

OPEN LETTER TO THE EUROPEAN COURT OF HUMAN RIGHTS

Subject: Request for urgent analysis of the facts that prejudiced the electoral process in Romania and the rights of Romanian citizens

PREMISE

In compliance with the Convention on Human Rights, more precisely articles:

1 (State's obligation to respect human rights);

5 (right to liberty and security);

6 (right to a fair trial);

8 paragraph 2 (right to respect for private and family life);

10 (freedom of expression);

14 (prohibition of discrimination, more precisely on the basis of opinions);

17 (prohibition of abuse of law);

19 (creation of the European Court for the protection of human rights against abuse of power and law, created precisely to ensure compliance with the commitments of the signatory states in the field of human rights).

In compliance with the Additional Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, art. 3 (the right to free voting). In compliance with the Treaty on European Union, more precisely with art. 10 (the principle of representative democracy) which in paragraph 2 states that "the functioning of the European Union is based on REPRESENTATIVE DEMOCRACY.

The Member States are represented in the European Council by their respective Heads of State and Government who are, in turn, democratically accountable to the parliament and the citizens), art. 11 (extension of the democratic principle), which in paragraph 2 states that the institutions are committed to permanent dialogue with civil society - THAT IS, WE, ROMANIAN CITIZENS IN OUR ORGANIZATIONAL FORMS, INCLUDING THE ROMANIAN DIASPORA!).

In compliance with the International Covenant on Civil and Political Rights, more precisely with art. 1 (the sacred right of peoples to SELF-DETERMINATION), art. 19 (freedom from persecution for one's opinions), art 20 (condemnation of the notion of war and incitement to national hatred, discrimination, hostility and violence), art 25 letter b) (THE RIGHT TO VOTE AND TO BE VOTED, IN TRUTHFUL ELECTIONS HELD BY UNIVERSAL, EQUAL AND SECRET SUFFRAGE IN ORDER TO GUARANTEE THE FREE EXPRESSION OF THE WILL OF THE ELECTORS)

THE ROMANIAN DIASPORA, AN INTEGRAL PART OF THE ROMANIAN AND EUROPEAN CIVIL SOCIETY,

ASKS:

In light of the motivations expressed in the premise, an urgent analysis of the facts that prejudiced the electoral process in Romania and at the same time the rights of Romanian citizens, both those in the country and those in the diaspora, is requested The facts are as follows:

24/11/2024 - the first round of voting takes place, which results in the partial victory of two of the candidates: Ms. Elena Lasconi (USR candidate - pro-European) and Mr. Călin Georgescu (independent candidate - sovereignist);

The second round was to take place on December 8 in Romania and on December 6, 7 and 8 in the Diaspora.

03/12/2024 - The Constitutional Court of Romania validates the first round of voting. The CCR judges found that there were no irregularities in the preparation of the minutes of the electoral offices, likely to change the result established in the first round of voting.

Consequently,

the Constitutional Court of Romania established the validation of the first round of voting and the organization of the second round for December 8 in Romania and December 6, 7 and 8 in the Diaspora.

06/12/2024 - The Constitutional Court of Romania annuls the voting process UNDERWAY IN THE DIASPORA, on the initial pretext of interference by foreign powers in the voting process, a pretext that has not found a demonstration with facts, even after three months of the annulment. In these three months, numerous reasons have been invoked that have also not found real support or justification. It is worth remembering that the Romanian Constitutional Court is composed of 9 JUDGES OF POLITICAL EXTRACTION: 4 appointed by the Social Democratic Party, 1 appointed by the Democratic Union of Hungarians in Romania, 1 appointed by the National Liberal Party and 3 appointed by former President Iohannis. 02/26/2025 - the arrest of Mr. Calin Georgescu, and the subsequent hearing for 6 hours for a series of accusations that fell one after another, not being supported by real facts; following the hearing, he was placed under judicial control, with a ban on leaving the country.

It is worth noting that prosecutor Marius Iacob, the one who took action, arresting Mr. Georgescu, is to be heard in the context of several complaints filed with the Judicial Inspectorate, and his investigation is to be initiated.

03/07/2025 - Mr. Georgescu again files his candidacy for the presidency, in view of the May elections, at the headquarters of the Central Electoral Bureau (BEC), including in the file the signatures of over 300,000 Romanian citizens from the country and the Diaspora.

10/03/2025 - the Central Electoral Bureau's response to Mr. Georgescu's candidacy was negative. The rejection of the candidacy was made in a suspicious environment, as the removal of the activity recording instruments from the meeting was imposed, as one of the members of the Central Electoral Bureau publicly claims. He, as a witness and participant in the action to validate Mr. Georgescu's candidacy, also claims that the voter's "conscience" was chosen as the voting support, not the legal provision. No reason for rejecting Mr. Georgescu's candidacy was discussed. Doubts about the correctness of the application of the procedures become stronger for two reasons:

- 1) "personal conscience", as a subjective element, cannot be the main support in recognizing the rights of the person;
- 2) The Central Electoral Bureau is made up of members who come from political parties; consequently the subjective element of "conscience", naturally influenced by political orientation, alters the correctness of decisions and puts the objective application of procedures in real danger.

It is also worth noting that the Central Electoral Bureau, in pronouncing the validation of the candidacies, must only take into consideration the form, that is, the composition of the file from a quantitative point of view, the analysis of the quality of the documents that compose it, remaining within the competence of the Constitutional Court of Romania. Mr. Georgescu's file was declared complete with all the mandatory constituent elements.

11/3/2025 - rejection of the appeal made by Mr. Călin Georgescu to the Constitutional Court of

Romania, to challenge the decision of the Central Electoral Bureau regarding the rejection of his candidacy.

Consequently, the Romanian Diaspora, an integral and indivisible part of the Romanian and European Civil Society, requests the Court of Human Rights for an urgent and clear intervention by examining the political and social situation in Romania.

In particular, it is requested to verify the respect of the rights of Romanian citizens and to analyze any possible manifestation of abuse of power by State institutions over citizens, violating the right to opinion and the right to protest against decisions deemed illegitimate, taken by those who now hold political power in Romania. Taking into account the political composition of the two institutions that ruled on the validation / rejection of the second round of voting and the rejection of Mr. Georgescu's candidacy, both institutions being formed either by members of political parties (BEC) or appointed by the political parties (CCR), considering that in both institutions, the weight of political representatives is unbalanced in favor of the parties currently holding political power, considering that in three months since the cancellation of the second round, no evidence has been produced to support the Constitutional Court's decision of 06/12/2024 and, finally, taking into account that the rejection of Mr. Georgescu's candidacy was decided by the 14 members of the BEC, political activists, of which 10 belong to the political groups in power, the Romanian Diaspora demands the analysis of all the facts from the period 03/12/2024 - 11/03/2025, illustrated above, from the point of view of their legitimacy and respect for human rights.

Date:

Signed:

THE ROMANIAN DIASPORA, AN INTEGRAL PART OF THE ROMANIAN AND
EUROPEAN CIVIL SOCIETY

