

République de Roumanie

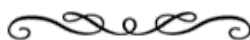
Roumanie

Law on the Statute of National Minorities

Loi sur le statut des minorités nationales

2005

La présente loi est traduction en anglais de la version roumaine intitulée *Lege privind statutul minoritatilor nationale din România*. On peut trouver une traduction française faite à partir de la version anglaise [en cliquant ICI](#), [svp](#).



Chapter I

Definitions and principles

Art. 1.

This law regulates the juridical statute and the rights of national minorities.

Art. 2.

The national minorities are recognized as constitutive factors of the Romanian state, together with the Romanian nation, in majority.

Art. 3.

(1) By national minority we understand any community of Romanian citizens, living on the territory of Romania of at least 100 years, that is numerically inferior to the majority population, with its own specific national, ethnic, cultural, linguistic and religious identity, and who wishes to preserve, express and promote its identity.

(2) The national minorities from Romania are the following communities: Albanese, Armenian, Bulgarian, Czech, Croat, Greek, Jewish, German, Italian, Macedonian, Hungarian, Polish, Russian-Lippovan, Roma, Ruthenian, Serbian, Slovak, Tartar, Turkish, Ukrainian.

Art. 4.

(1) The persons belonging to national minorities are Romanian citizens, expressing free and unhindered the affiliation to a national community, or whose parents or legal tutors declared this affiliation.

(2) The public authorities have the obligation to accept as such these statements.

Art. 5.

The state acknowledges and guarantees to national minorities, as well as to persons belonging to national minorities the right to preserve, promote and express their ethnic, cultural, linguistic and religious identity.

Art. 6.

All individuals are equal before the law and are entitled without any discrimination to equal protection of the law.

Art. 7.

(1) Any discrimination or instigation to discrimination based on affiliation to a national community leads to contraventional responsibility of the guilty person, if the penal law is not applicable.

(2) According to this law, the following are not considered discrimination: the measures of protection, having normative or administrative character through which it is ensured the preservation, promotion and expression of ethnic, cultural, linguistic and religious identity of national minorities, as well as the persons belonging to national minorities, without infringing the rights and liberties of the other Romanian citizens.

Art. 8.

(1) The identity of national communities represents a fundamental value of the Romanian state, acknowledged and protected by the law.

(2) In the spirit of this law the elements of identity are: language, culture, the immovable and movable cultural patrimony, traditions and religion.

(3) These elements are preserved, expressed and promoted through educational and cultural institutions, mass-media as well as the institutions of cults acknowledged by law.

Art. 9.

(1) The state acknowledges and guarantees to national minorities and to persons belonging to national minorities the right to express freely their national identity in all the fields of political, social, scientific, cultural and economic life.

(2) The free expression of national identity or the exercise or non-exercise of the rights stipulated in this law cannot bring any disadvantage or prejudice to persons belonging to a national minority.

(3) The persons belonging to national minorities may express freely their thoughts, opinions, belief and creations of any kind in writing or through images, sounds or any other means of communications in public.

(4) No normative document can restrict the use of a language in the exercise of the right stipulated in the previous paragraph.

Art. 10.

In all matters regarding the rights of a national minority, if the decisions are not taken by the legal representatives of that national minority, the competent authorities are compelled to take into account their free will.

Art. 11.

(1) The following are prohibited: the instigations to national, racial or religious hatred, the instigations to discrimination or public violence against national minorities.

(2) The committing of the deeds stipulated at paragraph (1) brings about the penal responsibility of the guilty person.

Art. 12.

Any policy or practice of the public authorities having as goal, or as consequence the direct or indirect assimilation of the persons belonging to national minorities against their will is hereby prohibited.

Art. 13.

(1) The state acknowledges and guarantees to national minorities and to persons belonging to national minorities the right to live freely on their native land, to maintain traditional ethnic and territorial liaisons established in the course of history.

(2) Any normative or administrative measure, direct or indirect, leading to an alteration in the ethnic composition of a region traditionally inhabited by certain ethnic communities is hereby prohibited.

(3) It is hereby prohibited the alteration of the limits of administrative territorial units, respectively the electoral circumscriptions to the detriment of the percentage of national minorities traditionally living there.

Art. 14.

