THE CONSTITUTION OF ROMANIA OF 21 NOVEMBER 1991

Table of Contents

TITLE I. General Principles

TITLE II. Fundamental Rights, Freedoms, and Duties

Chapter I. Common Provisions

Chapter II. Fundamental Rights and Freedoms

Chapter III. Basic Duties

Chapter IV. The People's Attorney

TITLE III. PublicAuthorities

Chapter I. Parliament

Section 1. Organization and Operation

Section 2. The Status of Deputies and Senators

Section 3. Legislation

Chapter II. The President of Romania

Chapter III. The Government

Chapter IV. Relations Between Parliament and Government

Chapter V. Public Administration

Section 1. Specialized Central Public Administration
TITLE I. General Principles

Article 1. The Romanian State

1. Romania is a national state, sovereign and independent, unitary and indivisible.

2. The form of government of the Romanian state is the republic.

3. Romania is a social and democratic state of law in which human dignity, the rights and liberties of citizens, the free development of the human personality, justice, and political pluralism represent supreme values and are guaranteed.

Article 2. Sovereignty

1. National sovereignty belongs to the Romanian people who exercise it through their representative bodies and through referendums.

2. No group or individual may exercise sovereignty on his own behalf.

Article 3. The Territory

1. The territory of Romania is inalienable.
2. The borders of the country are sanctioned by statutory law, observing the principles and other generally acknowledged norms of international law.

3. Administratively, the territory is organized in communes, cities, and counties. According to the law, some cities are proclaimed municipalities.

4. Foreign populations may not be displaced or colonized on the territory of the Romanian state.

Article 4. The Unity of the People and Equality Among Citizens

1. The state is based on the unity of the Romanian people.

2. Romania is the common and indivisible homeland of all its citizens regardless of race, ethnic origin, language, religion, sex, opinion, political allegiance, wealth, or social origin.

Article 5. Citizenship

1. Romanian citizenship may be acquired, preserved, and lost under the conditions stipulated by the organic law.

2. Romanian citizenship cannot be taken away from anyone who acquired it at birth.

Article 6. The Right To Identity

1. The state recognizes and guarantees for members of the national minorities the right to preserve, develop, and express their ethnic, cultural, linguistic, and religious identity.

2. The protective measures taken by the state to preserve, develop, and express the identity of the members of the national minorities shall be in accordance with the principles of equality and nondiscrimination in relation to the other Romanian citizens.

Article 7. Romanians Abroad

The state supports the strengthening of links with Romanians outside the country's borders and works for the preservation, development, and expression of their ethnic, cultural, linguistic, and religious identity, by respecting the legislation of the state of which they are citizens.

Article 8. Pluralism and Political Parties

1. Pluralism is a condition and a guarantee of constitutional democracy in Romanian society.

2. Political parties are established and carry out their activity under the conditions of the law. They contribute to the definition and expression of the citizens' political will,
respecting national sovereignty, territorial integrity, the rule of law, and the principles of democracy.

Article 9. Trade Unions

Trade unions are set up and carry out their activity according to their statutes under the conditions of the law. They contribute to the protection of the rights and the promotion of the professional, economic, and social interests of employees.

Article 10. International Relations

Romania maintains and develops peaceful relations with all states and, in this framework, relations of good neighborliness based on the principles and on the other generally accepted norms of international law.

Article 11. International Law and Domestic Law

1. The Romania state pledges to fulfill, to the letter and in good faith, its commitments under the treaties to which it is a party.

2. The treaties ratified by Parliament, according to the law, are part of domestic law.

Article 12. National Emblems

1. Romania's flag is tricolor, it consists of three vertical stripes: blue, yellow, and red, in this order, from the mast.

2. The national day of Romania is 1 December.

3. The national anthem of Romania is "Romanians, Awake."

4. The coat of arms of the country and the state seal are established by statutory laws.

Article 13. Official

In Romania, the official language is Romanian.

Article 14. The Capital

The capital of Romania is Bucharest municipality.

TITLE II. Fundamental Rights, Freedoms, and Duties

Chapter I. Common Provisions

Article 15. Universality
1. The citizens enjoy the rights and freedoms granted to them by the Constitution and other laws and have the duties stipulated by them.

2. The law provides only for the future, with the exception of a more favorable penal law.

Article 16. Equality of Rights

1. Citizens are equal before the law and before public authorities, with no privileges and with no discrimination.

2. No one is above the law.

3. Public, civil, or military offices and posts can be occupied only by persons with Romania citizenship and residence in the country.

Article 17. Romanians Citizens Abroad

Romania citizens abroad shall enjoy the protection of the Romania state and shall fulfill their duties with the exception of those which are incompatible with their absence from the country.

Article 18. Aliens and Stateless Persons

1. Aliens and stateless persons residing in Romania shall enjoy the general protection of persons and property guaranteed by the Constitution and other laws.

2. The right to asylum is granted and withdrawn under conditions of the law, observing the international conventions and treaties to which Romania is a party.

Article 19. Extradition and Expulsion

1. A Romania citizen may not be extradited or expelled from Romania.

2. Aliens and stateless persons may be extradited only on the basis of an international convention or under conditions of reciprocity.

3. Expulsion and extradition shall be decided upon by the organs of justice.

Article 20. International Human Rights Treaties

1. Constitutional provisions on the rights and freedoms of citizens shall be interpreted and applied in accordance with the Universal Declaration on Human Rights and with other treaties and pacts to which Romania is a party.
2. If there is disagreement between the pacts and treaties on fundamental human rights to which Romania is a party and domestic laws, then international regulations will have priority.

Article 21. Free Access to Justice

1. Any person may appeal to the organs of justice for the protection of his legitimate rights, freedoms, and interests.

2. No law can hamper the exercise of this right.

Chapter II. Fundamental Rights and Freedoms

Article 22. The Right to Life and to Physical and Mental Well-Being

1. A person's right to life and to physical and mental well-being are guaranteed.

2. No one shall be subjected to torture or to any kind of inhuman or degrading punishment or treatment.

3. Capital punishment is prohibited.

Article 23. Individual Freedom

1. Individual freedom and personal security are inviolable.

2. The searching, detention, or arrest of a person is allowed only in cases specified by law and according to the procedure specified by law.

3. The period of detention may not exceed 24 hours.

4. A person may be arrested only on the basis of a warrant issued by a magistrate for a maximum of 30 days. The person arrested can file an appeal about the legality of the warrant to the judge who is obliged to make a pronouncement, stating the grounds for his decision. The extension of the arrest period is approved only by a court of law.

5. The person detained or arrested shall be promptly informed, in the language which he understands, of the reasons for his detention or arrest and of the charges against him, as soon as possible; he will be informed of the charges only in the presence of a counsel chosen by him or appointed by the judge.

6. The person detained or arrested must be released if the grounds for these measures cease to exist.

7. A person under preventive arrest has the right to ask for provisional release, subject to judicial monitoring or on bail.
8. A person is considered innocent until the final pronouncement of the sentence.

