

Citizenship of the European Union under the Treaty of Lisbon

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Abstract

The paper is structured in two parts. The first part covers history, "Union citizenship, according to previous Treaties Lisbon Treaty, and the second refers to the privileges which they have as citizens of the Union Treaty as a result of reforming the European Union, referring to documents on which this Treaty adhere it recognizes as having the same legal force, treaties, (Treaty on European Union and the Treaty on the Functioning of the European Union).

Keywords: citizenship, Union, Charter, powers, State, institution, fundamental rights

1. The evolution of the concept of EU citizenship

1.1 Treaty of Maastricht (TEU)

The first regulation on EU² citizenship was introduced by the TEU (Maastricht Treaty) in TCE (Part II, art. 17 to 22, TEU), which expressly provides that "establishing a citizenship of the Union, and continued stating, is a citizen of the European Union any person holding the nationality of a Member State.

The EU citizenship complements national citizenship, not replace it, making it possible to pursue a number of EU citizen rights in the territory of the Member State of residence (and not only in the country of origin, as specified above TEU). Therefore:

1. necessary and sufficient that a person has the nationality of a Member State to benefit from EU citizenship;

2. Union citizenship will complement and add to state citizenship.

A statement attached to the TEU states that "the nationality of a Member State shall be determined solely by reference to national legislation of the Member State concerned. Therefore each Member State to indicate that people are its citizens. The TEU European Union respects fundamental rights as guaranteed by the European Convention on Human Rights and result from the constitutional traditions common to the Member States as general principles of Community law (Article 6 paragraph 2).

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² European Convention on Nationality (Council of Europe in Strasbourg adopted on 11/06.1997 came into force on 01.03.2000), ratified by Romania (Law no. 396/2002, Official Gazette, Part I no. 490/9.07.2002) does not define citizenship but citizenship is explained by showing that the legal bond between a person and a State and does not indicate the person's ethnic origin.

The TEU established the following categories of rights of EU citizens, complementary to national citizenship, which strengthens the protection of their interests:

1. any EU citizen has the right to move and settle freely within the territory of the Member States (Article 18 TEC);
2. any EU citizen, resident in a Member State and who is not a citizen shall have the right to elect and be elected in local elections in the Member State where he resides, under the same conditions as nationals of that State³ (Art. 19 TEC);
3. any citizen of the Union to protection by diplomatic and consular authorities of any Member State on the territory of a third Member State to which it belongs as a citizen is not represented under the same conditions as nationals of that State (Art. 20 TEC)⁴;
4. any EU citizen has the right to petition the European Parliament (Article 21 TEC);
5. any citizen of the Union may apply to the European Ombudsman to handle cases of maladministration in the institutions and bodies/union (Article 21 TEC);
6. Any citizen of the Union may write to any EU institution or body/union in one of the languages listed in the Treaty⁵, and to be answered in that language.

Council has the right, sitting unanimously after consulting the Parliament to adopt new provisions aimed at completing the above rights. The provisions recommended for adoption by Member States to adopt appropriate rules are constitutional.

1.2 Treaty of Amsterdam (TA)

The Treaty of Amsterdam (signed in 1997, entered into force in 1999), recognition of citizenship as a guarantee of the Union reaffirms that the European Union is founded on the principles of freedom, respect human rights and fundamental freedoms and the rule of law, principles common to all Member States, respect for human rights as a condition of membership of a State of the Union (art. 49 TEU). These principles form the same time, the common heritage of values set by the Constitution of the Council of Europe and the European Convention on Human Rights⁶.

³ EU legislation provides, however, numerous conditions for exercising those rights. For a stay longer than three months requires a residence certificate. Entry into the territory of another Member State can not be prohibited only for reasons of security and public health and must be justified prohibition (Article 18 TEC, was 8A).

⁴ Member States shall establish the necessary rules among themselves and will initiate international negotiations required to ensure such protection (Article 20 TEC was. 8C).

⁵ Refer to art. 314 TCE which states that under the treaties of accession to this Treaty are equally authentic language versions: Danish, English, Finnish, Greek, Irish, Portuguese, Spanish and Swedish.

⁶ Edward Dragomir, Dan Nita, *European Citizenship*, Nominal Lex, Bucharest, 2010, p. 106.

Also, the TA provides that the Union respects fundamental rights as guaranteed by the European Convention on Human Rights signed in Rome in 1950, and those resulting from the constitutional traditions common to the Member States as general principles of Community law.