The national minorities, respectively the persons belonging to national minorities may use their specific national symbols and may organize their own national and religious holidays.

Chapter II

Preservation, expression and promotion of national identity

Section 1 - Education

Art.15.

(1) The persons belonging to national minorities have the right to learn in their mother tongue, to benefit from education and teaching in public units and institutions with teaching in mother tongue at all levels, forms and types of education.

(2) The natural persons, organizations and companies belonging to national minorities have the right to establish, organize and ensure the functioning of private educational units and institutions in the mother tongue, which benefit from stipends from the state budget or the local budgets in the conditions of the law.

(3) The religious cults have the right to establish, organize and ensure the functioning of confessional educational units and institutions with religious or secular character in their mother tongue, which benefit from stipends from the state budget or the local budgets in the conditions of the law.

(4) The parent or appointed legal guardian has the right to choose the education form and type for the underfull legal age children.

(5) In the pre-university education with teaching in the languages of national minorities the subjects may be studied in the mother tongue.

(6) The state has the obligation to ensure adequate scholar curriculum and textbooks elaborated to the end of successfully learning Romanian language on the course of pre-university education, taking into account the needs specific to each national minority.

Art.16.

The state has the obligation to guarantee in the system of public education the following:

a.) pre-school education with teaching in mother tongue, in separate kindergardens or in separate groups, upon request;

b.) the elementary, secondary, vocational, arts and crafts, highschool and vocational education with mother tongue teaching, upon request, in separate schools, sections, classes, if needed;

c.) the university education with teaching in mother tongue, upon request, in universities, faculties, colleges, cathedras and distict groups;

d.) the postgraduate education in the mother tongue;

e.) the possibility to take the speciality examinations, the examinations for occupying a position, the examinations to obtain the didactical and professional degrees at all levels and the examinations to obtain various scientific titles in the mother tongue;

f.) the specialization of didactic personell in mother tongue;

g.) the establishment of institutes, departments and sections for the research of traditions, culture, language, history, life and specific social problems of national minorities within the existent research institutes or the establishment of new institutions having these duties;

h.) the appointment of directors, respectively deputy directors belonging to national minorities in the educational units having sections with teaching in the mother tongues of national minorities.

Art. 17.

(1) Concerning the establishment, elimination, functioning of public educational units and institutions with teaching in the mother tongue and the establishment of their educational offer, the legal representatives of the respective national minority will be consulted and no such measure will be taken without their notification.

(2) The appointment or change of management of the educational institutions and units mentioned before will be made only with the notification of the legal representatives of the respective national minority.

(3) The adoption of the analytic curriculum of the mother language and literature subjects and history and traditions of the respective national minority, as well as the selection of mother tongue textbooks from all the subjects taught in the language of the respective national minority will be made only with the notification stipulated at paragraph (1).

(4) In the public institutions having sub-units with teaching in mother tongue all the decisions related to the establishment, elimination or reorganization of these sub-units will be taken only with the notification stipulated at paragraph (1).

(5) The legal representatives of national minorities, herewith stipulated, at national or county level, are authorized to initiate the establishment of institutions or sub-units of the existing educational institutions with teaching in the mother tongue of the respective national minority at all levels and in all fields of specialty if the request is based on a sufficient number of potential students according to the legislation in force.

Art. 18.

(1) In the pre-university educational system may function upon request educational units as separate legal entities, classes and groups with the teaching language of a national minority having a smaller number of students than the legal one if in the respective locality does not function another unit with the same level.

(2) To the end of a proper functioning of the educational institutions, classes and groups stipulated in the previous paragraph the normative finance granted for a student will be supplemented with an adequate percentage according to the legislation in force.

(3) In order to guarantee equal chances regarding the access to scholar textbooks, the state will organize procedures of public purchases separately for the textbooks for education in the languages of national minorities.

Section 2. - Culture**Art. 19.**

(1) The state guarantees to the persons belonging to national minorities the protection and preservation of their cultural inheritance and the promotion of the contemporary creativity.

(2) The national minorities have the right to public cultural institutions, respectively through natural persons and legal entities they can manage, support and sustain their own cultural insitutions.

(3) The central and local public authorities will ensure financial support to these cultural institutions, in the conditions of the law.

