers or supplementary registers, the lists of supporters, the model for the</p>	<p>27.08.2008</p>	<p>OJ, pt.1, no. 634, 2.9.08</p> <p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20634-2008.pdf</p>

⁴⁶ Hotărârea Guvernului nr. 986/2008 privind stabilirea măsurilor pentru organizarea și desfășurarea alegerilor pentru Camera Deputaților și Senat din anul 2008

⁴⁷ Hotărârea Guvernului nr. 987/2008 pentru aprobarea modelului timbrului autocolant și a condițiilor de tipărire, de gestionare și de utilizare ale acestuia la alegerile pentru Camera Deputaților și Senat din anul 2008



<p>lists of members that belong to those organisations of minority nationalities, individuals' declaration of their acceptance or decline of candidature, the procedure for proposing candidates and the verification of documentation for electing deputies and senators which is mandatory for the elections to the Chamber of Deputies and the Senate in 2008⁴⁸</p>		
<p>Government Decision no. 989/2008 to endorse the format of electoral ballot to be used in the elections to the Chamber of Deputies and the Senate in 2008⁴⁹</p>	27.08.2008	<p>OJ, pt.1, no. 634, 2.9.08</p> <p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20634-2008.pdf</p>
<p>Government Decision no. 990/2008 to</p>	27.08.2008	<p>OJ, pt.1, no. 634, 2.9.08</p>

⁴⁸ Hotărârea Guvernului nr. 988/2008 pentru aprobarea modelului copiei de pe lista electorală permanentă, modelului listei electorale suplimentare, al extrasului de pe copia listei electorale permanente sau a listei suplimentare, al listei susținătorilor, a modelului listei membrilor organizației cetățenilor aparținând minorităților naționale, al declarației de acceptare a candidaturii, al declarației de renunțare la candidatură, a modelului propunerilor de candidatură, precum și al certificatului doveditor al alegerii deputaților și senatorilor ce vor fi folosite pentru alegerile pentru Camera Deputaților și Senat din anul 2008

⁴⁹ Hotărârea Guvernului nr. 989/2008 pentru aprobarea modelului buletinelor de vot care se folosesc la alegerile pentru Camera Deputaților și Senat din anul 2008



<p>endorse the printing method to be used for the elections to the Chamber of Deputies and the Senate in 2008⁵⁰</p>			<p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20634-2008.pdf</p>	
<p>Correction to the Government Decision 802/2008 to endorse the primary boundaries of the uninominal electoral colleges for elections to the Chamber of Deputies and the Senate⁵¹</p>	No date published	OJ, pt.1, no. 645, 10.9.08	<p>http://www.becparlamentare2008.ro/legislat/monitorul%20oficial%20nr.%20645-2008.pdf</p>	Maybe
<p>Decision no. 3/2008 of the Permanent Electoral Authority to establish the protocol by which deposits are set and refunded for elections to the Chamber of Deputies and the Senate⁵²</p>	24.09.2008	OJ, pt.1, no. 667, 25.9.08	<p>http://www.becparlamentare2008.ro/legislat/act_autorit.pdf</p>	
<p>Decision no. 6/2008 of the Permanent Electoral</p>	30.09.2008	OJ, pt.1, no. 684, 7.10.08	<p>http://www.becparlamentare2008.ro/legislat/act_autorit.pdf</p>	

⁵⁰ Hotărârea Guvernului nr. 990/2008 pentru aprobarea modelului ștampilelor care se folosesc la alegerile pentru Camera Deputaților și Senat din anul 2008

⁵¹ Rectificare la Hotărârea Guvernului nr. 802/2008 pentru aprobarea primei delimitări a colegiilor uninominale pentru alegerea Camerei Deputaților și a Senatului

⁵² Hotărârea Autorității Electorale Permanente nr. 3/2008 – pentru stabilirea Normelor privind constituirea și restituirea depozitelor pentru alegerea Camerei Deputaților și Senatului



<p>Authority with regard to the procedure for accrediting the offices and constituent electoral appointments for the election to the Chamber of Deputies and the Senate on 30 November 2008⁵³</p>	<p>parlamentare2008.ro/legislat/0684.pdf</p>
<p>Government Decision no. 1.341/2008 with regard to the length and conditions of keeping valid electoral ballots, those that are contested, and those that are invalid, as well as other printed material used during the electoral process⁵⁴</p>	<p>22.10.2008 OJ, pt.1, no.734, 30.10.08</p> <p>http://www.becparlamentare2008.ro/legislat/0734.pdf</p>
<p>Correction to the Government Decision no. 802/2008 to endorse the primary boundaries of the uninominal electoral</p>	<p>No date published OJ, pt.1, no.712, 20.10.08 Maybe</p> <p>http://www.becparlamentare2008.ro/legislat/0712.pdf</p>

⁵³ Hotărârea Autoritatii Electorale Permanente nr. 6/2008 privind procedura de acreditare pe langa Birourile si oficiile electorale constituite pentru alegerea Camerei Deputatilor si Senatului din 30 noiembrie 2008

⁵⁴ Hotărârea Guvernului nr. 1341/2008 privind durata și condițiile de păstrare a buletinelor de vot întrebuițate, a celor contestate precum și a celor neîntrebuițate, a ștampilelor și a celorlalte materiale utilizate în procesul electoral la alegerile pentru Camera Deputaților și Senat din anul 2008



	colleges for the elections to the Chamber of Deputies and the Senate ⁵⁵			
	Correction to the Government Decision no. 802/2008 to endorse the primary boundaries of the uninominal electoral colleges for the elections to the Chamber of Deputies and the Senate ⁵⁶	No date published	OJ, pt.1, no.764, 12.11.08 http://www.becparlamentare2008.ro/legislat/0764.pdf	Maybe
	Government Decision no. 1.397/2008 to establish the procedure for delivering the verbal announcement to declare the voting results of the parliamentary elections of 30 November 2008⁵⁷	4.11.2008	OJ, pt.1, no. 753, 7.11.08 http://www.becparlamentare2008.ro/legislat/0753.pdf	
	Constitutional Court. Decision no. 503 of 20 April 2010 regarding the exception of	20.04.2010	OJ, pt.1, no. 353, 28.5.10 http://www.ccr.ro/decisions/pd	Maybe

⁵⁵ Rectificare la Hotărârea Guvernului nr. 802/2008 pentru aprobarea primei delimitări a colegiilor uninominale pentru aLegerea Camerei Deputaților și a Senatului

⁵⁶ Rectificare la Hotărârea Guvernului nr. 802/2008 pentru aprobarea primei delimitări a colegiilor uninominale pentru aLegerea Camerei Deputaților și a Senatului