9. Punishment can be set or applied only under the conditions of the law and on the basis of the law.

Article 24. The Right to Defense Counsel

1. The right to defense counsel is guaranteed.

2. Throughout the trial, the parties have the right to be assisted by a chosen or court-appointed counsel.

Article 25. Free Movement

1. The right to free movement in the country and abroad is guaranteed. The law sets the conditions for the exercise of this right.

2. Every citizen is assured of the right to establish his domicile or residence anywhere in the country, to emigrate, as well as to return to the country.

Article 26. Private and Family Life

1. Public authorities shall respect and protect private and family life.

2. An individual has the right to do what he wants to do, as long as he does not violate the rights and freedoms of other persons, public order, and moral standards.

Article 27. Inviolability of Domicile

1. The domicile and the residence are inviolable. No one may enter or stay in the domicile or residence of a person without the latter's consent.

2. Exceptions from the provisions of paragraph 1 can be allowed, according to the law, in the following situations:

   a) to serve an arrest warrant or a court decision:

   b) to remove any threat to the life, physical well-being, or property of a person.

   c) to defend national security or public order:

   d) to prevent the spread of an epidemic:

3. Searches may be ordered only by a magistrate and may be carried out only in accordance with the forms stipulated by law.
4. Night searches are prohibited except in cases of in flagrante delicto.

Article 28. Confidentiality of Correspondence

The confidentiality of letters, cables, and other mail, and of telephone conversations and other means of communication is inviolable.

Article 29. Freedom of Conscience

1. Freedom of thought and opinion, as well as the freedom of religious belief may not be restricted in any way. No one can be forced to adopt an opinion or to espouse a religious belief contrary to his convictions.

2. Freedom of conscience is guaranteed; it must be expressed in a spirit of tolerance and mutual respect.

3. The religious sects are free and are organized in accordance with their own statutes, under the conditions of the law.

4. In relations among the sects, all forms, means, acts, or actions of religious are prohibited.

5. The religious sects are autonomous in relation to the state and they enjoy its support, which includes facilitating a religious presence in the Army, in hospitals, penitentiaries, asylums, and orphanages.

6. Parents or guardians have the right to ensure, in accordance with their own convictions, the education of minor children for whom they are responsible.

Article 30. Freedom of Expression

1. The freedom to express ideas, opinions, and beliefs, and the freedom of creation of any kind--orally, in writing, through images, by means of sound, or by any other means of public communication--are inviolable.

2. Censorship of any kind is prohibited.

3. Freedom of the press also implies the freedom to establish publications.

4. No publication may be banned.

5. The law can compel the mass media organs to make public their sources of financing.

6. Freedom of expression cannot be used to damage the dignity, honor, or private life of an individual or his right to his own image.
7. The law prohibits defamation of the country and the nation; provocation to war or aggression, and to ethnic, racial class. or religious hatred; incitement to discrimination. territorial separatism, or public violence; and obscene acts, contrary to good morals.

8. The civil responsibility for the information or creation made public will be borne by the editor or the producer, author, or organizer of an artistic show, by the owner of the means of reproduction, the radio station, or the television station, under the conditions of the law. Violations by the press will be specified by law.

Article 31. The Right to Information

1. A person's right to have access to any information of public interest cannot be curtailed.

2. In accordance with their competencies, public authorities must ensure that citizens receive correct information concerning public affairs and matters of personal interest.

3. The right to receive information must not jeopardize measures to protect the young or national security.

4. The public and private mass media organs must ensure that public opinion receives correct information.

5. The public services of radio and television are autonomous. They must guarantee that significant social and political groups have the right to broadcast. The organization of these services and the monitoring of their activity by Parliament are regulated by statutory law.

Article 32. The Right to Education

1. The right to education is ensured through compulsory general education, high school and vocational education, higher education, and other forms of instruction and advanced training.

2. The language of instruction, on all levels, is the Romania language. Under the conditions of the law, an international language can also be the language of instruction.

3. The right of members of ethnic minorities to learn their mother tongue and the right to be taught in this language are guaranteed; the means of exercising these rights are stipulated by law.

4. State education is free, according to the law.

5. Educational institutions, including private institutions, are established and carry out their activity in accordance with the law.

6. The autonomy of universities is guaranteed.
7. The state will ensure freedom of religious education in accordance with the specific requirements of each faith. In the state schools, religious education is organized and guaranteed by law.

Article 33. The Right to Health Care

1. The right to health care is guaranteed.

2. The state is obliged to take measures to ensure hygiene and public health.

3. The organization of medical assistance and the social insurance system for illness accidents, childbirth, and recovery, the supervision of the exercise of the medical professions and of paramedical activity, as well as other measures for the protection of the individual's physical and mental health are stipulated in accordance with the law.

Article 34. The Right To Vote

1. Citizens who are 18 years of age or older as of election day have the right to vote.

2. Retarded or mentally-disturbed persons deprived of the right to vote, as well as persons sentenced by final judicial decision to the loss of voting rights, do not have the right to vote.

Article 35. The Right To Be Elected

1. Citizens entitled to vote, who fulfill the conditions specified in Article 16, paragraph 3, have the right to be elected, unless they are prohibited from forming political parties on the basis of Article 37, paragraph 3.

2. The candidates must be at least 23 years of age by or on election day to be elected to the Chamber of Deputies or to local bodies and at least 35 years of age to be elected to the Senate or to the office of president of Romania.

Article 36. Freedom of Assembly

Meetings, demonstrations, parades, or any other form of assembly are free and may be organized and held only in a peaceful manner, without any kind of weapons.

Article 37. The Right To Associate

1. Citizens may freely associate in political parties, trade unions, and other forms of association.

2. Parties or organizations which by their objectives or activities militate against political pluralism, the principles of the state of law, or the sovereignty, integrity, or independence of Romania, are unconstitutional.
3. Judges of the Constitutional Court, people's defenders, magistrates, active members of the Armed Forces, policemen, and other categories of public employees stipulated by statutory law may not belong to political parties.

4. Associations of a secret nature are prohibited.

Article 38. Labor and the Social Protection of Labor

1. The right to work cannot be restricted. Professions and jobs may be freely chosen.

2. Employees have a right to the social protection of labor. Protective measures deal with work safety and hygiene, working conditions for women and youth, the setting of a minimum wage for the economy, weekly time off, paid vacation time, work under difficult conditions, and other specific situations.

3. On the average, the normal working day is at the most 8 hours.

4. Women will receive the same pay as men for equal work.

5. The right to collective bargaining and the binding nature of collective agreements are guaranteed.

Article 39. The Prohibition of Forced Labor

1. Forced labor is prohibited.

2. The following do not constitute forced labor:

   a) military service or equivalent activities carried out by those who, in accordance with the law, do not perform obligatory military service because of religious reasons;

   b) work done by a person who has received a sentence, under normal conditions, during the period of detention or while on parole;

   c) work imposed in a situation created in the wake of a natural disaster or some other danger, as well as work that is included in the normal civil obligations specified by law.