Art. 20.

(1) Concerning the establishment, elimination and functioning of the public cultural institutions or their sub-units in the language of national minorities and of those having as goal the research, preservation and promotion of their own culture, as well as the appointment of their management, the legal representatives of the respective national minority will be compulsory consulted and no measure will be taken without their notification.

(2) The appointment or the changing of management of the public cultural institutions stipulated before will be made with the notification stipulated at patagraph (1).

Art. 21.

The public competent authorities together with the representatives of the national communities have the obligation to preserve and promote their immovable and movable cultural patrimony.

Art. 22.

The state will support through organizations belonging to national minorities various cultural programs, actions of dissemination, propagation and popularization of the cultural values, folklore traditions, inter- and multicultural relations, the creation of literary works, scientific studies in the mother tongue, activity of literary and historical research of the respective community.

Art. 23.

(1) The public institutions promoting the culture of national minorities, as well as the private institutions established by these minorities may maintain international relations in order to achieve their goals.

(2) The state will support the promotion of culture of national minorities abroad through cultural Romanian centres at a level at least equal to the percentage of each national minority.

Section 3. - Mass-media**Art. 24.**

The persons belonging to national minorities have the right to disseminate and to exchange data in their mother tongue and to have access to this data with the financial support of the state, in the conditions of the law.

Art. 25.

(1) The public radio and TV stations will provide spaces for the shows of the national minorities at adequate hours and with possibilities of hearing, respectively viewing them on the whole territory of the country.

(2) The management of the editorial staff in the language of minorities from the public radio and TV stations will be appointed with the notification of the legal representatives of the respective national minority.

(3) It will be ensured, upon request, to those minorities having a significant percentage regional radio or TV shows at the public stations during the whole day.

Art. 26.

According to the principle of equality of chances, the state, through its competent authorities, facilitates the establishment and functioning of private radio and TV stations belonging to national minorities, as well as the direct receiving of radio and TV channels broadcasting in the languages of national minorities from other states.

Section 4. - Religious cults

Art. 27.

(1) The persons belonging to national minorities have the right to profess and to practice their religion, to benefit from church services in the mother tongue, or, in case, in the language chosen by the members of that community, to procure, to possess and to use cult objects, respectively to establish and to practice a religious or secular education in their mother tongue according to the law.

(2) No person can be discriminated based on his or her religious beliefs.

Art. 28.

(1) The state guarantees the equality of cults, as well as their institutional and functional autonomy.

(2) The cults ensure the establishment and functioning of their own management, administration, control boards according to their statutes acknowledged by the law.

(3) The state will ensure the finance of religious cults according to the legal provisions in force.

(4) In order to achieve equality of chances for the parishioners belonging to a cult of national minorities, in the localities where the respective religion was traditionally professed and practiced, but the number of persons belonging to a national minority decreased under 500 individuals, the parishes will receive a supplementary allowance in the conditions of the law.

Art. 29.

The cults may establish associations and foundations, respectively cultural-educational and social-charitable institutions, activities that the state supports according to the law.

Section 5. - The use of mother tongue

Art. 30.

In the administrative-territorial units where the citizens belonging to a national minority have a significant percentage it will be ensured according to the law:

a.) the use of mother tongue in written and orally in the relations with the authorities of the local public administration as well as with the decentralized public services;

b.) the inscription of the denomination of localities as well as the denomination of public institutions also in the language of the respective national minority;

c.) the issue of the normative administrative documents also in the language of the respective national minority;

d.) the communication upon request of the individual administrative documents also in the language of the respective national minority;

e.) the organization of courses for professional requalification also in the language of the respective national minority;

f.) the organization of courses and exams in order to obtain the driving license also in the language of the respective national minority.

Art. 31

The central public authorities, at the request of the organization belonging to a national minority, will ensure, in the conditions of the law, the issue of normative documents of general interest also in the language of the respective national minority.

Art. 32.

(1) The competent public authorities, on the occasion of the elaboration of the civil status documents will use the surname and forename of that person in the language of the national minority to whom he or she belongs and will comply with the spelling rules of this language.

(2) The translation or transcription with another spelling of the surname and forename of a person without the prior consent of that person is hereby prohibited.

Art. 33.