⁵⁷ Hotărârea Guvernului nr. 1397/2008 pentru stabilirea modelului proceselor-verbale privind consemnarea rezultatului votării la aLegerile parlamentare din 30 noiembrie 2008



<p>unconstitutionality of the provisions Article 29, para 5, Article 30 and Article 48, para 17 of Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement the Law no. 67/2004 on the election of local public administrative authorities, the Law on local public administrations no. 215/2001 and the Law no. 393/2004 regarding the Statute on local appointments⁵⁸</p>	<p>f/ro/2010/D0503_10.pdf</p>	<p>http://www.mai.gov.ro/Documente/Transparenta%20decizionala/Proiect%20de%20lege%20alegeri%20general%202012.pdf ; Abrogation of the law http://www.cdep.ro/bp/docs/F1</p>	<p>Maybe</p>
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⁵⁸ Decizia nr.503 din 20 aprilie 2010 referitoare la excepția de neconstituționalitate a prevederilor art.29 alin.(5), art.30 și ale art.48 alin.(17) din Legea nr.35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali



administration 215/2001 ⁵⁹		831789087/sca n0010.PDF	
Constitutional Court. Decision no. 51 of 25 January 2012 regarding the objection of unconstitution ality of the provisions in the Law on the organization and execution of elections for local public administrative authorities and elections to the Chamber of Deputies and the Senate in 2012, and to amend and supplement section 1 of the Law no.35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law no. 67/2004 on the election of local public authorities and the Law on public local authorities no. 215.2001 and the law no. 393/2004 regarding the Statute on local	25.01.2012	OJ, pt.1, no. 90, 3.2.12 http://www.ccr. ro/decisions/pd f/ro/2012/D005 1_12.pdf	Maybe

⁵⁹ Lege privind organizarea și desfășurarea alegerilor pentru autoritățile administrației publice locale și a alegerilor pentru Camera Deputaților și Senat în anul 2012, precum și pentru modificarea Legii administrației publice locale nr. 215/2001



appointments. ⁶⁰			
Government decision no. 6 of 27 March 2012 on forming a joint Committee from the Chamber of Deputies and the Senate to propose legislative action and to propose a detailed bill on elections to the Chamber of Deputies and the Senate ⁶¹	27.03.2012	OJ. Pt. 1, no. 203, 27.3.12. http://legestart.ro/Hotararea-6-2012-constituirea-Comisiei-comune-Camerei-Deputatilor-Senatului-avizarea-propunerilor-legislative-depuse-elaborarea-unei-propuneri-legislative-alegerea-Cam-(NjAzNjI5).htm Amended in no. 207, 28.3.12 http://legestart.ro/Rectificarea-2012-Hotararea-Parlamentului-Romaniei-6-2012-(NjAzNzE0).htm	Yes
131/2012, Draft law to amend and supplement	Not yet promulgated. Approved by the Chamber	http://www.cdep.ro/pls/proiecte/docs/2012/pr	Yes

⁶⁰ Decizia nr. 51 din 25 ianuarie 2012 referitoare la obiecția de neconstituționalitate a dispozițiilor Legii privind organizarea și desfășurarea alegerilor pentru autoritățile administrației publice locale și a alegerilor pentru Camera Deputaților și Senat din anul 2012, precum și pentru modificarea și completarea titlului I al Legii nr.35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali

⁶¹ Hotărâre din 27 martie 2012 privind constituirea Comisiei comune a Camerei Deputaților și Senatului pentru avizarea propunerilor legislative depuse și elaborarea unei propuneri legislative privind alegerea Camerei Deputaților și a Senatului



Art. 48 of the Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement the Law no. 67/2004 on elections of local public administrative authorities and the Law on local public administration no. 215/2001 and the Law no. 393/2004 regarding the Statute on local appointments. ⁶²	of Deputies: 131_12.pdf 22.05.12
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Section 3: Details of previous electoral systems and electoral system changes.

Section 3: Details of previous electoral systems and electoral system changes.

3.1 The 1990 Law

⁶² 131/2012, Proiect de Lege pentru modificarea și completarea art.48 din Legea nr.35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali



All 387 regular seats in the lower house⁶³ were to be allocated using PR. In addition, the law provided that all organisations of ethnic minorities that had been registered by the time the new law was introduced were to be guaranteed at least one mandate each (Gallagher, 1991: 84) regardless of whether they had secured the necessary quota of votes.⁶⁴ Parties could submit only one list of candidates⁶⁵ in each of the 41 districts and the number of candidates was not to exceed the number of mandates to be contested in that district.⁶⁶ The number of mandates to be allocated in each district was fixed,⁶⁷ and the law set no threshold, which parties or coalitions were required to meet to be eligible for mandates (Birch *et al.* 2002: 90, 93-4). Party lists were to be closed (Birch *et al.*, 2002, 90, 93-94), in that voters had only one vote, and this was to be registered generally for one list only, by applying a stamp, imprinted with the word 'voted', to the chosen party or independent candidate list.⁶⁸

Allocation of mandates. Elections within each district were to be considered valid in the event that at least 51 per cent of the electorate in the respective district voted.⁶⁹ In the first tier of the elections, mandates were to be allocated according to the number of times that each party or independent candidate achieved the specified quota, to be calculated as the number of votes cast in each district divided by the number of mandates to be contested in that district,⁷⁰ that is, the Hare quota (Birch *et al.*, 2002, 90, 93-94).

At the second tier of the elections, all unused votes at the district level were to be amassed for each party nationally, and the respective figures divided successively by 1,2,3,4 etc. as many times (N) as remaining mandates, and those parties with the N largest remainders were to be allocated mandates accordingly,⁷¹ that is, using the D'Hondt method (Birch *et al.*, 2002, 90, 93-94).

3.2 The 1992 law

The new law of 1992 retained the Hare method in districts and a form of D'Hondt at the second tier. But it introduced thresholds for parties to be eligible to win seats and the number of regular deputies was reduced to 328.⁷² The provision which set a minimum threshold for voter turnout in each district at 51 per cent was removed. In addition to the regular seats, the legally recognized organizations representing citizens belonging to national minorities were

⁶³ 1990 law, Article 6

⁶⁴ 1990 law, Article 4

⁶⁵ 1990 law, Article 7

⁶⁶ 1990 law, Article 11

⁶⁷ Decision no. 283 on the numeration and boundaries of electoral districts and determining the number of deputies and senators

⁶⁸ 1990 law, Article 58

⁶⁹ 1990 law, Article 70

⁷⁰ 1990 law, Article 71, para. a

⁷¹ 1990 law, Article 71, para. b

⁷² 1992 law, Annex 1



entitled to one seat, even if they had not won a regular seat, provided that across the country as a whole they had won at least 5 per cent of the national Hare quota of votes.⁷³

District magnitude. The number of districts was raised from 41 to 42⁷⁴ (adding the new 'Agricultural Sector Ilfov', later renamed as 'Ilfov') and the law provided that one mandate was to be allocated for every 70,000 inhabitants.⁷⁵

Thresholds. A new threshold was introduced, whereby parties and coalitions were required to secure at least 3 per cent of the vote from all votes cast nationwide in order to win seats⁷⁶ (Birch et al. 2002, 96-100).