Article 40. The Right To Strike

1. Employees have a right to strike to protect their professional, economic, and social interests.

2. The law sets the conditions and limits for the exercise of this right as well as the guarantees required for providing essential public services.

Article 41. Protection of Private Property
1. The rights to own property and to have claims against the state are guaranteed. The content and limitations of these rights are stipulated by law.

2. Private property is ensured equal protection under the law, regardless of who the owner may be. Foreigners and stateless persons cannot obtain the right to own land.

3. No one may be dispossessed, except for a reason of public interest, specified by law, with just and prior compensation.

4. In the case of projects of general interest, public authorities may use the basement of any building, with the obligation of compensating the owner for any damage caused to the soil, the plants, or structures, and for any other damage caused by the authorities.

5. In the case of dispute, the compensations provided for in paragraphs 3 and 4 will be determined by mutual agreement with the owner or by the organs of justice.

6. The right to own property implies an obligation to comply with tasks related to environmental protection and ensuring good neighborliness and to carry out other duties which, by law or tradition, are incumbent upon the property owner.

7. Legally acquired property cannot be confiscated. Property is presumed to have been acquired legally.

8. Items intended for, or resulting from the committing of an infraction or contravention can be confiscated only under the conditions of the law.

Article 42. The Right To Inherit

The right to inherit is guaranteed.

Article 43. The Standard of Living

1. The state is obliged to take measures for economic development and social protection which will ensure that citizens will have a decent standard of living.

2. Citizens have the right to a pension, paid maternity leave, medical care in state health units, unemployment aid, and other forms of social assistance provided by law.

Article 44. The Family

1. The family is based on a marriage which is freely consented to by the spouses, on their equality, and on the right and duties of parents to raise, educate, and instruct their children.

2. The conditions in which marriages may be contracted, dissolved, and annulled are stipulated by law. A religious marriage ceremony can be celebrated only after the civil ceremony.
3. Children born out of wedlock are equal before the law to those born in wedlock.

Article 45. Protection of Children and Youth

1. Children and youth will enjoy special protection and assistance in realizing their rights.

2. The state will give state allocations for children and aid for the care of sick or handicapped children. Other forms of social protection of children and youth will be determined by law.

3. The exploration of minors and their use in activities which would be harmful to their health or morals or which would endanger their life or normal development are prohibited.

4. Minors under the age of 15 cannot be hired as employees.

5. Public authorities must contribute to ensuring conditions for the free participation of the youth in the political, social, economic, cultural, and sports life of the country.

Article 46. Protection Or the Handicapped

The handicapped will enjoy special protection. The state will ensure the implementation of a national policy of prevention, treatment, rehabilitation, education, training, and social integration of the handicapped, respecting the rights and duties of parents and guardians.

Article 47. The Right To Petition

1. Citizens have the right to address petitions to public authorities solely in the name of the signers of the petitions.

2. Legally constituted organizations have the right to petition exclusively in the name of the collectives which they represent.

3. The exercise of the right to petition is exempt from tax.

4. Public authorities have the obligation to respond to petitions by the deadlines and under the conditions specified by law.

Article 48. The Rights of Persons Suffering Damage at the Hands of Public Authority

1. A person who has suffered damage as a result of the violation of one of his rights by a public authority, through an administrative act, or as a result of the failure to have a request resolved by the legal deadline is entitled to have the right in question recognized and the act revoked and to receive compensation for the damages.
2. The conditions and limitations for the exercise of this right will be determined by statutory law.

3. The state is materially responsible according to the law for the damages caused by judicial errors occurring in penal trials.

Article 49. Restrictions on the Exercise of Certain Rights or Freedoms

1. The exercise of certain rights or freedoms may be restricted only by law and only if this is necessary, according to the case, in order to: defend national security, public order, health, or public morals, or the rights and freedoms of citizens; investigate a crime; prevent the consequences of a natural disaster or a particularly severe catastrophe.

2. The restriction must be in proportion to the situation which caused it and it may not impinge on the existence of justice or freedom.

Chapter III. Basic Duties

Article 50. Loyalty to the Country

1. Loyalty to the country is a sacred duty.

2. Citizens entrusted with public functions and military men are responsible for faithfully fulfilling their duties and, for this purpose, they will take the oath required by law.

Article 51. Observance of the Constitution and the Laws

The respecting of the Constitution, its supremacy, and its laws is obligatory.

Article 52. The Defense of the Country

1. Citizens have the right and obligation to defend Romania.

2. Military service is compulsory for male Romania citizens who have reached the age of 20, with the exception of cases defined by law.

3. Citizens up to the age of 35 can be called up for training for active military service.

Article 53. Financial Contributions

1. Citizens are under obligation to make contributions for public expenditures by means of fees and taxes.

2. The legal taxation system must ensure a just distribution of fiscal duties.
3. Any other levies are prohibited, aside from those stipulated by law for exceptional situations.

Article 54. The Exercise of Rights and Freedoms

Romania citizens, foreign citizens, and stateless persons must exercise their constitutional rights and freedoms in good faith, without violating the rights and freedoms of others.

Chapter IV. The People's Attorney

Article 55. Appointment and Role

1. The People's Attorney is appointed by the Senate for a four-year term, for the purpose of defending the rights and freedoms of the citizens. The organization and operation of the institution of the People's Attorney are established by statutory law.

2. The People's Attorney cannot perform any other public or private function.

Article 56. Discharging Duties

1. The People's Attorney will discharge his duties ex officio or at the request of persons whose rights and freedoms have been violated, within the limits set by law.

2. Public authorities are under obligation to provide the necessary support to the People's Attorney in the exercise of his duties.

Article 57. Reporting to Parliament

The People's Attorney reports to the two chambers of Parliament annually or at their request. The reports may contain recommendations concerning the legislation or measures of another nature designed to protect the rights and freedoms of the citizens.

TITLE III. Public Authorities

Chapter I. Parliament

Section 1. Organization and Operation

Article 58. Role and Structure

1. The Parliament is the highest representative body of the Romania people and the sole legislative authority in the country.

2. The Parliament is made up of the Chamber of Deputies and the Senate.

Article 59. Election of the Chambers
1. The Chamber of Deputies and the Senate are elected by universal, equal, direct, secret, and freely expressed vote, in accordance with the election law.

2. Organizations of citizens belonging to national minorities that do not win in the elections the necessary number of votes to be represented in Parliament, each have the right to one deputy seat, in accordance with the election law. Citizens of an ethnic minority may be represented by only one organization.

3. The number of deputies and senators is set by the election law on the basis of the population of the country.

Article 60. Term in Office

1. The Chamber of Deputies and the Senate are elected for a term of four years, which can be extended by statutory law in case of war or disaster.