As a complement to EU citizens' rights under the TEU, recognizing them through TA, right to information. So that every European citizen and any natural or legal person having its registered office in a Member State is entitled to access to European Parliament, Council of the European Union, within the grounds of public or private (Art. 21 para. 3 TCE).

In this context of concerns, between the year of signature and entry into force of the TA, respectively, in 1998, the European Commission set up an information service, "Europe directly to inform citizens about the opportunities and rights conferred on them the European citizenship⁷.

The TA, to establish a security policy regarding compliance by Member States of fundamental⁸ rights, establishing penalties for breaches of those rights so that if a European Union Member State seriously and persistently breaches the principles on which Union is founded, the Council may decide to suspend certain rights deriving from this Treaty (TEU amended by TA) for the Member State concerned, including the right to vote the representative of the government of that Member State (Article 7 TEU).

The Preamble TEU as amended by the TA is the Member States confirmed its attachment to fundamental social rights as defined in the 1961 European Social Charter, revised in 1996⁹, the Community Charter of Fundamental Social Rights of 1989¹⁰. This Charter is seen as a political tool whose purpose is to ensure that certain social rights, such as those related to employment, vocational training opportunities.

The Member States of the European Union fundamental rights are respected and democratic values as provided both internal fundamental rules (constitution) and the rules of international law, namely, in the conventions to which they are parties, for example¹¹: 1. European Convention on Human Rights

⁷ *Europe Direct* network is one of the main tools used by the European Commission to inform citizens and communicate with them locally. The network includes the EU, Europe Direct Information Centre 480, 400 and 700 European Documentation Centre of Team Europe. In Romania, the 30 Europe Direct Information Centre, 14 European Documentation Centre and over 20 policy experts European Commission's Team Europe is the interface with local citizens and their mission is to promote informed and active European citizenship. These networks provide general and specialized information on the EU and refer to sources of specialized information, public awareness and promote debate on European issues.

⁸ Edward Dragomir, Dan Nita, *work cited*, p. 107.

⁹ European Social Charter was signed at the European Council, Italy, in Turin, on 18.10.1961, entered into force on 26.02.1965, was revised to Strasbourg, on 03.05.1996. It was ratified by Romania by Law no. 74 of 03.05.1999 (Official Gazette no. 193/04.05.1999).

¹⁰ It was adopted by the European Council of 9 December 1989.

¹¹ Mihaela Vrabie, *European citizenship and rights*, Tritonic Publishing, Bucharest, 2007, p. 16.

(1950)¹² 2. Universal Declaration of Human Rights¹³ (1948) 3. European Social Charter (1961, revised 1996), 4. Community Charter of Fundamental Social Rights of Workers (1996).

1.3 Treaty of Nice

Union's commitment to fundamental rights and democratic values enshrined in the conventions mentioned above, was reaffirmed formally on 7 December 2000 when he was officially proclaimed by the European Parliament, Council and Commission at the Intergovernmental Conference (IGC) on Treaty of Nice, the Charter of Fundamental Rights¹⁴.

Charter was adapted on 12 December 2007 in Strasbourg (one day before it signed the Treaty of Lisbon).

All the above provisions, from their entry into force of directives have been followed, the vast majority already transposed into the legal systems of Member States, which has strongly influenced important areas of political and legal life¹⁵.

2. Citizenship of the Union under the Treaty of Lisbon

Now, according to the Lisbon Treaty Citizenship of the Union is governed by the following provisions:

1. Title II of the TEU, again entitled "Provisions on democratic principles" (art. 9 to 11 TEU new);

2. The second part entitled "Non-discrimination and citizenship of the Union" (art. 20 to 22 TFEU) and art. 15 par. 3 TFEU;

3. European Union Charter of Fundamental Rights of 7 December 2000, as adapted on 12 December 2007, in Strasbourg, since according to Art.6 TEU – new paragraph 1, the Charter has the same legal value Treaties, achieving the legal force of primary legislation of European Union law.

4. European Convention on Human Rights and Fundamental Freedoms, because, according to art. 6. 2 TEU again, the Union shall accede to the Convention.

¹² The Council of Europe was signed in Rome on 04.11.1950, entered into force on 03.09.1953, was ratified by Romania by Law no. 30/1994 (Official Gazette no. 135/31.05.1994).

¹³ It was approved and proclaimed by UN General Assembly on the 10th. 12. 1948.