(1) The state guarantees to the persons belonging to a national minority the right to express themselves in their mother tongue before the law courts, according to the law.

(2) The state guarantees to persons belonging to a national minority the right to conclude their marriage before a civil status officer in their mother tongue.

Art. 34.

The detainees from the prisons may use their mother tongue in communicating between them, with the visitors, as well as when receiving and dispatching letters in their mother tongue.

Art. 35.

(1) The state will ensure the training of civil servants, police officers and agents, court clerks and authorized translators in order to guarantee and exercise the rights stipulated in articles 30-34.

(2) Upon request, to the end of taking persons belonging to national minorities on the police staff, the state will ensure a schooling number destined to them.

Art. 36.

Within the administrative-territorial units where citizens belonging to national minorities have a significant percentage, in the sanitary institutions, old people's homes, social assistance centres and placement centres will also be employed medical staff, respectively specialty staff familiar with the language of the respective national minority.

Art. 37.

The central and local public authorities, cultural institutions, educational institutions with teaching in mother tongue, the cults recognized by the law may issue documents, certificates and diplomas, reports, as well as use book-keeping documents, respectively any document with economic character also in the language of the respective national minorities, stipulating the data in the Romanian language. The documents thus issued will be considered valid by the competent authorities.

Chapter III.**The organizations of national minorities****Art. 38.**

(1) The organizations of national minorities may be established:

a.) according to the Ordinance no. 26/2000 regarding the associations and foundations, with the subsequent modifications and completions, having the rights and obligations stipulated in the Ordinance;

b.) according to this law, for the organizations of national minorities stipulated at art. 62 alin (2) from the Constitution, which take part at the parliamentary, presidential and local elections.

(2) This law establishes the organizations of national minorities stipulated at paragraph (1) letter b).

Art. 39

(1) The organization of citizens belonging to a national minority represents the legal entity established by persons having full capacity of exercise who declare themselves as belonging to that national minority and who, based on an agreement, bring together without the right to restitution the material contribution, their knowledge or their work contribution in order to achieve an activity in the interest of guaranteeing the right to preserve, express and promote their ethnic, cultural, linguistic, religious identity, respectively to constitute, promote and protect the institutional and legislative framework necessary in order to achieve this communitary interest of the respective minority.

(2) The number of founding members of an organization belonging to a national minority cannot be smaller than 15% from the total number of the citizens that declared their affiliation to the respective minority at the last census.

(3) In case 15% from the total number of citizens registered as belonging to a minority in the last census is equal or surpasses 25.000 persons, the list of founding members must contain at least 25.000 persons, domiciled in at least 15 counties from Romania, but no less than 300 persons for each of these counties.

(4) Persons that do not belong to a national minority may be members of an organization belonging to a national minority, but their number cannot surpass 25% from the total number of the founding members of the organization at local, as well as at national level.

(5) A person cannot be member of two organizations belonging to the same minority, registered according to the provisions of this law.

Art. 40

(1) The registration request of an organization belonging to a national minority will be deposited at the Bucharest Tribunal, accompanied by the following documents:

- a.) the statute;
- b.) the constitutive document together with the list of signatures of the founders;
- c.) conclusive documents regarding the registered office and the patrimony.

(2) the request will be signed by the manager of the organization and at least 3 founding members.

(3) The organization belonging to a national minority becomes a legal entity when registered in the Register of the organizations belonging to national minorities.

(4) Within 3 days from the deposit of the registration request and of the documents stipulated at paragraph (1) the judge appointed by the president of the law court verifies the legality of these documents and orders, by way of conclusion, the registration of the organization in the register.

(5) The conclusions of admission or rejection are only subject of last appeal. The term of last appeal is of 5 days and flows from the date of communication for those missing. The last appeal is solved by summoning the parties, immediately and preeminently.

Art. 41.

(1) On the list of signatures of the founding members must be mentioned, on each page, the date, place and purpose of the elaboration, as well as the surname and forename, date of birth, address, type of identity document, series and number, personal number, citizenship, nationality, respectively the signature of the founding members.

(2) The list will be accompanied by a personal statement of the person who issued the list, attesting the authenticity of the signatures under the sanctions stipulated in art. 292 from the Penal Code.