2. Elections for the Chamber of Deputies and the Senate are held no later than three months after the expiration of their term or the dissolution of the Parliament.

3. The newly elected Parliament will be convened by the president of Romania no later than 20 days after election day.

4. The term of the chambers is extended up to the date of the legal assembly of the new Parliament. During this period the Constitution cannot be revised and no statutory laws can be adopted, amended, or repealed.

5. Draft laws or legislative proposals on the agenda of the preceding Parliament will be handled by the new Parliament.

Article 61. Internal Organization

1. The organization and operation of each chamber are determined by their own bylaws. The financial resources of the chambers are specified in the budgets approved by them.

2. Each chamber elects its permanent bureau. The president of the Chamber of Deputies and the president of the Senate are elected for the duration of the term of the chambers. The other members of the permanent bureaus are elected at the beginning of each session. The members of the permanent bureaus can be recalled before the term expires.

3. The deputies and senators can organize in parliamentary groups in accordance with the bylaws of each chamber.

4. Each chamber forms its own permanent commissions and can set up investigative commissions or other special commissions. The chambers can set up their own joint commissions.
5. The permanent bureaus and the parliamentary commissions are formed in accordance with the political configuration of each chamber.

Article 62. Joint Sessions

1. The Chamber of Deputies and the Senate will meet in separate sessions and in joint sessions. In joint sessions, the proceedings will take place on the basis of a regulation adopted by the vote of the majority of the deputies and senators.

2. The chambers will meet in joint session to:
   a) receive the message of the president of Romania;
   b) approve the state budget and the state social security budget;
   c) declare general or partial mobilization;
   d) declare a state of war,
   e) suspend or cease military hostilities;
   f) examine the reports of the Supreme Council for the Defense of the Country and the Court of Accounts;
   g) appoint, on the recommendation of the president of Romania, the director of the Romania Intelligence Service and monitor the activity of this service;
   h) discharge other duties which, in accordance with the Constitution or the bylaws, are executed in joint session.

Article 63. Sessions

1. The Chamber of Deputies and the Senate will meet in two regular sessions a year. The first session begins in February and cannot extend beyond the end of June. The second session begins in September and cannot extend beyond the end of December.

2. The Chamber of Deputies and the Senate will also meet in extraordinary sessions, at the request of the president of Romania, the permanent bureau of each chamber, or at least one-third of the deputies or senators.

3. The chambers will be convened by their presidents.

Article 64. Juridical Acts and Legal Quorum

The Chamber of Deputies and the Senate adopt laws, decisions, and motions in the presence of a majority of the members.
Article 65. The Public Nature of the Sessions

1. The sessions of the two chambers are public.

2. The chambers can decide to hold certain sessions in camera.

Section 2. The Status of Deputies and Senators

Article 66. The Representative Mandate

1. The deputies and senators are at the service of the people in exercising their mandate.

2. Any imperative mandate is null.

Article 67. The Mandate of Deputies and Senators

1. The deputies and senators begin to exercise their mandate on the date of the legal convening of the chamber of which they are members, provided that they are validated.

2. The status of deputy or senator ceases on the date of the convening of the newly elected chambers or as a result of resignation, loss of voting rights, incompatibility, or death.

Article 68. Incompatibilities

1. No one can be both a deputy and a senator at the same time.

2. The status of deputy or senator is incompatible with the exercise of any public position of authority, with the exception of that of member of the government.

3. Other cases of incompatibility are defined by statutory law.

Article 69. Parliamentary Immunity

1. A deputy or senator cannot be detained, arrested, searched, or charged with a penal offense or contravention without the consent of the chamber to which he belongs, after giving him a hearing. The competence for the judgement rests with the Supreme Court of Justice.

2. In the case of a capital crime, the deputy or the senator can be detained and searched. The Ministry of Justice will immediately inform the president of the chamber about the detention and search. If the chamber notified finds that there are no grounds for the detention, it will order the immediate revocation of this measure.

Article 70. Independence of Opinions
Deputies and senators cannot be held legally responsible for their votes or for the political views expressed in the exercise of their mandate.

Article 71. Compensation and Other Rights

Deputies and senators receive a monthly compensation. The amount of the compensation and other rights are stipulated by law.

Section 3. Legislation

Article 72. Categories of Laws

1. Parliament adopts constitutional laws, statutory laws, and ordinary laws.

2. Constitutional laws are for the purpose of revising the Constitution.

3. The following are regulated by statutory laws:

   a) the electoral system;

   b) the organization and operation of the political parties;

   c) the organization and holding of a referendum;

   d) the organization of the government and of the Supreme Council for the Defense of the Country;

   e) martial law and emergency regulations;

   f) violations of the law, punishments, and the execution of punishments;

   g) the granting of amnesty or collective pardon;

   h) the organization and operation of the Higher Council of Magistrates, courts of law, the Public Ministry, and the Court of Accounts;

   i) the status of public functionaries;

   j) administrative litigation;

   k) the general juridical system of ownership and inheritance;

   l) the general system of labor relations, trade unions, and social aid;

   m) the general organization of education;
n) the general operation of religious denominations;

o) the organization of the local and country-wide administrations, as well as the general system of local autonomy;

p) the manner of determining exclusive economic zones;

r) [there is no letter "q"] other areas in regard to which the Constitution calls for the adoption of statutory laws.

Article 73. Legislative Initiative

1. Legislative initiative can be taken by the government, the deputies, and the senators, as well as at least 250,000 citizens with the right to vote. A legislative initiative from citizens must represent at least one-quarter of the counties of the country, and at least 10,000 signatures in support of this initiative must be obtained in each of these counties or in Bucharest Municipality.

2. Fiscal matters' international issues, amnesty, or pardon cannot be the object of a legislative initiative from citizens.

3. The government exercises its legislative initiative by sending draft laws to one of the chambers.

4. Deputies, senators, and citizens who exercise the right to take legislative initiative can present legislative proposals only in the form required for draft laws.

5. Legislative proposals are submitted for approval, first of all, to the chamber in which they were presented.

Article 74. Approval of Laws and Decisions

1. Statutory laws and decisions regarding the regulations of the chambers are approved by majority vote of the members of each chamber.

2. Ordinary laws and decisions are approved by majority vote of the members present in each chamber.

3. At the request of the government or on its own initiative the Parliament can pass draft laws or legislative proposals on an emergency basis, as stipulated in the bylaws of each chamber.

Article 75. Sending Draft Laws and Legislative Proposals From One Chamber to Another

Draft laws or legislative proposals passed by one of the chambers will be sent to the other chamber of Parliament. If the latter rejects the draft law or legislative proposals, they will
be sent to the chamber which approved them for a second debate. A second rejection is final.

Article 76. Mediation

1. If one of the chambers passes a draft law or a legislative proposal in a version which is different from the one approved by the other chamber, the presidents of the chambers will initiate a mediation procedure through the intermediary of a joint commission with equal representation of both sides.