Candidates representing ethnic minorities were required to attain nationwide at least 5 per cent of the average number of votes required to elect one deputy.⁷⁷ A special provision was included in Article 91 with regard to the forthcoming elections of 1992, whereby coalition parties were required to meet the additional threshold of one per cent more for every additional party in the coalition, with a ceiling to this threshold fixed at eight per cent.⁷⁸ Parties could propose on their lists two, or up to a quarter more candidates than the number of mandates to be contested in a district.⁷⁹

Nature of the vote that can be cast. As previously, voters could cast a single vote for a closed party list within their district.

Allocation of mandates at the first tier. Mandates were to be allocated according to the Hare quota: the total number of valid votes cast for each party or coalition that had reached the threshold, plus all votes for independent candidates, divided by the number of seats to be allocated in the district. Mandates for all candidates (including independents) were to be allocated for each full quota,⁸⁰ i.e. by the Hare quota (Birch et al. 2002, 98)

Allocation of mandates at the second tier. Seats from the second tier were allocated in two steps: first, the total number of seats won by each party was determined; second these seats were allocated to particular districts and parties within them.

The determination of the number of seats for each party was determined using the d'Hondt method. All unused votes at the district level were totalled for each party that had passed the national threshold and then divided, successively by 1,2,3,4, etc. as many times as there were remaining mandates to be allocated at the national level.⁸¹ The lowest of the quotients from among those which would, according to the D'Hondt method, qualify a party for a mandate was to become the electoral quota.⁸² For example, where 7 mandates remained to be

⁷³ 1992 law, Article 4.

⁷⁴ 1992 law, Annex 1

⁷⁵ 1992 law, Article 3, para. 2

⁷⁶ 1992 law, Article 65, para. 2

⁷⁷ 1992 law, Article 4, para 1

⁷⁸ 1992 law, Article 91

⁷⁹ 1992 law, Article 5, para. 2

⁸⁰ 1992 law, Article 66, para 4

⁸¹ 1992 Law, Article 66, para 5

⁸² 1992 Law, Article 66, para. 5



allocated the seventh highest quotient was to be taken as the electoral quota. Then the total number of votes for each party, which remain unused at the national level, was to be divided by this quota to ascertain the number of mandates to which that party was to be theoretically entitled.⁸³

The resultant quotients were then to be fed into another formula, at the district level, to determine the final allocation of mandates. In each instance where mandates remained unallocated at the district level, the total number of remaining votes for each party at the district level was to be divided by the total number of remaining votes for that party at the national level, multiplied by the total number of mandates 'owed' to that party at the national level. Each resultant quotient at the district level was to be listed in decreasing order and mandates allocated accordingly.⁸⁴ So in sum the steps before allocating mandates at the second tier were as follows:

1) D'Hondt divisors to determine the number of mandates owed to a party (at the national level) and then the Nth highest quotient (where N = the number of mandates remaining at the national level) is to be the electoral quota. So for example, for Party A:

$$\frac{\text{Total No. of unused votes (nationally) for Party A}}{\text{Electoral quota}} = \text{Mandates 'owed' to Party A (nationally)}$$

2) Formula to be applied in each of the districts where mandates remained unallocated:

$$\text{Mandates 'owed' to Party A (nationally)} \times \frac{\text{Total no. unused votes (district) for Party A}}{\text{Total no. unused votes (nationally) for Party A}}$$

A complete list of these ratios was made across all parties and districts and seats were filled from the top, working down. Once all of a party's seats had been allocated, that party was not considered further. Similarly, once all of a district's seats had been allocated, that district was not considered further. In the event, however, that a party was entitled to more mandates than those remaining, then a mandate was nonetheless awarded.⁸⁵

3.3 The Central Electoral Commission's 1996 decision regarding the 1992 law

⁸³ 1992 Law, Article 66, para. 6. a

⁸⁴ 1992 law, Article 66, para. 6. a

⁸⁵ 1992 Law, Article 66, para. 6 a (final sentence)



In October 1996, the Central Electoral Commission published a decision, which detailed how they were to operationalise the 1992 law in the context of the forthcoming 1996 elections. This was published just a few days before the 3 November elections.

Thresholds. The decision stated that the provisions in Article 91 (which required raised thresholds for coalitions) would not apply to coalitions competing in the 1996 elections.⁸⁶

Allocation of mandates at the second tier. The CEC specified that mandates were only to be awarded in districts where these remained unallocated⁸⁷, which appears to conflict with the provision in Article 66, para 5 that allows the possibility of an increased assembly in instances when mandates are owed to a party.

District magnitude. The decision detailed how many mandates were to be allocated in each district (see Table 2 above).⁸⁸

Although the Central Electoral Commission still remains in operation, its powers appear to have waned somewhat. In 2003, a new amendment was introduced, which codified the powers of a new institution, 'The Permanent Electoral Authority' (PEA), "established to ensure the necessary logistical conditions to guarantee the exercise of the right to vote in accordance with the law, and that appropriate conditions are met to ensure good practice in the execution of elections."⁸⁹ In March 2004, an income of 72.5 billion lei (€16.5 billion) was granted to fund the PEA.⁹⁰ In 2005, an NGO, the Association for Democracy, expressed concerns that the law did not safeguard the independence of the PEA from political parties, and that safeguards should be put in place to ensure the PEA's impartiality, including replacing the President who was a former deputy of the Social Democrat Party.⁹¹

3.4 Amendments in 2000 to the 1992 law

In 2000, a number of Government Ordinances, which amended the 1992 law, were introduced before the November 2000 parliamentary elections. Most of these regarded the administration of the elections, and were endorsed a few days before the elections were held.