¹⁴ See 2007 / C 2003/01.

¹⁵ Directive 2004/38/EC on the right of free movement and residence within Member States for Union citizens and their family members, amending Regulation (EEC) no. 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, Directive 93/109/EC (6 December 1993) for details on voting, and the right to stand for the European Parliament for EU citizens who reside in another than the State whose nationality they have.

2.1 Citizenship of the European Union under the Treaty on European Union amended the Treaty of Lisbon

In Title II of the TEU again entitled “Provisions on democratic principles”, laid down the principles on which the Union respects and that it is based, and aimed at EU citizens directly, as follows:

- a) the principle of equality of EU citizens, under which citizens receive equal attention from its institutions, bodies, offices and agencies. Citizen of the Union any person holding the nationality of a Member State. Citizenship of the Union shall be additional to national citizenship and not replace it (Article 9 TEU new);
- b) the principle of representative democracy, whereby citizens are directly represented at Union level in the European Parliament. Member States are represented in European Council by their Heads of State or Government, and Council, their governments, themselves democratically responsible to their national parliaments or to their citizens (art. 10 TEU new).

According to the principle of representative democracy EU citizens have the following powers:

- Every citizen has the right to participate in the democratic life of the Union. Decisions are taken as openly and at a level, as close as possible to the citizens (art. 10 para. 3);
- European political awareness training aimed at expressing the will of Union citizens and contributing to political parties at European level (Art. 10 para. 4);
- Citizens and representative associations, they are given an opportunity to institutions, to make their views known and to exchange views in public in all areas of Union action (Article 11. 1);
- At the initiative of at least one million citizens who are nationals of a significant number of Member States, the Commission may be invited to submit, within its powers, an appropriate proposal on matters where citizens consider that a legal act the Union, to implement the Treaties (Art. 11 para. 4)¹⁶.

EU citizens are directly involved in the life of their representation in national parliaments by actively participating in, the life of the Union.

Therefore, representative democracy is put in value and the active contribution of national Parliaments in the smooth functioning of the Union, as follows:

- a) through being informed by the Union institutions and receiving notifications of draft EU legislative acts in accordance with the Protocol on the role of national parliaments in the European Union;
- b) the principle of subsidiarity in accordance with the procedures laid down in the Protocol on the principles of subsidiarity and proportionality;

¹⁶ The procedures and conditions required for such initiatives are established in accordance with art. 24, first paragraph of the TFEU.

- c) participation in the area of freedom, security and justice in the evaluation of the implementation of EU policies in this area¹⁷;
- d) by participating in the revision procedures of the Treaties (in accordance with Art. 48 TUE new);
- e) by being notified of applications for accession to the EU (in accordance with Art. 49 TUE-new);
- f) by taking part in the interparliamentary cooperation between national parliaments and the European Parliament (in accordance with the Protocol on the role of national parliaments in the EU).

2.2 Non-discrimination and citizenship of the Union, operating under the EU Treaty

Lisbon Treaty added to Title II of TFEU (formerly Title II, TCE, entitled “Citizenship”) and the term “discrimination”, which directly concerns citizenship of the Union.

Within the scope of the Treaties, the Union:

- a) shall prohibit any discrimination on grounds of nationality (Art. 18 para. TFEU 1);
- b) may adopt rules to prohibit such discrimination, the European Parliament and Council, in accordance with the ordinary legislative procedure (Art. 18 para. TFEU 2);
- c) take measures necessary to combat discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation by the Council, acting unanimously in accordance with a special legislative with the approval of the European Parliament (art. 19 TFEU).

EU citizens' rights established by the TEU (introduced TCE), and later by BP, are set with certain developments in the Treaty of Lisbon.

Please note that European Union law / Community law not provide a proper system of Union citizenship award, it runs automatically from the nationality of a Member State¹⁸. Union citizenship does not replace national citizenship but are added to it (art. 20 para. 1 TFEU).

Moreover, the evolving nature¹⁹ of EU citizens' rights as the Council may adopt provisions aimed at supplementing rights (unanimously in a special legislative procedure and with the approval of Parliament). Completion of Rights provisions enter into force only after being approved by Member States in accordance with their constitutional (Art. 25 TFEU).

¹⁷ In accordance with art. 70 TFEU, and involvement in the political monitoring of Europol and the evaluation of Eurojust's activities in accordance with Articles 88 and 85 of that treaty.