2. If the commission does not reach an agreement or if one of the chambers does not approve the report of the mediation commission, the disputed texts will be submitted for discussion to the Chamber of Deputies and the Senate, in joint session, which will approve the final text by majority vote as stipulated in Article 74, paragraphs 1 and 2.

Article 77. Promulgation of a Law

1. Laws are sent to the president of Romania for promulgation. The promulgation of the law takes place no later than 20 days after it is received.

2. Before promulgating the law, the president can ask Parliament, only once, to reexamine the law.

3. If the president has requested a reexamination of the law or if he has asked that its constitutionality be verified, the promulgation of the law takes place no later than 10 days after the receipt of the law approved after reexamination or after the receipt of the decision of the Constitutional Court which confirmed its constitutionality.

Article 78. Enactment of Laws

Laws are published in MONITORUL OFICIAL AL ROMANIEI and go into effect on the date of publication or on the date specified in their text.

Article 79. The Legislative Council

1. The Legislative Council is a specialized consultative organ of Parliament which advises on draft normative acts with a view to the systematization, unification, and coordination of the entire legislation. It keeps the official records of the legislation of Romania.

2. The establishment, organization, and operation of the Legislative Council are stipulated by statutory, law.

Chapter II. The President of Romania

Article 80. The Role of the President
1. The president of Romania, represents the Romania state and is the guarantor of the country's national independence, unity, and territorial integrity.

2. The president of Romania ensures the observance of the Constitution and the normal operation of public authorities. For this purpose, the president acts as a mediator between the powers of the state as well as between the state and society.

Article 81. Election of the President

1. The president of Romania is elected by universal, equal, direct, secret, and freely expressed vote.

2. The candidate who receives a majority of the votes of the voters registered on the voting lists in the first round of voting is declared to be elected.

3. If none of the candidates receives a majority, there is a runoff between the two candidates who received the most votes in the first round. The candidate who gets the most votes is declared to be elected.

4. No one can serve as president of Romania for more than two terms. These terms can be successive.

Article 82. Mandate Validation and Oath Taking

1. The results of the elections for the position of president of Romania are validated by the Constitutional Court.

2. The candidate whose election has been validated will take the following oath before the Chamber of Deputies and the Senate, in joint session: "I swear that I will dedicate all my strength and abilities to the spiritual and material development of the Romania people, that I will respect the Constitution and the laws of the country, and that I will defend democracy, the fundamental rights and freedoms of citizens, and the sovereignty, independence, unity, and territorial integrity of Romania. So help me God!"

Article 83. Term in Office

1. The term of the president of Romania is for four years and it begins on the day that he is sworn in.

2. The president of Romania will remain in office until the newly elected president is sworn in.

3. The president's term in office can be extended, by statutory law, in the case of war or disaster.

Article 84. Incompatibilities and Immunities
1. During his term, the president of Romania cannot be a member of a party and is not allowed to have any other public or private position.

2. The president of Romania enjoys immunity. The provisions of Article 70 are applied in an appropriate manner.

3. The Chamber of Deputies and the Senate, in joint session, can decide to accuse the president of Romania with high treason by a vote of at least two-thirds of the deputies and senators. The Supreme Court of Justice has the competence to judge the case, under the conditions of the law. The president is discharged by law on the date that the conviction becomes final.

Article 85. Appointing the Government

1. The president of Romania designates a candidate for the post of prime minister and appoints the government on the basis of a vote of confidence from Parliament.

2. In the case of a governmental reorganization or if a post becomes vacant, the president dismisses and appoints some members of the government upon the recommendation of the prime minister.

Article 86. Consulting the Government

The president of Romania can consult the government on urgent and particularly important issues.

Article 87. Participating in Sessions of the Government

1. The president of Romania can participate in sessions of the government during which issues of national interest concerning foreign policy, national defense, and public order are discussed and in other situations, at the request of the prime minister.

2. The president of Romania presides over the government sessions in which he participates.

Article 88. Messages

The president of Romania will send messages to Parliament on major political problems of the nation.

Article 89. Dissolving Parliament

1. After consulting the presidents of the two chambers and the leaders of the parliamentary groups, the president of Romania can dissolve Parliament if Parliament does not give a vote of confidence for the formation of the government within 60 days of the first request, but only after the rejection of at least two requests for investiture.
2. Parliament can be dissolved only once in the course of a year.

3. Parliament cannot be dissolved during the last six months of the term of the president of Romania or during menial law or a state of emergency.

Article 90. Referendum

The president of Romania, after consulting Parliament, can ask the people to express their will in regard to matters of national interest, by means of referendum.

Article 91. Powers in the Area of Foreign Policy

1. On behalf of Romania, the president signs international treaties which are negotiated by the government and submits them to Parliament for ratification within 60 days.

2. On the recommendation of the government, the president accredits and recalls the diplomatic representatives of Romania and approves the establishment, closing, or change in the level of diplomatic missions.

3. Diplomatic representatives of other states present their letters of accreditation to the president of Romania.

Article 92. Powers in the Area of Defense

1. The president of Romania is the commander of the Armed Forces and holds the position of chairman of the Supreme Defense Council of the Country.

2. With the prior approval of Parliament, he can declare partial or general mobilization of the Armed Forces. In exceptional cases, the president's decision can be submitted to Parliament for approval afterwards, no later than five days after he makes it.

3. In the case of armed aggression directed against the country, the president of Romania takes measures to repel the aggression and to inform Parliament immediately, by means of a message. If Parliament is not in session, it will be convened by law within 24 hours of the onset of the aggression.

Article 93. Exceptional Measures

1. In accordance with the law, the president of Romania can declare martial law or a state of emergency throughout the country or in certain localities, and he asks Parliament to consent to the measure adopted within five days, at the most, after it is taken.

2. If Parliament is not in session, it will be convened by law no later than 48 hours after the declaration of martial law or a state of emergency and will remain in session throughout these periods.
Article 94. Other Powers

The president of Romania also has the following powers:

a) he awards decorations and honorary titles;

b) he awards the ranks of marshal, general, and admiral;

c) he makes appointments to public positions under the conditions specified by the law;

d) he grants individual pardons.

Article 95. Suspension From Office

1. If the president of Romania commits serious offenses which violate provisions of the Constitution, he can be suspended from office by the Chamber of Deputies and the Senate, in joint session, by majority vote of the deputies and senators, after consultations with the Constitutional Court. The president can give Parliament explanations in regard to the actions with which he is charged.

2. The proposal for suspension from office can be initiated by at least one-third of the deputies and senators and is brought to the attention of the president immediately.

3. If the proposal for suspension from office is approved, a referendum on the removal of the president is organized within 30 days, at the most.

Article 96. Vacancy in the Office

1. The office of president of Romania becomes vacant in the case of resignation, discharge from office, permanent inability to discharge the duties of the office, or death.