(3) Each list will contain persons from only one locality.

(4) the lists will be grouped on localities and counties, in order to comply with the provisions of paragraph (2), (3) si (4) and art. 39.

Art. 42.

(1) The statute will be concluded in front of the notary and will be signed by the management of the organization, under the sanction of complete nullity.

(2) the statute contains, under the sanction of complete nullity:

- a.) the denomination of the organization;
- b.) the organization's registered office;
- c.) the functioning period - limited or unlimited period;
- d.) the initial patrimony of the organization in total value of at least 50 times the minimum gross salary on economy at the date of establishment, in nature and/or in cash;
- e.) the detailing of the purpose and objectives of the organization;
- f.) the acquisition and loss of the quality of member;
- g.) the rights and obligations of the members;
- h.) categories of patrimonial resources of the organizations;
- i.) attributions of the management, administration and control organs of the organization;
- j.) destination of goods, in case of dissolution.

Art. 43.

The constitutive document contains, under the sanction of complete nullity:

- a.) the expression of the will to associate and the declared purpose; b.) the denomination of the organization;
- c.) the organization's registered office;
- d.) the functioning period - limited or unlimited period;
- e.) the initial patrimony of the organization in total value of at least 50 times the minimum gross salary on economy at the date of establishment, in nature and/or in cash;
- f.) the nominal composition of the first management, administrative and control organs of the organization;
- g.) the list of signatures of the founders, elaborated in compliance with art.41.

Art. 44.

The general Assembly or the Congress represents the supreme management organ and is composed of the total members or their delegates, chosen in the conditions stipulated in the statute of the organization, depending upon their statute.

Art. 45.

The organizations of national minorities may establish territorial divisions with or without juridical personality, depending upon their statute's provisions, in compliance with this law.

Art. 46.

(1) The organizations of national minorities which, at the entry into force of the present law are part of the Council of National Minorities, and who are represented in Parliament maintain the acquired legal personality and obtain the rights and competences stipulated in the present law.

(2) The files of the organizations stipulated at paragraph (1) will be transmitted by the competent law courts at the moment of entry into force of the law to the Bucharest Tribunal for registration in the Register of the organizations of national minorities within 30 days from the entry into force of the present law.

Art. 47.

All the organizations of national minorities that do not comply with the provisions of the previous article wishing to develop an activity stipulated in this chapter are compelled to re-establish, in compliance with this law; otherwise, they will have all the rights and competences stipulated in the Ordinance no. 26/2000, with the subsequent modifications and completions.

Art. 48.

The organizations of citizens belonging to national minorities stipulated at art. 38 paragraph (1), letter b) have the following rights and competences:

- a.) may take part to the parliamentary, presidential and local elections, according to the legislation in force, being assimilated to the political parties and benefiting from the legal facilities regarding obtaining a mandate in the public local administration as well as in Parliament;
- b.) may represent the respective minority in the Council of National Minorities;
- c.) may administer alone or together with other similar organizations special funds received from the state budget or the local budgets for the purpose of achieving the goals stipulated at Art.39, paragraph (1);
- d.) will receive allowances from the state budget in order to maintain the activity of the organization;
- e.) may authorize, according to special laws, representatives in the institutions, state organs or authorities active in the field of expression, preservation and promotion of the ethnic, cultural, linguistic and religious identity of the persons belonging to national minorities, or, if the special law does not stipulate such representation, the organizations will be

- consulted about the appointment of managers in these structures;
- f.) will authorize representatives in the intergovernmental mixt commissions in order to conclude bilateral agreements between Romania and the country with which the respective national community forms a community of culture and language;
- g.) may represent before national or international law courts persons or groups of persons whose interests have been prejudiced because of their affiliation to the respective national minority.
- h.) may notify the National Council for Combating Discrimination in case of discrimination towards persons belonging to the national minority they represent.

Chapter IV.

The Council of National Minorities (CNM)

Art. 49.

(1) The Council of National Minorities, hereinafter referred to as CNM is a public law entity, having juridical personality, composed from the organizations of national minorities represented in Parliament, thus collaborating to the end of guaranteeing the right to express, preserve and promote the ethnic, cultural, linguistic and religious identity of the national minorities from Romania.

