



THE EUROPEAN INSTITUTE OF ROMANIA

STATUTE

This Statute of the European Institute of Romania was approved at the meeting of the Administrative Board held on 29 October 2019 and shall constitute an annex to Decision No. 7 of 29 October 2019 issued by the President of the Administrative Board of The European Institute of Romania

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CHAPTER I – GENERAL PROVISIONS

Article 1

The European Institute of Romania, hereinafter EIR, is a public institution with legal personality, established under Government Ordinance No 15/1998, approved by Law No 207/1998, as subsequently amended and supplemented.

Article 2

EIR is established in Bucharest, Bulevardul Regina Elisabeta, nr. 7-9, sector 3. The premises are provided, rent-free, by Regia Autonomă “Administrația Patrimoniului Protocolului de Stat” (Autonomous Administration of State Protocol Patrimony).

Article 3

EIR shall operate under the authority of the Government and under the coordination of the Ministry of Foreign Affairs, according to the legal provisions in force.

Article 4

The name “The European Institute of Romania” and its registered trademark, together with the address of the registered office and the tax identification number, shall be recorded in all the documents and acts issued by it.



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Article 5

- (1) EIR shall perform its activity for an unlimited period of time.
- (2) EIR shall cease its activities as provided for by law.

CHAPTER II – OBJECTIVES AND FUNDING SOURCES

Article 6

EIR shall support, through its activities, the formulation and application of the Government policies deriving from Romania’s membership of the European Union.

Article 7

The main objectives of EIR are:

- a) to provide support for the substantiation and implementation of the Romanian Government’s policies in the field of European affairs;
- b) to increase the level of knowledge and skills of civil servants and other socio-professional categories in the field of European affairs;
- c) to improve the access to European Union law, to the case-law of the European Court of Human Rights and to the Romanian law relevant to the field of European affairs, as well as their understanding and application;
- d) to contribute to the development of the European spirit and values.

Article 8

(1) In order to achieve the objectives referred to in the previous article, EIR:

- a) shall carry out research and development activities, by drawing up studies, analyses and opinions concerning activities in the field of European affairs, including those necessary to substantiate the positions expressed by Romania within the European Union, the measures necessary for the fulfilment of its obligations as a Member State and the representation of its interests before the European Union institutions;
- b) shall carry out short-term and long-term ongoing training and professional development activities and programmes in the field of European affairs, including activities and programmes for the preparation for competitions and selections organised by the European Union institutions, intended for civil servants and other employees working in central and local administration, as well as other socio-professional categories concerned;
- c) shall ensure the translation into Romanian and the linguistic and legal revision of the case-law of the European Court of Human Rights, as well as the translation into French and/or English of Romanian legal texts, through a process of terminological harmonisation and coordination of the translations carried out at national level;
- d) shall carry out public communication activities in the field of European affairs, by organising public conferences, seminars, round tables, debates and other activities and creating communication products, for the promotion of the European spirit and values at the level of public administration, academia, business environment and public opinion;
- e) shall elaborate and publish the periodical “Romanian Journal of European Affairs” and other publications related to its field of activity;
- f) shall carry out other types of translations than those referred to in point (c) and shall draw up educational or information papers and materials related to its field of activity.

(2) In order to perform the tasks referred to in paragraph (1), EIR may conclude, according to the law, partnerships, cooperation agreements and contracts with other public or private institutions and/or national and foreign experts.

Article 9

In order to achieve its objectives, EIR shall benefit from the following funding sources:

- a) subsidies from the State budget;
- b) own revenues;
- c) donations;
- d) sponsorships.

a) Subsidies from the State budget

State subsidies shall be allotted from the budget of the Ministry of Foreign Affairs, as chief authorising officer.

b) Own revenues

Own revenues shall be generated from studies and analyses, the programmes carried out under research contracts, the participation fees paid for training activities, the editorial products sold, the organisation of scientific, communication or training sessions, conferences and events, the provision of translation, terminological coordination and harmonisation services and other similar activities, conducted under contract, in public-private partnerships or in partnership with other public institutions, as well as from non-repayable funds, and shall be used by EIR in accordance with the law.

c) Donations

- (1) Donations can be sums of money, goods, copyrights, shares, securities or other rights, if they are unencumbered.
- (2) Donations can be conditional upon the achievement of a purpose, if it is in line with the objectives of EIR.
- (3) EIR may refuse, by decision of the Administrative Board, any donation made under unacceptable terms or which are contrary to the provisions of this Statute.
- (4) In the case of conditional donations or whose destination is specified in the act of donation, EIR shall notify the donor of the use made of the donation.

d) Sponsorships

EIR can accept and use sponsorships according to the law.