District Magnitude. The first of these, no. 63 in May 2000, specified that the Government was to establish electoral districts and the number of mandates to be allocated in each.⁹²

⁸⁶ Decision no. 39 of 21 October 1996, Article 4

⁸⁷ Decision no. 39 of 21 October 1996, Article 3

⁸⁸ Decision no. 39 of 21 October 1996, Annex 1

⁸⁹ Law no. 286 of 27 June 2003 on the amendment and supplement to Law no. 68/1992 on elections to the Chamber of Deputies and the Senate, Article 1

⁹⁰ Government Decision no. 279 of 4 March 2004 to endorse the Regulation of the organisation and functions of the Permanent Electoral Authority's own branch of study, Article 2, para. 2

⁹¹ Asociația Pro Democrația (2005), *Alegeri la limita democrației. Analiza procesului electoral din România*, p. 57 <http://www.apd.ro/files/publicatii/Alegeri%20Generale%202004%20-%20Raport%20APD%20-%20Fara%20Anexe.pdf>

⁹² Emergency Government Ordinance no. 63 of 26 May 2000 to amend and supplement the Law no. 68/1992 on elections... Article 1 (amending Article 3, para. 6 of the 1992 law)



Thresholds. No. 129 of June 2000 entailed a substantive amendment, which raised the threshold for parties from 3 to 5 per cent, with the additional requirement that coalitions of two parties needed to secure 8 per cent, coalitions of three, 9 per cent and those comprising more than three parties 10 per cent.⁹³ Additionally, the ordinance reduced the number of mandates to be contested from 328 to 327, allocating one fewer seat to the Cluj electoral district.⁹⁴

Ordinance no. 165 introduced a new provision, an additional paragraph 8, in Article 5, whereby candidates in parties representing minority nationalities were granted a special concession that they could opt to run for office in more than one electoral district.⁹⁵

3.5 The 2004 law on elections

In September 2004 a new law on elections was enacted, but entailed no substantive changes to the electoral system (Downs and Miller 2006: 410-11) The law remained in essence the same, with the same threshold in place⁹⁶ and the same methods of allocating seats at both tiers: Hare for the first, and D'Hondt with the same mechanism for allocating mandates to districts at the second.⁹⁷

The minimum threshold for candidates representing ethnic minorities, however, was raised from 5 per cent of the average number of votes required to elect a deputy to 10 per cent of this figure.⁹⁸ The size of the assembly was fixed at 314, plus up to 18 mandates were to be allocated to candidates representing ethnic minorities.⁹⁹ At the same time, the provision remained in place that allowed an increased size for the assembly.¹⁰⁰

The law formalised the powers of the Permanent Electoral Authority, providing that the PEA be responsible for recommendations regarding the electoral system, among other duties such as setting the electoral calendar, producing electoral literature, managing the electoral budget and producing reports on elections in the format of a 'white book.'¹⁰¹ The law provided the PEA with the authority to publish its decisions with regard to electoral procedures in the Official Journal, and that these decisions would be mandatory for all institutions with electoral function.¹⁰² At the same time, the Central Electoral Commission retains the authority to publish

⁹³ Emergency Government Ordinance no. 129/2000 of 30 June 2000 to amend Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania, Article 1, para. 5 (b) (amending Article 65, para. 2 of the 1992 Law)

⁹⁴ Emergency Government Ordinance no. 129/2000 of 30 June 2000 to amend Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania, Annex 1

⁹⁵ Law no. 171 of 10 April 2002 to endorse the emergency Government Ordinance no. 165/2000 on the supplement to Article 5 of Law no.68/1992 on elections to the Chamber of Deputies and the Senate

⁹⁶ 2004 law, Article 90, para. 2

⁹⁷ 2004 law, Article 91, paras. 3-5

⁹⁸ 2004 law, Article 4, para. 2

⁹⁹ 2004 law, Annex 1

¹⁰⁰ 2004 law, Article 91, para 5

¹⁰¹ 2004 law, Article 29, para 1

¹⁰² 2004 law, Article 29, para 4



interpretations of certain provisions in the law in the Official Journal, and the law provides that these decisions are mandatory.¹⁰³

3.6 The 2007 referendum

For some years the 'Association for Democracy' had lobbied Parliament to reform the electoral system and to introduce an electoral code. In 2007 the Association reached consensus with the respective political parties in Parliament on a new system.¹⁰⁴ The President, Traian Băsescu, objected to the reform and called a referendum on 25 November to seek approval of a majoritarian system in SMDs, asking the question "Do you agree that from the next parliamentary elections, all deputies and senators are to be elected in uninominal districts, on the basis of a majoritarian system in two rounds?"¹⁰⁵ Although 81.4 per cent voted in favour, the turnout was only 26.5 per cent¹⁰⁶ and so the Constitutional Court decided that the result was not valid. In 2008 the original project for reform submitted by the Association was reconsidered by Parliament and amendments were introduced,¹⁰⁷ although in essence the bill remained the same, and it was endorsed in 2008 (Renwick and Popescu, 2008).

3.7 2008 Law on elections

The new 2008 law introduced voting for candidates in single-member districts rather than for closed-lists in multi-member districts. But seats continue to be allocated in a multi-tier process according to the principles of proportional representation. The new law retained the same method of allocating mandates at the second tier as before.¹⁰⁸ But it introduced significant changes for first tier elections. The system is complicated even according to its advocates. For example, the Permanent Electoral Authority stated in their 2008 report that no electoral system is perfect but that rival systems are less advantageous.¹⁰⁹

¹⁰³ 2004 law, Article 32, paras 7 and 8

¹⁰⁴ Depozitul cu povești de success Advocacy [2008], 'Reformă electorală în România' <http://www.ce-re.ro/proj/62>

¹⁰⁵ <http://www.becreferendum2007vu.ro/documente/buletinvot.pdf>

¹⁰⁶ <http://www.becreferendum2007vu.ro/documente/rezultatefinale0001.pdf>

¹⁰⁷ Depozitul cu povești de success Advocacy [2008], 'Reformă electorală în România' <http://www.ce-re.ro/proj/62>

¹⁰⁸ 2008 law, Article 48, paras 6-7

¹⁰⁹ Autoritatea Electorală Permanentă, *Raport asupra organizării și desfășurării alegerilor pentru camera deputaților și Senat din 30 noiembrie 2008* <http://www.roaep.ro/ro/section.php?id=85>, pp. 138-139



District Magnitude and Nature of Votes that Can Be Cast. The method for fixing the number of deputies to be elected in each district has remained in essence the same since 1992 (that is one mandate for every 70,000 inhabitants)¹¹⁰ but there is an additional district for residents abroad (43).¹¹¹

Within each of these districts, however, the law creates ‘uninominal colleges’: single-member districts. The number of mandates to be allocated in one of the electoral districts equates with the number of ‘uninominal colleges’ within that district. For example, there are five uninominal colleges and therefore five seats to be filled in the district of Alba (see Table 2). Instead of voting for party lists, voters vote for one particular candidate in their uninominal college.¹¹² The law provided that in the first instance the government was to fix the boundaries of these uninominal colleges¹¹³ and that thereafter the PEA would update these in the event of a 10 per cent change in population.¹¹⁴