2. Within three months of the date on which the vacancy of the position of president of Romania occurred, the government will organize elections for a new president.

Article 97. The Interim Period

1. If the office of president becomes vacant, if the president is suspended from office, or if he is temporarily unable to discharge his duties, the office will be filled in the interim by the president of the Senate or the president of the Chamber of Deputies, in that order.

2. The powers stipulated in Articles 88-90 cannot be exercised during the interim period of the presidential office.

Article 98. Accountability of the Interim President
If the person who serves as president of Romania ad interim commits serious offenses which violate the provisions of the Constitution, Article 95 and Article 97 will be applied.

Article 99. Acts of the President

1. In the exercise of his powers, the president of Romania issues decrees which are published in MONITORUL OFICIAL AL ROMANIEI. Failure to publish makes the decree void.

2. Decrees issued by the president of Romania in the exercise of his powers listed in Article 91, paragraphs 1 and 2, Article 92, paragraphs 2 and 3, Article 93, paragraph 1, and Article 94, paragraphs a), b), and d) will be countersigned by the prime minister.

Article 100. Remuneration and Other Rights

The remuneration and other rights of the president of Romania are specified by law.

Chapter III. The Government

Article 101. Role and Structure

1. In accordance with its program for governing approved by Parliament, the government ensures the implementation of the domestic and foreign policy of the country and exercises the general management of the public administration.

2. In the exercise of its powers, the government cooperates with the social bodies concerned.

3. The government consists of a prime minister, ministers, and other members specified by statutory law.

Article 102. Investiture

1. The president of Romania appoints a candidate for the position of prime minister after consulting party holding the absolute majority in Parliament, or, if no such majority exists, he consults the parties represented in Parliament.

2. Within 10 days of his appointment, the candidate for the position of prime minister will ask for a vote of confidence from Parliament regarding the program and the entire list of the government.

3. The program and list of the government are discussed by the Chamber of Deputies and the Senate, in joint session Parliament expresses confidence in the government by the vote of the majority of the deputies and senators.

Article 103. Oath of Allegiance
1. The prime minister, ministers, and other members of the government will take the oath specified in Article 82 individually, before the president of Romania.

2. The government as a whole and each member separately will exercise their mandates beginning on the date that they are sworn in.

Article 104. Incompatibilities

1. The position of member of the government is incompatible with the exercise of any other public function with authority, with the exception of that of deputy or senator. Also, it is incompatible with the exercise of a paid position as a professional representative of a commercial organization.

2. Other incompatibilities are stipulated by statutory law.

Article 105. Termination of the Position of Member of the Government

Membership in the government is terminated by resignation, discharge from position, loss of electoral rights, incompatibility, or death, as well as in other cases specified by law.

Article 106. The Prime Minister

1. The prime minister directs the government and coordinates the activity of its members respecting the powers assigned to them. Also, he presents to the Chamber if Deputies or Senate reports and statements on government policy which are discussed on a priority basis.

2. If the prime minister is in one of the situations stipulated in Article 105 or is incapable of discharging his duties, the president of Romania will appoint another member of the government as prime minister ad interim to carry out the prime minister's duties until a new government is formed. The interim arrangement, during the period that the prime minister is unable to discharge his duties, ceases when the prime minister resumes his activity in the government.

3. The provisions of paragraph 2 will also be applied accordingly to the other members of the government, upon recommendation of the prime minister, for a period of no more than 45 days.


1. The government adopts decisions and rulings.

2. Decisions are issued for the purpose of organizing the implementation of laws.
3. Rulings are issued on the basis of a special empowerment law within the limits and in the conditions specified by the law.

4. The decisions and rulings adopted by the government are signed by the prime minister, countersigned by the ministers charged with implementing them, and published in MONITORUL OFICIAL AL ROMANIEI. The decision or ruling is void if it is not published. Decisions of a military nature are transmitted only to the institutions concerned.

Article 108. Accountability of Members of the Government

1. The government is politically accountable only to Parliament for its entire activity. Each member of the government is politically accountable, jointly with the other members, for the activity and acts of the government.

2. Only the Chamber of Deputies, the Senate, and the president of Romania have the right to call for the prosecution of members of the government for actions carried out in the exercise of their duties. If prosecution is requested, the president of Romania can order that the government members be suspended from their positions. Any government member on trial is suspended from his position. The Supreme Court of Justice has the competence to judge the case.

3. The grounds for accountability and the punishments applicable for members of the government are regulated by a law on ministerial accountability.

Article 109. The End of the Mandate

1. The government will exercise its mandate up to the date of the validation of the general parliamentary elections.

2. The government is released on the date which Parliament withdraws the confidence it has given it or if the prime minister is in one of the situations specified in Article 105 or is unable to carry out his duties for more than 45 days.

3. The provisions of Article 102 are applicable in the situations stipulated in paragraph 2.

4. The government whose mandate has ceased in accordance with paragraphs I and 2 will carry out only those actions which are necessary for taking care of public business until the members of the new government are sworn in.

Chapter IV. Relations Between Parliament and Government

Article 110. Reporting to Parliament

1. The government and the other organs of public administration, in the framework of the monitoring of their activity by Parliament, must provide the information and documents
requested by the Chamber of Deputies, the Senate, or the parliamentary commissions through their chairmen. If a legislative initiative involves the modification of the provisions of the state budget or the state social security budget, the request for information is mandatory.

2. The members of the government have access to the proceedings of Parliament. If their presence is requested, their attendance is mandatory.

Article 111. Questions and Interpellations

1. The government and each one of its members are under obligation to respond to the questions or interpellations formulated by deputies or senators.

2. The Chamber of Deputies or the Senate can approve a motion expressing its position on the issue which is the subject of the interpellation.

Article 112. Censure Motion

1. The Chamber of Deputies and the Senate, in joint session, can withdraw the confidence given to the government by passing a censure motion by majority vote of the deputies and senators.

2. The censure motion can be initiated by at least one-fourth of the total number of deputies and senators and it is communicated to the government on the date that it is filed.

3. The censure motion is discussed three days after it is presented in the joint session of the two houses.

4. If the censure motion is rejected, the deputies and senators who signed it cannot initiate another censure motion in the same session, with the exception of the case in which the government takes responsibility in accordance with Article 113.

Article 113. Taking of Responsibility by the Government

1. The government can take responsibility before a joint session of the Chamber of Deputies and the Senate for a program, a statement of general policy, or a draft law.

2. The government is dismissed if a censure motion, filed within three days of the presentation of the program, is voted under the conditions of Article 112.

3. If the government has not been dismissed in accordance with paragraph 2, the draft law which has been presented is considered to be approved and the program or statement of general policy becomes binding for the government.
4. If the president of Romania requests the reexamination of a law approved in accordance with paragraph 3, the debate on it will take place in a joint session of the two houses.