CHAPTER III – MANAGEMENT, ORGANISATION AND FUNCTIONING

Article 10

- (1) The European Institute of Romania shall be managed by the Administrative Board.
- (2) The operational management of EIR shall be exercised by the Director General, as the third authorising body.
- (3) The Scientific Advisory Board shall be set up by decision of the Director General.

The Administrative Board (AB)

Article 11

- (1) The Administrative Board is EIR's governing body and is made up of 9 (nine) members, who may not be civil servants.
- (2) The President of the Administrative Board, together with four other members, shall be appointed by the Prime Minister, on a proposal from the Ministry of Foreign Affairs.
- (3) The Committee on European Affairs of the Parliament of Romania, the Romanian Academy, employers' organisations and trade unions, which are representative at national level, shall each appoint one member of the Administrative Board of EIR.

Article 12

- (1) The employers' organisations and trade unions that fulfil the conditions set out in Law No 62/2011 on social dialogue, as amended and supplemented, are nationally representative.
- (2) As regards the members appointed by employers' organisations or trade unions, the appointment shall be made by consensus, by the nationally representative employers' organisations and trade unions, respectively.

Article 13

- (1) The Administrative Board shall have the following powers:
 - a) to approve EIR's strategy and projects;
 - b) to appoint and revoke the Director General of EIR;
 - c) to discuss the annual programme, which shall be submitted for approval to the Ministry of Foreign Affairs, on a proposal from the Director General;
 - d) to discuss the annual report of EIR and to submit it for approval to the Ministry of Foreign Affairs;
 - e) to discuss the annual draft of revenue and expenditure, which shall be submitted for approval to the Ministry of Foreign Affairs, as well as the budget implementation for the previous year;

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- f) to approve the Director General's report on discharge in respect of the implementation of the budget for the period considered;
 - g) to approve the organisational structure, the Statute, the Organisation and Functioning Regulation and EIR's list of posts;
 - h) to endorse the cooperation with national and international organisations, as well as the membership of international organisations.
- (2) The Administrative Board may award, on a proposal from the Director General, the honorary title of *Honorary President of the European Institute of Romania*.

Article 14

- (1) The term of office of the members of the AB shall be four years.
- (2) The membership of the AB may cease in the following cases:
- a) removal from office;
 - b) resignation;
 - c) death;
- (3) The members of the Board shall be removed from office by the authorities which appointed them.
- (4) The authority that appointed the member of the AB who is in one of the situations listed in paragraph (2) shall appoint as soon as possible a new member, who shall remain in office until the end of the initial term of office.

Article 15

The Administrative Board shall hold quarterly ordinary meetings, at the request of the Director General, the President or of one third of its members.

Article 16

- (1) The notice of convocation of a meeting shall be sent by the Director General at least 72 hours before the meeting and shall include the place, date and time of the meeting, as well as the agenda.
- (2) Extraordinary meetings may be convened 24 hours in advance.

Article 17

- (1) The Meetings of the AB shall be deemed duly convened if two thirds of the appointed members are present, following the first notice of convocation.
- (2) The decisions of the AB shall be adopted by the vote of two thirds of its members.
- (3) If the required quorum provided for in paragraph (1) has not been reached following the first notice of convocation, a second notice of convocation shall be sent, but no later than one month after the previous notice of convocation. In this case, the meeting of the Administrative Board shall be deemed duly convened irrespective of the number of members attending it.

Article 18

- (1) The meetings of the AB may take place either in person (the physical attendance of its members) or via teleconference, by phone or by means of IT applications (e.g. Skype). If the meeting is to be held via teleconference, the President of the AB shall include this information in the notice of convocation of the meeting. In this case, by 6 p.m. on the day of the teleconference, the members of the AB must confirm in writing, in an e-mail to the President of the AB, the votes on the agenda items, cast by them during the teleconference.
- (2) In urgent cases, the Administrative Board may take decisions via electronic correspondence. To this end, the President of the AB shall notify in writing the members of the AB of the circumstances giving rise to urgency and shall set the date and time by which they must exercise their right to vote, sending them via e-mail all the documents relevant to the decision-

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making process. In this case, the attendance quorum shall be determined by reference to the number of members having cast a vote until the expiry of the voting period set.