Allocation of Seats to Candidates. Independent candidates are allocated mandates in the event that they secure an absolute majority of votes in a uninominal college.¹¹⁵ Party candidates also automatically secure election in a uninominal college if they win an absolute majority of votes, but only if their party passes the 5 per cent national threshold or if their party wins absolute majorities in at least six seats.¹¹⁶

But the counting process in fact begins by pooling the votes across all the uninominal colleges in a district. As before, the Hare quota is applied in order to determine each party’s seat allocation from that district (Marian and King, 2010, p. 11). These seats are then allocated to candidates in uninominal colleges. The first step, as already indicated, is to allocate seats to candidates who won an absolute majority in their college. All remaining candidates are then ranked according to the number of votes they won. Seats are filled sequentially until the parties have the required number of deputies, subject to the condition that no more than one candidate can be elected from each college.

Remainder votes and seats that have not been allocated in the districts are, as before, transferred to the second tier, where d’Hondt is used as before. Again as before, the seats won at the second tier of allocation are then allocated to districts. But there is then an additional step to allocate seats to uninominal colleges. As in the original allocation of seats in districts, this is done by ranking all candidates from parties that are still due seats in uninominal colleges that are still due seats in order of the number of votes they received and allocating seats to candidates in order of votes won until each party has the required number of seats and one candidate from each college has been elected. This process implies that some candidates are likely to be elected who were not the plurality winners in their districts. In addition, a party that won more seats than its proportional entitlement was able to retain these seats. For example, in the 2008 elections, the PD-L was entitled proportionally to four seats from the Arad district, but its candidates were minority winners in five colleges. It

¹¹⁰ 2008 law, Article 11, para. a

¹¹¹ 2008 law, Article 10,

¹¹² 2008 law, Article 42, para. 6

¹¹³ 2008 law, Article 12, para. 1, See: Government Decision no. 802/2008 to endorse the primary boundaries of the uninominal electoral colleges for elections to the Chamber of Deputies and the Senate

¹¹⁴ 2008 law, Article 12, para.3

¹¹⁵ 2008 law, Article 48, para.4

¹¹⁶ 2008 law, Article 48, para. 11



retained the extra seat; the number of seats from Arad was increased from seven to eight, adding one to the total size of the Chamber (Marian and King, 2010: 13).

In the 2008 election, of the 316 seats in the Chamber of Deputies (leaving aside the 18 seats for ethnic minority organizations), 87 were won by absolute majority winners, 157 were won by other candidates in the district-level allocation, and 72 were filled through the national-level allocation (Marian and King, 2010: 14). Of those who finally won seats, 238 had come first in their uninominal college, 41 second, 32 third, and five fourth (Marian and King, 2010: 14).

3.8 Amendments in 2008 to the 2008 Law on elections

A score of government decisions and emergency ordinances to supplement or amend the 2008 law were introduced before the November 2008 elections.

District magnitude. Although district magnitude has remained fairly static there have been substantive changes to the boundaries of districts, which were published in the 'Corrections' section of the Official Journal from September to November 2008 on three occasions.¹¹⁷ In each case, however, the editorial of the Official Journal pointed out that they are not responsible for these 'mistakes'. It is surprising that these have been published simply in the journal's errata section, rather than listed as amendments to the law in each instance.

Allocation of mandates at the first and second tier. Government Ordinance no. 97 amended the law to provide that the Central Electoral Commission declare all the results as integers without rounding the figures up or down,¹¹⁸ and that the electoral quota also be calculated from integers that had not been rounded up or down.¹¹⁹ Further provision was made that the quotients in allocating mandates at the second tier be calculated to 8 decimal points.¹²⁰

3.9 Amendments since 2011 to the 2008 law

In autumn 2011 an Electoral Committee (Comasarea Alegerilor), not to be confused with the PEA or CEC and composed of some Cabinet ministers and the President of the PEA,¹²¹ passed a law which provided that local officials' mandates be extended by 6 months so that the

¹¹⁷ Corrections to the Government Decision no. 802/2008 to endorse the primary boundaries of the uninominal colleges for the Law on the Chamber of Deputies and the Senate, OJ, pt.1, no.645, 10.9.08; no.712, 20.10.08; no.764, 12.11.08

¹¹⁸ Emergency Government Ordinance no. 97/2008, Article 68 (amending Article 47, para. 5 of the 2008 law)

¹¹⁹ Emergency Government Ordinance 97/2008, Article 69 (amending Article 48, para. 3 of the 2008 law)

¹²⁰ Emergency Government Ordinance 97/2008, Article 69 (amending Article 48, para. 6 of the 2008 law)

¹²¹ See, Expunere de motive, Lege privind organizarea și desfășurarea alegerilor pentru autoritățile administrației publice locale și a alegerilor pentru Camera Deputaților și Senat în anul 2012, precum și pentru modificarea Legii administrației publice locale nr. 215/2001 <http://www.mai.gov.ro/Documente/Transparenta%20decizionala/Expunere%20de%20motive%20proiect%20de%20lege%20alegeri%20generale%202012.pdf>



upcoming Parliamentary and local elections could be held on the same day in 2012. Although the law focused on local elections, the way in which members of parliament perceived the law to have been enacted, 'by Government diktat'¹²² and the fact that the reform did not entail substantive reform of the electoral system prompted a strong discussion in Parliament about the need for far-reaching electoral reform.

On 15 and 19 December 2011, a joint session of the Chamber of Deputies and the Senate debated the law that had been enacted by the Electoral Committee.¹²³ On 19 December, the USL (Social Liberal Union) tabled a motion to reject the law, which was then debated at another joint session on 22 December.¹²⁴ The Committee stated that the rationale behind the new law was to reduce expenditure on elections by deferring the 2012 local elections six months until the time of the scheduled parliamentary elections.¹²⁵ The new law did not effect substantive changes to the existing Law on elections to the Chamber of Deputies and the Senate, and during the parliamentary debate some representatives expressed their disappointment in this, and disapproval that there was no consultation with experts outside the appointed Electoral Committee. One deputy, Ion Călin, from the Social Democrat Party (PSD), described the existing electoral system as an 'aberration', a 'big mistake' and urged more far-reaching reform. He claimed that the Committee on elections had not engaged with civil society organisations and that the Committee's proposals were one-sided and arbitrary. He pointed out that parliament's amendments to the electoral law within 12 months of an election were not in accordance with the Council of Europe's recommendations on good practice in elections as articulated at the 51st session of the Venice Commission.¹²⁶ Daniel