Article 114. Legislative Delegation

1. Parliament can pass a special law to empower the government to issue rulings in areas which do not come under statutory laws.

2. The law of empowerment will stipulate, on a mandatory basis, the area and the deadline for issuing rulings.

3. If the law of empowerment requests it, the rulings will be submitted to Parliament for approval, according to legislative procedure, up until the expiration of the deadline for the empowerment. Failure to respect the deadline will cancel the effects of the ruling.

4. In exceptional cases, the government can adopt emergency rulings. They will into effect only after being sent to Parliament for approval. If Parliament is not in session, it will be convened on a mandatory basis.

5. The rulings are approved or rejected by a law which will also include rulings which are no longer in effect on the basis of paragraph 3.

Chapter V. Public Administration

Section 1. Specialized Central Public Administration

Article 115. Structure

1. The ministries are organized only under the subordination of the government.

2. Other specialized bodies can be organized under the subordination of the government or of the ministries or as autonomous administrative authorities.

Article 116. Establishment

1. The ministries are established and organized and operate in accordance with the law.

2. The government and the ministries can establish, with the approval of the Court of Accounts, specialized bodies subordinate to them, only if the law recognizes this as being within their competence.

3. Autonomous administrative authorities can be established by statutory laws.

Article 117. The Armed Forces
1. The Army is subject solely to the will of the people for the purpose of guaranteeing the sovereignty, independence, and unity of the state, the territorial integrity of the country, and constitutional democracy.

2. The structure of the national defense system, the organization of the Army, the preparation of the population, the economy, and the territory for defense, and the rules governing military cadres are stipulated by statutory law.

3. The provisions of paragraphs 1 and 2 will be applicable, correspondingly, to the police, the state intelligence services, as well as to other components of the Armed Forces.

4. The organization of military or paramilitary activities outside the framework of a state authority is prohibited.

5. Foreign troops can enter into or pass through the territory of Romania only under the conditions specified by the law.

Article 118. The Supreme Council for the Defense of the Country

The Supreme Council for the Defense of the Country organizes and coordinates, on a unitary basis, activities related to the defense of the country and national security.

Section 2. Local Public Administration

Article 119. Basic Principles

Public administration in territorial-administrative districts is based on the principle of local economy and on the principle of the decentralization of public services.

Article 120. Communal and City Authorities

1. The public administration authorities, which serve as means of implementing local autonomy in the communes and cities, are the elected local councils and the mayors elected in accordance with the law.

2. The local councils and the mayors cooperate as autonomous administrative authorities and handle public affairs in the communes and cities, under the conditions of the law.

3. The authorities stipulated in paragraph 2 can also be set up in territorial-administrative subdivisions of municipalities.

Article 121. Toe County Council

1. The county council is the public administration authority in charge of coordinating the activity of the communal and city councils, for the purpose of ensuring public services of interest to the country.
2. The county council is elected and operates in accordance with the law.

Article 122. The Prefect

1. The government appoints a prefect in each county and in Bucharest municipality.

2. The prefect is the representative of the government on the local level and is in charge of the decentralized public services of the ministries and other central organs in the territorial-administrative units.

3. The powers of the prefect are stipulated by law.

4. The prefect can contest before the disputed claims court any decree of the county council, the local council, or the mayor if he believes that the decree is illegal. The contested decree is suspended by law.

Chapter VI. Judicial Authority

Section 1. Courts of Justice

Article 123. Carrying Out Justice

1. Justice is carried out in the name of the law.

2. The judges are independent and are subject only to the law.

Article 124. Rules Governing Judges

1. Judges appointed by the president of Romania are appointed for life, according to the law. The chief justice and the other justices of the Supreme Court of Justice are appointed for a six-year term. They can be reappointed. The promotion, transfer, and punishing of judges can be carried out only by the Higher Council of Magistrates, under the conditions of the law.

2. The position of judge is incompatible with any other public or private position, with the exception of teaching positions in higher education.

Article 125. Courts of Law

1. Justice is carried out by means of the Supreme Court of Justice and other courts of law stipulated by law.

2. The establishment of extraordinary courts is prohibited.

3. The jurisdiction and the trial procedure are defined by law.
Article 126. The Public Nature of the Debates

Court sessions are public, except for cases stipulated by law.

Article 127. The Right to an Interpreter

1. The judicial process is carried out in the Romania language.

2. Citizens belonging to ethnic minorities, as well as persons who do not understand or speak the Romania language have the right to be informed on all the documents and items in the file, to speak in court, and to offer conclusions, through an interpreter, this right is ensured free of charge in criminal trials.

Article 128. Contesting Decisions

The parties involved and the Public Ministry can contest court decisions, under the conditions of the law.

Article 129. Court Police

The courts of law have a police force at their disposal.

Section 2. The Public Ministry

Article 130. The Role of the Public Ministry

1. In the judicial area, the Public Ministry represents the general interests of society and defends the legal order as well as the rights and freedoms of the citizens.

2. The Public Ministry exercises its powers through prosecutors in the prosecutor's office, under the conditions of the law.

Article 131. Rules Governing Prosecutors

1. The prosecutors carry out their activity on the basis of the principles of legality, impartiality, and hierarchical monitoring Under the authority of the minister of justice.

2. The position of prosecutor is incompatible with every other public or private position, with the exception of teaching positions in higher education.

Section 3. The Higher Council of Magistrates

Article 132. Structure

The Higher Council of Magistrates is composed of magistrates who are elected for a four-year term by the Chamber of Deputies and the Senate, in joint session.
Article 133. Duties

1. The Higher Council of Magistrates proposes to the president of Romania the appointment of judges and prosecutors, with the exception of intern judges, according to the law. In such cases, the sessions are chaired by the minister of justice, who does not have the right to vote.

2. The Higher Council of Magistrates serves as a disciplinary council for judges. In such cases, its sessions are chaired by the chief justice of the Supreme Court of Justice.

TITLE IV. The Economy and Public Finance

Article 134. The Economy

1. The economy of Romania is a market economy.

2. The state is expected to ensure:

   a) free trade, protection for loyal competition, the creation of a favorable framework for the utilization of all production factors;

   b) the protection of national interests in economic, financial, and currency activity;

   c) the stimulation of national scientific research;

   d) the exploitation of natural resources in accordance with the national interest;

   e) the restoration and protection of the environment, as well as the preservation of ecological balance;

   f) the creation of the necessary conditions for improving the quality of life.

Article 135. Property

1. The state protects property.

2. Property may be public or private.

3. Public property belongs to the state or to territorial-administrative units.

4. Underground resources of any type, lines of communication, air space, water resources that can produce power or can be used in the public interest, beaches, the territorial sea, the natural resources of the economic zone and the continental shelf as well as other assets defined by law, are exclusively public property.
5. Publicly owned assets are nontransferable. Under the conditions of the law, they can be
given to autonomous managements or public institutions for management or they can be
licensed or rented out.