¹⁸ Andrei Popescu, Ion Diaconu, *European and Euro-Atlantic organizations*, Universul Juridic Publishing House, Bucharest, 2009, p. 277.

¹⁹ *Ibidem*.

In addition to the obligations of treaties, citizens of the Union, amongst others:

a) freedom of movement and residence within Member States. This right shall be exercised subject to the limitations and conditions laid down by treaties and the provisions adopted in implementation thereof (Article 20 para. 2 points a. TFEU). If an action by the Union should prove necessary to attain this objective and the Treaties have not provided the necessary powers in this respect, the European Parliament and the Council, acting unanimously with the ordinary legislative procedure, may adopt provisions designed to facilitate the exercise of those rights.

In order to exercise the right of free movement and residence within Member States, and if the Treaties have not provided the necessary powers in this regard, the Council (acting under a special legislative procedure) may adopt measures concerning social security and social protection (art. 21 TFEU).

b) the right to elect and be elected concerns every citizen of the Union residing²⁰ in a Member State and who is a citizen of it. This right involves two aspects: local elections and elections to the European Parliament:

- The right to elect and be elected in local elections (municipal) in the Member State where he resides, under the same conditions as nationals of that state (art. 20 para. 2 points b. TFEU). This right shall be exercised subject to the Council (acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament), these arrangements (for example, directives adopted by the Council) may provide for derogations where problems specific to a Member State so warrants.

- The right to elect and be elected to the European Parliament elections in the Member State where he resides, under the same conditions as nationals of that State. This right shall be exercised:

- Without prejudice to art. 223 par. 1 TFEU²¹ and provisions adopted for its implementation;
- The conditions adopted by the Council, acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament, these arrangements (for example, directives adopted by the Council) may provide for derogations where specific provisions of a Member State warrants.

Among the implementing rules derogatory nature, exemplified:

- Council Directive 93/109/EC of 06.12.1993²², establishes the principles for the right to participate in elections for European Parliament to

²⁰ Law no. 33/2007 on the organization and conduct of elections to the European Parliament, 16.01.2007 (Official Gazette, Part I, no. 28/ 16.01.2007).

²¹ These provisions provide the opportunity for Parliament to develop a project to establish the necessary provisions for the election of its members by direct universal suffrage in accordance with a uniform procedure in all Member States or in accordance with principles common to all Member States (Art. 223 par. TFEU 1).

²² Council Directive 93/109/EC lays down rules for exercising the right of aa law and to be elected European Parliament for EU citizens residing in a Member State who are not nationals.

choose between the freedom of residence and the State of nationality and equal treatment with nationals, it provides an exemption where the proportion of Union citizens vote is over 20% of nationals entitled to vote, in which case the State concerned as a condition for non-national may impose a term of five years residence to vote and 10 years to be eligible, this exception does not apply only to Luxembourg²³.

- Council Directive 94/80/EC of 19.12.1994²⁴ provides the same principles and possible exemptions for participation in municipal elections, while it allows nationals of Member States to reserve certain positions in municipal executives and to prohibit nationals from participating in elections or choosing one from the parliamentary assemblies (for bicameral parliaments)²⁵.

c) the right to enjoy in the territory of a country in which the Member State whose nationals are not represented, the protection of the diplomatic and consular authorities of any Member State, under the same conditions as nationals of that State. Member States shall adopt the necessary provisions and start international negotiations necessary to secure this protection.

The Council, acting unanimously by a special legislative procedure and after consulting the European Parliament, may adopt directives establishing the coordination and cooperation necessary to facilitate this protection (art. 20 para. 1 letter c. and art. 23 TFEU).

In this regard was adopted by Council Decision 95/533 / EC of 1995²⁶ on the protection of EU citizens through the diplomatic and consular representations. Diplomatic and consular protection is granted in case of death, accident or serious illness, arrest or detention, to assist victims of violence, support and repatriation of EU citizens in distress, with the state and the citizen that he refund the costs incurred. The granting of diplomatic or consular assistance by an embassy or consular office of another Member State of residence implies agreement under international law. This problem can be resolved on the basis of negotiations, EU agreements on the one hand, and Member States on the other hand²⁷, third countries, a problem which hitherto has not been addressed²⁸.

d) the right to petition the European Parliament, to the European Ombudsman (according to art. 288 TFEU) and the right to address the institutions

²³ Andrei Popescu, Ion Diaconu, *European and Euro-Atlantic organizations*, Universul Juridic Publishing House, Bucharest, 2009, p. 278.