¹²² Adevărul, 'Comasarea alegerilor, decisă cu patru voturi' 22.12.2011
http://www.adevarul.ro/actualitate/politica/Comasarea_alegerilor-decisa_cu_patru_voturi_0_613739125.html

¹²³ The law on the organization and execution of elections of local public administrative authorities and on elections to the Chamber of Deputies and the Senate in 2012, and to amend the law on local public administration 215/2001; Stenographic report, 15.12.11:
<http://www.cdep.ro/pls/steno/steno.stenograma?ids=7080&idm=4&idl=1> ; Stenographic report, 19.12.11:
<http://www.cdep.ro/pls/steno/steno.stenograma?ids=7077&idm=1&idl=1>

¹²⁴ Prezentarea moțiunii de cenzură intitulată "După 22 de ani, democrația este în pericol", inițiată de 200 de deputați și senatori, ca urmare a angajării răspunderii Guvernului asupra Proiectului de Lege privind organizarea și desfășurarea alegerilor pentru autoritățile administrației publice locale și a alegerilor pentru Camera Deputaților și Senat din anul 2012, precum și pentru modificarea și completarea Titlului I al Legii nr. 35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr. 67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr. 215/2001 și a Legii nr. 393/2004 privind Statutul aleșilor locali. = Presentation of a motion of rejection tabled by 200 deputies and senators, entitled "After 22 years, democracy is in peril", with regard to the Government liability for the Project of Law on the organisation and execution of elections of public administrative authorities and elections to the Chamber of Deputies and the Senate in 2012, and to amend and supplement Chapter 1 of the Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law no. 67/2004 on the election of local public administrative authorities and the law on local public administration no.215/2001 and the Law no. 393/2004 on the Statute on local appointments. Stenographic report 19.12.11:
<http://www.cdep.ro/pls/steno/steno.stenograma?ids=7080&idm=4&idl=1>

¹²⁵ Expunere de motive

¹²⁶ Prezentarea, dezbaterea și respingerea moțiunii de cenzură intitulată "După 22 de ani, democrația este în pericol", inițiată de 200 de deputați și senatori, ca urmare a angajării răspunderii Guvernului asupra Proiectului de Lege privind organizarea și desfășurarea alegerilor pentru autoritățile administrației publice locale și a alegerilor pentru Camera Deputaților și Senat din anul 2012, precum și pentru modificarea și completarea Titlului I al Legii nr. 35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru



Vasile Oajdea from the Liberal Democrat Party (PDL) said that he also considered the law undemocratic. The bill to reject the law was dismissed by only four votes, and so it was endorsed albeit by a small margin.¹²⁷ There was a strong dissenting vote, and others complained that the law had been pushed through in a dictatorial fashion.¹²⁸ 88 deputies from the PSD and 58 deputies from the PNL (National Liberal Party) lodged a complaint with the Constitutional Court, and the law was struck down one month later, in part because of the way in which the law was endorsed, through a Government directive, which the Court considered incompatible with Article 61, para 1 and Article 114 of the Constitution.¹²⁹ Additionally, the Constitutional Court found that the law was unconstitutional in its failure to comply with international treaties, with regard to the fact that the law contravened the Venice Commission's code of good practice on elections.¹³⁰

Since then, the Parliament amended Article 48, paragraph 17 of the 2008 law in response to the Constitutional Court judgment no. 503/2010. The amendment regarded by-elections, and specified that any political party, coalition, representative of an ethnic minority or independent candidate that had reached the required respective threshold within the constituency were to be eligible to compete.¹³¹ The bill was tabled in the Senate, on 6 September 2011 and adopted on 6 December 2011¹³² and on 27 March 2012 the bill was passed by the Chamber of Deputies.¹³³

At the same time, another amendment was introduced via a Government Decision, endorsed at a joint session of the Chamber of Deputies and the Senate on 27 March 2012, which provided that a special parliamentary group be formed to propose a new electoral system and that the Committee make their proposals by 30 April 2012.¹³⁴ On 11 April this Committee

modificarea și completarea Legii nr. 67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr. 215/2001 și a Legii nr. 393/2004 privind Statutul aleșilor locali = Presentation, debate and rejection of a motion of rejection, tabled by 200 deputies and senators, entitled "After 22 years, democracy is in peril", with regard to the Government liability for the Project of Law on the organisation and execution of elections of public administrative authorities and elections to the Chamber of Deputies and the Senate in 2012, and to amend and supplement Chapter 1 of the Law no. 35/2008 on elections to the Chamber of Deputies and the Senate and to amend and supplement Law no. 67/2004 on the election of local public administrative authorities and the law on local public administration no.215/2001 and the Law no. 393/2004 on the Statute on local appointments. Stenographic report, 22.12.11: <http://www.cdep.ro/pls/steno/steno.stenograma?ids=7084&idm=2&idl=1>

¹²⁷ Adevărul, 'Comasarea alegerilor, decisă cu patru voturi', 22.12.2011, http://www.adevarul.ro/actualitate/politica/Comasarea_alegerilor-decisa_cu_patru_voturi_0_613739125.html

¹²⁸ <http://www.cdep.ro/pls/steno/steno.stenograma?ids=7084&idm=2&idl=1>

¹²⁹ Constitutional Court decision No. 51, 25 January 2012 http://www.ccr.ro/decisions/pdf/ro/2012/D0051_12.pdf pp. 3-4

¹³⁰ Constitutional Court decision No. 51, 25 January 2012 http://www.ccr.ro/decisions/pdf/ro/2012/D0051_12.pdf p. 3

¹³¹ Proiectul de Lege privind modificarea alin.(17) al art.48 din Legea nr.35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali <http://www.cdep.ro/proiecte/2011/700/70/6/se1054.pdf>