(3) Voting by correspondence shall not be allowed for the decisions taken by secret ballot.

(4) If a member of the AB is unable to attend a meeting, due to objective reasons, he/she may choose:

- a) to empower another voting member of the AB to represent him/her in the respective meeting; the empowerment shall be sent by e-mail to the President of the AB and shall include information concerning the name of the empowered person, the date of the meeting, its agenda and the delegation of the voting right to the empowered person in respect of the items on the agenda for the meeting;
- b) to send his/her vote concerning the items on the agenda for the meeting by e-mail to the President of the AB, including all other members of the AB in the “Cc:” field.

Article 19

(1) The members of the Administrative Board shall receive, for the activities carried out by them, a meeting allowance of 10% of the monthly basic salary of the Director General.

(2) The total amount due to a member of the Administrative Board, following his/her participation in the meetings, may not exceed, in one month, 20% of the monthly basic salary of the Director General.

Article 20

(1) The President of the Administrative Board shall have the following powers:

- c) to chair the meetings of the Administrative Board;
- d) to issue the decisions of the Administrative Board;
- e) to represent the Administrative Board in its relations with Romanian or foreign authorities or public/private institutions.

(2) If the President is unable to perform his duties, he/she may grant, to a member of the Administrative Board, a general or a limited mandate, for a certain period of time.

Article 21

(1) The secretariat for the meetings of the Administrative Board of the European Institute of Romania shall be provided by an expert from the Communication Unit.

(2) For each meeting, the secretariat shall draw up minutes which shall be signed by all participants in the meeting.

The Director General (DG)

Article 22

(1) The Director General shall be appointed by the Administrative Board for a five-year term of office, on a proposal from its President.

(2) The Director General’s term of office shall be renewable.

Article 23

(1) The Director General’s term of office shall cease:

- a) at the end of the term of office;
- b) by the resignation of the Director General in office, with prior notification of at least 30 days;
- c) by removal from office (revocation of the mandate) by the Administrative Board;
- d) by agreement between the parties;
- e) on the date when he/she cumulatively meets the requirements concerning the standard retirement age and the minimum contribution period (for retirement);
- f) in the case of death;

- g) upon the dissolution of the European Institute of Romania;
 - h) by any other method expressly authorised or laid down by law.
- (2) The Director General's term of office may be revoked in the event of non-compliance with the obligations undertaken, by reasoned decision of the Administrative Board.
- (3) If the position of Director-General remains vacant, the Administrative Board shall designate, as soon as possible, an interim Director General, until the appointment of a new Director General.

Article 24

If the Director General is unable to perform his/her function due to objective reasons, he/she shall delegate his/her rightful duties to a person responsible for the management of the European Institute of Romania until the causes that have led to the impossibility of performing his/her public service duties cease to exist.

Article 25

The Director General shall have the following powers:

- a) to draw up and apply specific strategies and policies that ensure the conduct of current and future activities of EIR in conditions ensuring a high level of performance;
- b) to ensure the management and administration of all the assets of EIR, in accordance with the law;
- c) to supervise the implementation of EIR's objectives and of the activity plan;
- d) to conclude legal acts in the name and on behalf of the European Institute of Romania;
- e) to represent EIR in its relations to third parties;
- f) to commit funds and use them within the limits of the budget appropriations approved, on the basis of a sound financial management;
- g) to act in compliance with the provisions of the annual revenue and expenditure budget of EIR, initiating efficient programmes and measures for a sound management, as provided for by the legislation in force;
- h) to comply with the duties set out for authorising officers in the public finance legislation;
- i) to submit to the Administrative Board, in accordance with legal provisions, the economic and financial situation of EIR, the steps taken for the implementation of the activity plan and for the achievement of the objectives set out in the contract of mandate concluded between the Director General and EIR;
- j) to apply EIR's internal rules and procedures;
- k) to approve the list of posts of the European Institute of Romania;
- l) to select, to employ/appoint, to promote, to sanction and dismiss/remove from office the members of the staff of EIR, in compliance with the legal provisions;
- m) to set the professional duties, the individual performance objectives and the criteria for assessing their achievement by the staff employed;
- n) to draw up the evaluation reports on his/her direct subordinates;
- o) to supervise and check how the employees perform their duties;
- p) to decide and order the application of measures to ensure the safety of EIR's employees during the performance of their specific activities;
- q) to issue mandatory decisions for the staff members of EIR, subject to their legality;
- r) to award, during his/her mandate, the honorary title of *Honorary President of the Scientific Advisory Board* and other honorary titles granted by EIR;
- s) to appoint and revoke the members of the Scientific Advisory Board, as provided for in this Statute;
- t) to coordinate and to monitor the activity of the Scientific Advisory Board;
- u) to inform the Administrative Board about the activity of the Scientific Advisory Board;
- v) to participate in the Administrative Board meetings, without the right to vote;

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- w) to draw up reports on the activities performed and the financial situation, and to submit them to the Administrative Board;
- x) to perform any other tasks established by the Administrative Board, which are necessary for the operational management of the European Institute of Romania.