²⁴ Directive 94/80/EC of 19 December 1994 laying down detailed rules for exercising the right to elect and be elected in local elections for EU citizens residing in a Member State whose nationality he does not have.

²⁵ Andrei Popescu, Ion Diaconu, *work cited*, p. 278.

²⁶ The decision was taken by representatives of the Governments of Member States, meeting within the Council of 19 December 1995 on protection of EU citizens on diplomatic and consular representations. See this and Government Decision no. 868/2008 on the protection of EU citizens by diplomatic and consular missions.

²⁷ As provided provisions of art. 23 TFEU.

²⁸ Andrei Popescu, Ion Diaconu, *work cited*, p. 278-279.

and advisory bodies of the Union in any of the languages²⁹ and receive the answer in the same language³⁰ (Article 20 para. 1 letter d. and article 24 TFEU).

Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has the right to address, individually or in combination with other citizens or persons, a petition concerning a matter within areas of activity and which affects them directly (art. 227 TFEU).

e) the right to present a citizens' initiative within the meaning of art. 11 TEU, including the minimum number of Member States which must come from citizens who have such an initiative (art. 24 TFEU). Citizen Initiative, is a legislative initiative, which, according to art. 11 TEU, a proposed Union on matters where citizens consider that there is a legal act of the Union to implement treaties.

Article 11 TEU refers to both the number of citizens and the number of states, respectively, at least one million citizens who are nationals of a significant number of states. To implement such an initiative it is necessary to adopt a legislative act to detail the procedures for application of the provision³¹

The provisions on procedures and conditions required for such an initiative be adopted by the European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure (Art. 24 TFEU).

f) have access to the institutions, bodies, offices and agencies, regardless of the medium in which these documents are subject to the principles and conditions laid down by art. 15 para. 1 TFEU. Right of access to any Union citizen and any natural or legal person residing or having its registered office in a Member State.

In the general principles and limits (conditions) established by art. 15 TFEU, which, for reasons of public or private interest governing this right of access to documents, they are established by regulations of the Council, acting in accordance with the ordinary legislative procedure (Art. 15 TFEU).

Each institution, body, office or agency shall ensure transparency in their work and draw up its Rules of Procedure specific provisions regarding access to documents, according to regulations established by the Council.

Publication of documents relating to the European Parliament is ensured by the Council, as provided by regulations adopted by the Council.

2.3 European Union Charter of Fundamental Rights

European Union Charter of Fundamental Rights was solemnly adopted on 7 December 2000 (the IGC) in Nice, was later adapted to 12 December 2007 in Strasbourg, because then the Lisbon Treaty (entered into force 1 December 2009) to provide expressly that the Union recognizes the rights, freedoms and principles

²⁹ „Languages” of the Treaties are referred to in Article 55 paragraph 1 TEU.

³⁰ These rights are exercised under the conditions and limits defined by treaties and by the measures adopted to implement them (Article 20 para. last. TFEU).

³¹ Edward Dragomir, Dan Nita, *The Treaty of Lisbon*, Nominal Lex, Bucharest, 2009, p. 52-53.

in the Charter and that it has the same legal force as treaties³² (not compulsory), art. 6. 1 TEU, but shall not include in the treaty text of the Charter.

Charter contains a single text, all the social, economic, civil and political, which can benefit all citizens. These rights are divided into six main chapters:

> Chapter I, dignity (including articles on: human dignity, right to life, right to integrity, prohibition of torture and inhuman treatment or degrading treatment or punishment, prohibition of slavery and forced labor);

> Chapter II, freedoms (including articles on: the right to liberty and security, respect for private and family life, personal data protection, right to marry and right to found a family, freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association, freedom of the arts and sciences, the right to education, freedom of choice of occupation and employment law, freedom to conduct business, property rights, asylum, protection of the likelihood displacement, expulsion or extradition) ;

> Chapter III, Equal (includes articles on: equality before the law, discrimination, cultural, religious and linguistic diversity, gender equality, child rights, elderly rights, the integrity of persons with disabilities);

> Chapter IV, and Solidarity (includes articles on: the right of workers to information and consultation in business, negotiation and collective action law right of access to placement services, protection against unjustified dismissal, equal and fair working conditions, prohibition of protection of children and young people at work, family and professional life, social security and social assistance, healthcare, access to services of general economic interest, consumer protection);