(2) If there was no organization of a national minority to obtain the necessary votes for a parliamentary mandate, then the respective minority will be represented in the CNM by the organization that obtained the highest number of votes at the last elections.

(3) If several national minorities are represented in Parliament by a common organization, this organization will be member of the CNM.

Art. 50.

(1) The CNM is organized and functions according to its own regulation.

(2) The CNM carries on its activity in plenary sessions and on specialty commissions.

(3) At the plenary sessions of the CNM the organizations of national minorities are represented by 3 members each, having together one single vote.

(4) The CNM gathers in plenary sessions, in ordinary meeting, each trimestre and carries on with its activity in the presence of the majority of its members.

(5) The specialty commissions are made up from the CNM representatives of the organizations of national minorities.

Art. 51.

CNM has the following duties:

- a.) supports the activity of the organizations of national minorities;
- b.) proposes to the Government measures to improve the social and cultural life of the citizens belonging to national minorities;
- c.) analyzes and proposes to the Government the necessary measures in order to carry on in the best conditions the education in the languages of national minorities;
- d.) proposes to the administration boards of the public TV and radio stations measures to improve the shows in the languages of national minorities; e.) approves the draft laws concerning the expression, preservation and promotion of ethnic, cultural, linguistic and religious identity of national minorities;
- f.) proposes to the Government or to parliamentary groups of the organizations of national minorities the initiation of normative documents regarding the expression, preservation and promotion of ethnic, cultural, linguistic and religious identity of national minorities;
- g.) decides in matters concerning the distribution of budgetary funds destined to the funding of the activity of the organizations of national minorities.

Art. 52.

The funding of the activity of the organizations of national minorities is made up of a basic funding, equal for all the organizations represented in the CNM and a normative funding whose value depends upon the number of persons that, at the last census, declared their affiliation to the respective national minority, as well as the number of cultural and educational institutions in the language of that minority.

Art. 53

(1) The Department for Inter-Ethnic Relations ensures the secretariat, as well as the infrastructure necessary to the activity of the CNM and coordinates its activity.

(2) The Department for Inter-Ethnic Relations is the main coordinator of credits, distributing the funding from the state budget to the organizations of national minorities in compliance with the decision adopted by the CNM, managing the budget necessary for the CNM's activity.

Chapter V.

Cultural autonomy

Art. 54.

The state recognizes and guarantees to national communities the exercise of the right to cultural autonomy.

Art. 55.

(1) In the spirit of the present law, cultural autonomy means the right of a community to have decisional powers with normative and administrative value in matters regarding its national, cultural, linguistic and religious identity, through organs appointed by its members.

(2) The organs thus established acquire by this law statute of public authority, the execution of their decisions being ensured by their own structures, or, in case, by other public competent authorities.

Art. 56.

Cultural autonomy of national communities refers to the following:

- a.) elaboration of strategies and priorities regarding education in the mother tongue of national communities;
- b.) organization, administration and control of the education in the mother tongue, or, in case, participation in partnership with public competent authorities in carrying on these duties;
- c.) organization, administration and control of the cultural or research institutions in the mother tongue, and the promotion of their own culture, or, in case, the participation in partnership with public competent authorities in carrying on these duties;
- d.) establishment and administration of their own public press organs, or participation in partnership with public competent authorities at the organization of stations, sections, editorial boards or shows within the public radio and TV stations;
- e.) participation at the elaboration of strategies and priorities for the preservation and valorization of the immovable and movable cultural patrimony of the respective national minority;
- f.) the administration or, in case, participation in partnership with public competent authorities, or monitorization of the administration of funds destined to finance specific activities in the field of preservation, promotion and expression of cultural, linguistic and religious identity of national minorities;
- g.) the appointment or in case, the approval of the appointment of the management of public educational institutions with teaching in the language of national minorities, as well as the public cultural institutions;
- h.) authorization of representatives of the respective national minority at the Ministry of Culture and the Ministry of Education and Research, within departments having duties in the field of the culture of national minorities and education in the mother tongue of national minorities;
- i.) establishment and awarding of cultural and scientific scholarships and prizes.
- j.) establishment of special taxes, in compliance with the law, in order to ensure the functioning of cultural autonomy.

Art. 57.