¹³² http://www.cdep.ro/pls/proiecte/upl_pck.proiect?idp=12195&cam=2

¹³³ <http://www.cdep.ro/pls/steno/eVot.Nominal?idv=8947>

¹³⁴ [http://legestart.ro/Hotararea-6-2012-constituirea-Comisiei-comune-Camerei-Deputatilor-Senatului-avizarea-propunerilor-legislative-depuse-elaborarea-unei-propuneri-legislative-alegerea-Cam-\(NjAzNjI5\).htm](http://legestart.ro/Hotararea-6-2012-constituirea-Comisiei-comune-Camerei-Deputatilor-Senatului-avizarea-propunerilor-legislative-depuse-elaborarea-unei-propuneri-legislative-alegerea-Cam-(NjAzNjI5).htm)



issued a press release stating that they had come to the consensus that the new electoral system should be mixed: 50 per cent of the mandates should be allocated in a majoritarian uninominal college system and the rest in a compensatory system. The Committee directed the Permanent Electoral Committee and the Ministry of Administration and the Interior to prepare a bill in accordance with these recommendations and that the Committee would then scrutinise the bill and vote on it.¹³⁵ A number of MPs immediately objected to the Committee's decision, arguing that there had not been a consensus, as indicated in the press release, and that a number of parties did not support the choice of system. Moreover, the USL declared that their representative on the Committee, Sulfina Barbu, the President of the Committee, and a supporter of the proposed mixed system, had not represented her party's wishes on the matter. The new Prime Minister, Victor Ponta, declared that the USL would present parliament with another bill to allocate all mandates (with the exception of those for national minority candidates) according to plurality in single-member districts.¹³⁶

On the 8 May, while the Committee reiterated at its meeting that the system should in essence remain the same (mixed), with half of mandates to be allocated to candidates with the most votes, and the rest to be contested through party lists,¹³⁷ the USL and the PNL tabled their bill in the Senate. It was approved on the same day,¹³⁸ and was then later endorsed by the Chamber of Deputies on 22 May. 180 Deputies voted in favour, 30 against, and 26 abstained.¹³⁹

3.10 131/2012 Law amending 35/2008

The new law provides that all mandates (except those to be allocated to candidates representing national minorities) be allocated according to plurality in single-member districts (uninominal colleges): "Mandates for deputies and senators are to be allocated in a single

¹³⁵ Comunicat de presă. Comisia Comună a Camerei Deputaților și Senatului pentru avizarea propunerilor legislative depuse și elaborarea unei propuneri legislative privind alegerea Camerei Deputaților și a Senatului și-a desfășurat lucrările astăzi, 11 aprilie 2012. http://www.cdep.ro/relatii_publice/site2.text_presa?pid=6734&catg=100&timp=&asoc=

¹³⁶ Ponta: USL va propune in plenul Parlamentului un nou vot, pentru uninominalul simplu, <http://stirileprotv.ro/stiri/politic/ponta-usl-va-propune-in-plenul-parlamentului-un-nou-vot-pentru-uninominalul-simplu.html> See also: Comisia de cod electoral a adoptat propunerea de vot uninominal mixt, 12.04.2012 <http://www.9am.ro/stiri-revista-presei/Politica/225919/comisia-de-cod-electoral-a-adoptat-propunerea-de-vot-uninominal-mixt.html>

¹³⁷ [Sedinta Comisiei pentru codul electoral, amânata, Cronica Română, 8.05.2012](http://cronicaromana.ro/2012/05/08/sedinta-comisiei-pentru-codul-electoral-amanata/) <http://cronicaromana.ro/2012/05/08/sedinta-comisiei-pentru-codul-electoral-amanata/>

¹³⁸ Camera Deputaților, Comisia Juridică de disciplină și imunități, 21/5/2012, Raport asupra proiectului de Lege pentru modificarea și completarea art.48 din Legea nr.35/2008 pentru alegerea Camerei Deputaților și a Senatului și pentru modificarea și completarea Legii nr.67/2004 pentru alegerea autorităților administrației publice locale, a Legii administrației publice locale nr.215/2001 și a Legii nr.393/2004 privind Statutul aleșilor locali. Nr. PL x 131/2012, <http://www.cdep.ro/comisii/juridica/pdf/2012/rp131.pdf>

¹³⁹ Uninominalul lui Ponta, ADOPTAT de Camera Deputaților. Pragul electoral de 5%, eliminat 22.05.2012, <http://www.ezv.ro/detalii/stiri/uninominalul-lui-ponta-la-votul-camerei-deputatilor-982678.html>.



round, at the level of the uninominal colleges¹⁴⁰; “a mandate is to be allocated at the level of the uninominal college to the candidate who receives the most valid votes in the uninominal college where s/he is competing.”¹⁴¹ In the event that two or more candidates are tied for first place, a second round is held including only the tied candidates within two weeks of the first election. The candidate with the most votes is then to be declared the winner.¹⁴²

The one deviation in the new provision from pure single-member plurality is that ethnic minority organisations are to be guaranteed a mandate in any district (i.e. in one of the 42 judeţ) where the minorities they represent comprise at least 7 per cent of the district population.¹⁴³ If the minority wins none of the plurality seats, an extra seat is created for the purpose.¹⁴⁴

The PDL estimates that this system could increase the number of mandates allocated to minority organisations by as many as 10, thereby swelling the Parliament further.¹⁴⁵ In spite of this, the Hungarian party, UDMR, has pointed out that the one-round, plurality system promises to deliver an extra twenty per cent mandates to the USL. The Party’s leader, Kelemen Hunor, has declared that the UDMR will lodge a complaint with the Constitutional Court on the ground that a proportional system is better for Romania, and promotes a healthier environment for politics.¹⁴⁶ If the law is endorsed at its final reading, then it will be promulgated, although it remains to be seen whether the Constitutional Court will contest the law.¹⁴⁷

Appendix

Table 2: Allocation of seats at district level from 1990 to 2008

¹⁴⁰ Article 15 of law 131/2002 amending para. 10 of Article 48 of Law 35/2008

¹⁴¹ Article 15 of law 131/2002 amending para. 11 of Article 48 of Law 35/2008

¹⁴² Article 16 of law 131/2012 supplementing Article 48 of Law 35/2008 with an additional paragraph, 11:1

¹⁴³ Article 16 of law 131/2012 supplementing Article 48 of Law 35/2008 with an additional paragraph, 11:2

¹⁴⁴ Article 16 of law 131/2012 supplementing Article 48 of Law 35/2008 with an additional paragraph, 11:2

¹⁴⁵ Buda: Uninominalul USL va creş te numărul parlamentarilor. Iordache recunoaş te: Ar putea apărea 10 mandate în plus. Vezi motivele! <http://www.evz.ro/detalii/stiri/buda-uninominalul-usl-va-creste-numarul-parlamentarilor-iordache-recunoaste-ar-putea-aparea-1.html>

¹⁴⁶ Kelemen: Vom ataca uninominalul la Curtea Constituţională 10.05.2012 <http://www.ziuaveche.ro/actualitate-interna/investigatii/lumea-justitiei-2/kelemen-vom-ataca-uninominalul-la-curtea-constititionala-93157.html>

¹⁴⁷ Uninominalul lui Ponta, ADOPTAT de Camera Deputaţilor. Pragul electoral de 5%, eliminat 22.05.2012, <http://www.evz.ro/detalii/stiri/uninominalul-lui-ponta-la-votul-camerei-deputatilor-982678.html>.