> Chapter V Civil rights (including articles on: the right to vote and stand for election to Parliament, the right to vote and stand in municipal elections, the right to good administration, access to documents, the lawyer people, freedom of movement and residence, diplomatic and consular protection);

> Chapter VI, Justice (includes articles on: the right to effective remedy and a fair trial, presumption of innocence and the right to defend the principles of legality and proportionality of crime and punishment, the right not to be tried and punished twice in criminal proceedings for the same offense);

> Chapter VII, General Provisions (contains articles on: the scope, the scope of the rights guaranteed level of protection, prohibition of abuse of rights).

Charter has its origins in the European Convention on Human Rights. It looks like a really compendium of rights enjoyed by EU citizens³³, including both rights and fundamental freedoms contained in general in the European Convention, but also social rights, inspired by the European Social Charter adopted by the Council of Europe, and 'rights us, which are the evolution of European societies in various fields such as Bioethics, the environment or children's rights³⁴.

³² With reference to *The Treaty on the Functioning of the European Union* and *The Treaty on European Union*.

³³ Dan Vataman, *EU Law*, Universul Juridic Publishing House, Bucharest, 2010, p. 59.

³⁴ Corneliu Barsan, quoted by Edward Dragomir, Dan Nita, *European Citizenship*, Tritonic Publishing House, Bucharest, 2007, p. 115.

In this respect, the Charter reaffirms in its preamble, with the powers and tasks of the Union and the principle of subsidiarity, the rights arising mainly:

- From the constitutional traditions;
- Common international obligations of Member States;
- European Convention on Human Rights and Fundamental Freedoms;
- The Social Charters adopted by the Union and the Council of Europe;
- Court of Justice of the European Union and the European Court of Human Rights.

2.4 European Convention on Human Rights and Fundamental Freedoms

European Convention on Human Rights and Fundamental Freedoms³⁵, known as the European Convention on Human Rights. Convention is a catalog of fundamental rights developed by the Council of Europe on April 11.1950, Rome. Addressing violations of rights guaranteed by the Convention and its Protocols, to the exclusion of any other right, from the Council of Europe Member States are within the competence of the European Court of Human Rights - ECHR.

The Union shall accede to the European Convention on Human Rights and Fundamental Freedoms. Accession to the Convention does not alter the Union's competences as defined in the Treaties (Art. 6 para. 2 TEU). Fundamental rights, as guaranteed by the Convention, and as they result from the constitutional traditions common to the Member States constitute general principles of Union law (Art. 6 para 3 TEU).

Conclusions

Giving legal force to the Charter of Fundamental Rights of 7 December 2000 in Nice, adapted by the European Council of 12 December 2007 in Strasbourg, it strengthens the confidence of citizens of Member States - through the recognition of rights, freedoms and principles – the powers that Union citizenship Europeans have developed since the Treaty of Maastricht, 1993. In support of this concern, to strengthen the rights of EU citizens, the EU acceding to the Treaty of Lisbon, the European Convention on Human Rights and Fundamental Freedoms, a document of great legal importance, which makes of these rights, the foundation of EU citizens.

³⁵ The Convention was signed in Rome in April 11.1950 (entered into force in 03.09.1953) was amended by the Protocols no. 3 of 6.05.1963, no. 5 of 20.01.1966 and no. 8 of 19.03.1985 and supplemented by Protocol no. 2 of 6.05.1963, part of it. The Convention was ratified by Romania by Law no. 30/1994 on the ratification of the Convention for the Protection of (...) and the Additional Protocols to the Convention (Official Gazette no. 135 of 31.05.1994).

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9. Directive 2004/38/EC on the right of free movement and residence within Member States for Union citizens and their family members, amending Regulation (EEC) no. 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.
10. Government Decision 868/2008 on the protection of EU citizens by diplomatic and consular missions.
11. The Rome Convention, 4.11.1950 (entered into force in March. 09.1953) was amended by the Protocols. 3 of 6.05.1963, no. 5 of 20.01.1966 and no. 8 of 19. March 1985 and supplemented by Protocol. 2 of 6.05.1963, part of it. The Convention was ratified by Romania by Law no. 30/1994 on the ratification of the Convention for the Protection of (...) and the Additional Protocols to the Convention (Official Gazette no. 135 of 31.05.1994).