The duties and legal competences related to the cultural autonomy are exercised by the organizations of national minorities at central or local level in compliance with the law.

Art. 58.

(1) In order to exercise the competences and duties stipulated at art. 56, the organizations of national minorities, in case, may establish through internal elections the National Council of Cultural Autonomy, public authority with legal personality, representative for the respective national community.

(2) Committees of cultural autonomy may be established at county level depending upon the option of a national minority if the respective national minorities have a significant presence in that county, in the cases when a National Council of national minorities was established, as well as in the cases when there is no such council.

(3) The modality of establishment, as well as the organization and activity of the National Council of Autonomy of the respective national minority, will be settled through its own statute, registered in compliance with the law at the

Bucharest Municipality Tribunal, in a special Register for the National Councils of Cultural Autonomy, established by the national minorities in compliance with the law.

Art. 59.

(1) At the internal elections may run the members of the organizations of national minorities stipulated at art. 38, paragraph (1) letters a.) and b.).

(2) The procedure and the development of the internal elections will be established by the representative organization of the national minority that is going to set up its own national council.

(3) the development of the elections will be supervised and the results of the elections will be confirmed by the Permanent Electoral Authority.

(4) The expenses incurred with the internal elections will be beared from the state budget.

Art. 60.

The national community that intends to organize internal elections in order to set up a Council will deposit through its legal organization a memorandum to the Government of Romania and will establish jointly with the organization of the respective national minority the date of elections, as well as the necessary expenses.

Art. 61.

(1) After the official establishment, confirmed by the Permanent Electoral Authority, the National Council is registered in the Special Register at the Tribunal of Bucharest Municipality and elaborates its own Statute of organization and functioning.

(2) The statute is adopted with the vote of the majority of the Council's members and is deposited at the Tribunal of Bucharest Municipality, being communicated to the Department for Inter-Ethnic Relations.

Art. 62.

(1) The Council will have a personal organ financed from the state budget.

(2) A Permanent Secretariat will function within the National Council, and within the county committees will function permanent offices, having administrative and current managerial duties.

(3) The organization chart of the Permanent Secretariat, respectively of the permanent offices will be approved by the decision of the National Council.

(4) The employees of the Permanent Secretariat and of the permanent offices are assimilated with civil servants, and their salaries will be paid from the state budget.

Art. 63.

(1) The Parliament, the Government or the elected public authorities may adopt, at the proposal of the National Council for Cultural Autonomy, respectively at the proposal of the county committees normative documents authorizing competences related to the exercise of the rights to preserve, express and promote the ethnic, cultural and linguistic identity of the national minorities to the National Council, or, in case, to the respective county committees.

(2) In the administrative-territorial units where a national minority has a percentage of at least 1% and no representative in the local council, the committee of cultural autonomy may propose to the local council to debate matters related to the rights stipulated in the present law, and in the process of taking decisions this committee will be compulsory consulted.

Art. 64.

The legal disputes that may arise between the National Council or county committees and the state authorities will be solved in compliance with the law in the administrative courts.

Art. 65.

In the spirit of this law the state will consider representative, respectively legal, the organization of national minorities for the exercise of cultural autonomy, that has taken part and obtained mandates in the parliamentary elections, or, if no organization of the respective minority obtained a mandate, it obtained the highest number of votes.

Chapter VI.

Final and transitory dispositions**Art. 66.**

The supplementary expenses incurred with the exercise of the rights stipulated in the present law will be beared from the state budget.

Art. 67.

(1) The organization of national minority that will set up, in compliance with the law, the National Council will elaborate its Statute of organization and functioning.

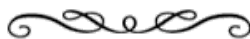
(2) After the registration of the National Council, according to its Statute, in the Special Register of the National Councils for Cultural Authonomy, the Council acquires the quality of public authority, legal entity that will exercise the competences and duties stipulated in the present law and its Statute.

Art. 68.

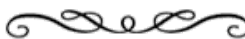
The present law will be completed with the legislation into force.

Art. 69.

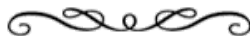
The present law enters into force within 6 months after the date of publication in the Official Journal of Romania, Part I.



[Page
précédente](#)



[Roumanie](#)



[Accueil: aménagement linguistique dans le
monde](#)