No.	District name	No. seats 1990 ¹⁴⁸	No. seats 1992 ¹⁴⁹	No. seats 1996 ¹⁵⁰	No. seats 2000 ¹⁵¹	No. seats 2004 ¹⁵²	No. seats 2008 ¹⁵³
1	Alba	7	6	6	6	6	5
2	Arad	8	7	7	7	7	8 ¹⁵⁴
3	Argeş	11	10	10	10	9	9
4	Bacău	12	11	11	11	10	10
5	Bihor	11	9	9	9	9	9
6	Bistriţa-Năsăud	6	5	5	5	5	4
7	Botoşani	8	7	7	7	7	6
8	Braşov	12	9	9	9	9	8
9	Brăila	7	6	6	6	5	5
10	Buzău	9	7	7	7	7	7
11	Caraş-Severin	7	5	5	5	5	5
12	Călăraşi	6	5	5	5	5	5
13	Cluj	12	11	11	10	10	10
14	Constanţa	12	11	11	11	10	10

¹⁴⁸ Decision no. 283 on the numeration and boundaries of electoral districts and determining the number of deputies and senators

¹⁴⁹ Law no. 68 of 15 July 1992 on elections to the Chamber of Deputies and the Senate

¹⁵⁰ Law no. 68 of 15 July 1992 on elections to the Chamber of Deputies and the Senate

¹⁵¹ Emergency Government Ordinance no. 129/2000 of 30 June 2000 to amend Law no. 68/1992 on elections to the Chamber of Deputies and the Senate and Law no. 69/1992 on electing the President of Romania

¹⁵² Law 2004, Annex 1, which also tallies with the figures in the electoral results as published in the OJ, no.1162, 8.12.04 [http://legestart.ro/Procesul-verbal-2004-rezultatele-alegerilor-28-noiembrie-2004-Senat-Camera-Deputatilor-\(MTMzMTY5\).htm](http://legestart.ro/Procesul-verbal-2004-rezultatele-alegerilor-28-noiembrie-2004-Senat-Camera-Deputatilor-(MTMzMTY5).htm)

¹⁵³ Biroul Electoral Central, Proces verbal privind rezultatele finale ale alegerilor pentru Camera Deputaţilor 30 Noiembrie 2008, Anexa 8A = Central Electoral Commission, Verbal communication of the final results of the elections for the Chamber of Deputies 30 November 2008, Annex 8A <http://www.becparlamentare2008.ro/rezul/anexa8abun.pdf>

¹⁵⁴ According to the Law 2004, Annex 1, and as reiterated on the Central Electoral Commission's website

¹⁵⁴ According to the Central Electoral Commission's website, Table of [[Uninominal] colleges and Annex 1 of the 2004 law, http://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=58521 Arad was to receive 7 mandates (hence the total number of mandates to be allocated was 315), whereas following the elections, Arad was allocated 8 mandates, <http://www.becparlamentare2008.ro/rezul/anexa8abun.pdf>, and so the total was increased to 316.



15	Covasna	4	4	4	4	4	4
16	Dâmbovița	10	8	8	8	8	8
17	Dolj	13	11	11	11	10	10
18	Galați	11	9	9	9	9	9
19	Giurgiu	5	4	4	4	4	4
20	Gorj	6	6	6	6	6	6
21	Harghita	6	5	5	5	5	5
22	Hunedoara	9	8	8	8	7	7
23	Ialomița	5	4	4	4	4	4
24	Iași	14	12	12	12	12	12
25	Ilfov ¹⁵⁵	-	4	4	4	4	4
26	Maramureș	9	8	8	8	7	7
27	Mehedinți	5	5	5	5	4	4
28	Mureș	10	9	9	9	8	8
29	Neamț	10	8	8	8	8	8
30	Olt	9	7	7	7	7	7
31	Prahova	15	12	12	12	12	12
32	Satu Mare	7	6	6	6	5	5
33	Sălaj	5	4	4	4	4	4
34	Sibiu	8	6	6	6	6	6
35	Suceava	12	10	10	10	10	10
36	Teleorman	8	7	7	7	6	6
37	Timiș	12	10	10	10	9	10
38	Tulcea	5	4	4	4	4	4

¹⁵⁵ In the 1992 law this district was no. 42, and described as ‘Agricultural sector Ilfov’ but thereafter re-numbered as district no. 25, inserted between Iași and Maramureș so the numeration of districts for 1992 from Maramureș onwards should be one less than they appear in this table, with Bucharest as no. 41.



39	Vaslui	8	7	7	7	7	7
40	Vâlcea	7	6	6	6	6	6
41	Vrancea	7	6	6	6	6	6
42	Bucharest	39	29	29	29	28	28
43	Residents abroad	-	-	-	-	-	4
Total no. district seats		387	328	328	327	314 ¹⁵⁶	316 ¹⁵⁷
Total no. districts		41	42	42	42	42	43
No. additional minority representatives¹⁵⁸		9	13	15	18	18	18
Total assembly size		396	341	343	345	332	334

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¹⁵⁶ Law 2004, Annex 1, specifies that 18 additional mandates were to be allocated to candidates representing ethnic minorities, so the total number of mandates to be contested was 332. The Permanent Electoral Authority's 2004 report on the elections also states that 18 mandates were distributed to minority candidates, and that 332 mandates were distributed in total, although they record in Annex 18 an extra mandate allocated in district no. 18, Galați (10 instead of 9), which if added to their figures would total 333 seats instead. See Autoritatea electorală permanentă, *Cartea albă a alegerilor parlamentare și prezidențiale 2004*, 48-49; 90. <http://www.roaep.ro/ro/section.php?id=85>

¹⁵⁷ Biroul Electoral Central, election results, available at <http://www.becparlamentare2008.ro/rezul/anexa8abun.pdf>.

¹⁵⁸ 1990: election results in *Monitorul oficial* nr. 81-82 (8 June 1990), available at <http://www.monitoruljuridic.ro/act/proces-verbal-din-7-iunie-1990-privind-rezultatul-alegerilor-din-20-mai-1990-emitent-biroul-electoral-central-publicat-n-35408.html>; 1992, 1996, 2000: Autoritatea Electorală Permanentă, *Statistica Electorală*, available at <http://www.roaep.ro/en/section.php?id=66>; 2004: Biroul Electoral Central, List of candidates elected to represent national minorities, available at http://alegeri.ong.ro/cd_minoritati.pdf; 2008: Biroul Electoral Central, 2008 parliamentary election results, available at <http://www.becparlamentare2008.ro/rezul/anexa8abun.pdf>.



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