



NEWS REPORT

Update of news report nr:	438-RO-31 from 22 April 2010
Date:	14 June 2011
Expert:	Romanița Iordache
Title:	The Romanian President starts procedure for constitutional revision
Country:	Romania
<u>Context</u>	
Issue at stake:	Proposed revision of the Romanian Constitution tackling rights of national minorities
Ground of discrimination:	All grounds
Source:	Proposed constitutional amendment
Field:	All fields
Legislative provisions:	

Content

Political development: In November 22nd 2009, the Romanian President convened a popular referendum regarding the intention to give up on the bicameral parliamentary model. The referendum was validated by the Constitutional Court, including its results.¹ On April 21st, 2010, the Prime Minister submitted to the President the proposed draft for constitutional revision. On June 1st, President Băsescu announced that he started the procedures for revising the Constitution.

Content of the bill for constitutional revision: Besides the issues which constituted the scope of the referendum (i.e. the unicameral system and the diminishing of the number of members of the Parliament from 471 to a maximum of 300, the bill for a revised Constitution tackles other relevant issues such as institutional arrangements aiming to respond to concerns regarding the structure of power and checks and balances (impeachment procedures, removing parliamentary immunity for lawmakers investigated,

¹ As confirmed in Decision 37 from November 26 of the Constitutional Court, 72.31% of the participants voted in favour of adopting a unicameral Parliament and 83.31% voted in favour of reducing the number of MPs to less than 300.

appointment of the government, the budget deficit to be set at a maximum of three percent of GDP and a maximum public debt of 60 percent of GDP). Limited changes are proposed in relation to fundamental rights by rephrasing Article 26 on Liberty and security of the person with arrest which currently cannot be more than 24 hours which is extended to a maximum of 48 hours.

Also, adding to the referendum decided package, the draft proposes amendments in relation to Art. 6 on the Right to identity.

The draft adds one more paragraph to Art. 6 reading: “The public authorities will consult with the organizations of citizens belonging to national minorities in relation to decisions regarding maintaining, developing and expressing their ethnic, cultural and religious identity.”

Internet link source and additional information: The text of the proposed constitutional amendment draft is available at:

http://www.president.ro/static/Proiect_Revizuire_Constitutie.pdf

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