6. Under the conditions of the law, private property is inviolable.

Article 136. Financial System

1. The formation, administration, use, and monitoring of the financial resources of the
state, of territorial-administrative units, and of public institutions will be regulated by law.

2. The national currency is the leu, which is divided into band.

Article 137. Public Budget

1. The national public budget incorporates the state budget, the state social security
budget, and the local budgets of the communes, cities, and counties.

2. Each year the government prepares the draft state budget and the draft state social
security budget which it submits separately to Parliament for approval.

3. If the law on the state budget and the law on the state social security budget are not
approved at least three days before the expiration of the budget year, the state budget and
the state social security budget for the previous year will continue to be in effect until
new budgets are approved.

4. The local budgets are prepared, approved, and executed in accordance with the law.

5. No budgetary expenditure can be approved without stipulating the source of financing.

Article 138. Taxes and Assessments

1. Taxes, assessments, and any other revenues for the state budget and the state social
security budget are established only by law.

2. Local taxes and assessments are established by the local or county councils, within the
limits and under the conditions of the law.

Article 139. The Court of Accounts

1. The Court of Accounts monitors the formation, administration, and utilization of the
financial resources of the state and the public sector. Under the conditions of the law, the
Court also exercises jurisdictional functions.
2. The Court of Accounts presents an annual report to Parliament on the management accounts of the national public budget in the past budget year, including any irregularities found.

3. At the request of the Chamber of Deputies or the Senate, the Court monitors the management of public resources and reports its findings.

4. The members of the Court of Accounts appointed by Parliament are independent and cannot be removed, according to law. They are subject to the same regulations as judges in regard to incompatibilities.

**TITLE V. The Constitutional Court**

**Article 140. Structure**

1. The Constitutional Court is composed of nine justices, appointed for a nine-year term, which cannot be extended or renewed.

2. Three justices are appointed by the Chamber of Deputies, three by the Senate, and three by the president of Romania.

3. The members of the Constitutional Court elect a president by secret ballot for a three-year term.

4. Every three years, one-third of the members of the Constitutional Court are replaced, under the conditions stipulated by the statutory law of the Court.

**Article 141. Conditions for Appointment**

The justices of the Constitutional Court must have superior legal training, high professional competence, and at least 18 years of experience in the legal profession or on university law faculties.

**Article 142. Incompatibilities**

The position of member of the Constitutional Court is incompatible with any other public or private position, with the exception of teaching positions on university law faculties.

**Article 143. Independence and Irremovability**

The members of the Constitutional Court are independent in the exercise of their mandate and cannot be removed in the course of their term.

**Article 144. Duties**

The Constitutional Court has the following duties:
a) to pronounce on the constitutionality of laws before their promulgation at the request of the president of Romania, one of the presidents of the two chambers of the government, the Supreme Court of Justice, at least 50 deputies or at least 25 senators, as well as, officially, on initiatives for revising the Constitution;

b) to pronounce on the constitutionality of regulations of Parliament at the request of one of the presidents of the two chambers, a parliamentary group, at least 50 deputies or at least 25 senators;

c) to decide on exceptions brought before the courts in regard to the unconstitutionality of laws and rulings;

d) to monitor the observance of the procedure used to elect the president of Romania and to confirm the results of the voting;

e) to ascertain the existence of circumstances which justify an interim period for the exercise of the office of president of Romania and to communicate its findings to the Parliament and the government;

f) to advise on the recommendation to suspend the president of Romania from office;

g) to monitor compliance with the procedure for organizing and holding a referendum and to confirm its results;

h) to verify the fulfillment of the conditions for the exercise of legislative initiative by the citizens;

i) to decide on disputes regarding the constitutionality of a political party.

Article 145. Decisions of the Constitutional Court

1. In cases of unconstitutionality determined in accordance with Article 144, paragraphs a) and b), the law or the regulation is submitted for reexamination. If the law is adopted in the same form by a majority of at least two-thirds of the members of each chamber the objection of unconstitutionality is eliminated and promulgation becomes mandatory.

2. The decisions of the Constitutional Court are binding and are not retroactive. They are published in MONITORUL OFICIAL AL ROMANIEI.

TITLE VI. Revising the Constitution

Article 146. Revision Initiative

1. The revision of the Constitution can be initiated by the president of Romania upon the recommendation of the government, at least one-fourth of the deputies or senators, as well as at least 500,000 citizens with the right to vote.
2. Citizens who initiate the revision of the Constitution must come from at least half the counties of the country and in each of these counties and in Bucharest municipality, at least 20,000 signatures supporting this initiative must be obtained.

Article 147. Revision Procedure

1. The fine draft or the recommendation for revision must be approved by the Chamber of Deputies and the Senate by at least a two-thirds majority of the members of each chamber.

2. If no agreement is reached by mediation, the Chamber of Deputies and the Senate, in joint session, will decide by a vote of at least three-fourths of the numbers of deputies and senators.

3. The revision is final after being approved by a referendum organized within 30 days of the approval of the draft of the recommendation for revision.

Article 148. Revision Limitations

1. The provisions of the present Constitution concerning the national, independent, unitary, and indivisible character of the Romania state, the republic as the form of government, territorial integrity, the independence of the system of justice, political pluralism, and the official language cannot be the subject of revision.

2. Similarly, no revision can be made if it results in the elimination of the basic rights and freedoms of citizens or of the guarantees of these rights and freedoms.

3. The Constitution cannot be revised during periods of martial law or a state of emergency or during wartime.

TITLE VII. Final and Temporary Provisions

Article 149. Enactment

The present Constitution goes into effect on the date of its approval by referendum. On the same date, the Constitution of 21 August 1965 will be and will remain repealed in its entirety.

Article 150. Temporary Conflict of Laws

1. Laws and all other normative acts will remain in effect, as long as they are not in conflict with the present Constitution.

2. Within 12 months of the enactment of the law on its organization, the Legislative Council will examine the conformity of the legislation with the present Constitution and will make the appropriate recommendations to Parliament or the government, as the case may be.
Article 151. Existing Institutions

1. The institutions of the Republic in existence on the date that the present Constitution goes into effect will remain in operation until new ones have been established.

2. The members of the new Supreme Court of Justice will be appointed, under the conditions of the law, by the Chamber of Deputies and the Senate, in joint session, upon the recommendation of the president of Romania, within six months of the date that the present Constitution goes into effect.

Article 152. Future Institutions

1. Within six months of the date of the enactment of the new Constitution, the Constitutional Court and the Court of Accounts will be established.

2. The members of the first Constitutional Court will be appointed for a period of three, six, and nine years, respectively. The president of Romania, the Chamber of Deputies, and the Senate will each appoint one justice for each period.

The Constitution of Romania was adopted in the 21 November 1991 session of the Constituent Assembly by a roll call vote, with 414 votes "for" and 95 votes "against."

Presidents of the Constituent Assembly
Academician Alexandru Birladeanu and Dan Martian