The Scientific Advisory Board (SAB)

Article 26

- (1) The Scientific Advisory Board shall be made up of 9 (nine) members at most, appointed by the Director General during his/her term of office, for a period of 5 (five) years.
- (2) The Director General may award the title of President of Honour/Member of Honour of the Scientific Advisory Board.
- (3) The Members of the Board are public personalities with a vast professional training and experience in the fields they represent.

Article 27

The Scientific Advisory Board shall be chaired by the Director General of the European Institute of Romania, as President.

Article 28

- (1) The term of office of the members of the Scientific Advisory Board shall cease:
 - a) at the end of their term of office;
 - b) by resignation, with a prior notification of at least 30 days;
 - c) by removal from office by the Director General;
 - d) by agreement between the parties;
 - e) by death or if they are no longer able to perform their duties;
 - f) in any other cases provided for by law;
- (2) The members of the Scientific Advisory Board may be removed from office by reasoned decision of the Director General:
 - a) if they fail to fulfil the obligations undertaken by accepting the mandate;
 - b) as a result of actions which can damage the image of EIR.
- (3) In the above-mentioned cases, the Director General shall appoint a new member of the Scientific Advisory Board, who shall remain in office until the end of the initial mandate.

Article 29

SAB shall have the following main powers:

- a) to scientifically assess the projects developed by EIR and to propose improvement measures;
- b) to analyse the level of scientific quality of the papers/works published by the European Institute of Romania, and to make comments and recommendations;
- c) to perform other tasks related to their specialisation, in order to achieve the scientific objectives of EIR, set by the Director General;
- d) to participate in the activities carried out by EIR, at the request of the Director General.

Article 30

- (1) The Scientific Advisory Board shall meet whenever necessary, when convened by the Director General or at the request of two thirds of the members of the Scientific Advisory Board.
- (2) The notice of convocation of a meeting shall be sent at least 72 hours before the meeting and shall include the place, date and time of the meeting, as well as the agenda.
- (3) The notice of convocation of an extraordinary meeting shall be sent 24 hours before the meeting.

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Article 31

The members of the Scientific Advisory Board shall be remunerated for the activities they perform (participating in meetings, drawing up substantial comments and recommendations on specific projects, participating in selection/evaluation committees established by IER). The payment shall consist of an allowance equivalent to the monthly basic salary of a Director of the European Institute of Romania.

Article 32

- (1) The Secretariat for the meetings of the Scientific Advisory Board of EIR shall be provided by the European Studies Unit.
- (2) Minutes of each meeting shall be drawn up and signed by all participants.

Honorary titles

Article 33

EIR may award honorary titles to personalities who promote the European spirit and values, who interact with the academic, political, economic and cultural fields, and whose actions are in line with EIR's mission and objectives.

Article 34

The honorary titles awarded by EIR are;

- a) Honorary President of the European Institute in Romania;
- b) Honorary President of the Scientific Advisory Board;
- c) Honorary Member of the Scientific Advisory Board;
- d) Other honorary titles.

Article 35

The honorary titles shall be granted on a proposal from the specialised departments of EIR, by Decision of the Director General of EIR.

CHAPTER IV – FINAL PROVISIONS

Article 36

In order to achieve its purpose and objectives, EIR shall have specialised personnel, organised into a directorate and several units and departments.

Article 37

In case of dissolution of the European Institute of Romania, its assets shall be transferred to another public institution, according to the legal provisions.

Article 38

The provisions of this Statute shall be supplemented by the provisions of the regulatory acts in force and by:

- a) the Organisation and Functioning Regulation
- b) The Internal rules of operation
- c) the Code of Ethics and Integrity
- d) the internal procedures.

Article 39

The provisions of this Statute may be amended by the Administrative Board on a proposal from the Director General and/or the Administrative Board.

Article 40

This Statute shall enter into force on the date of its approval by the Administrative Board of EIR.