



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 10 May 2017 and shall constitute an annex to Decision No. 2 of 10 May 2017 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 the registered trade mark, 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.

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 status of European Union Member State.

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 enhance the knowledge and skills of civil servants and other socio-professional categories in the field of European affairs;
- c) to improve access to European Union law, the case-law of the European Court of Human Rights and the Romanian law relevant for 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 regarding 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 continuous 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 EU institutions, intended for civil servants and other employees working in central and local administration, as well as other socio-professional categories concerned;
- c) shall provide 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 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 values and spirit at the level of public administration, academia, business environment and public opinion;
- e) shall produce and publish the periodical magazine “Romanian Journal of European Affairs” and other publications from 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 works and materials in 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 the 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 through the budget of the Ministry of Foreign Affairs, which is the 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 sessions, conferences and scientific events, communication or training sessions, the provision of translation, terminological coordination and harmonisation services and other similar activities, conducted under contracts, in public-private partnerships or in partnership with other public institutions, as well as from non-repayable funds, and shall be used by the Institute in accordance with the law.

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c) Donations

(1) Donations can be sums of money, goods, copyrights, shares, securities or other rights, if they are unencumbered.

Donations can be conditional upon the achievement of a purpose, if it is in line with the objectives of the European Institute of Romania.

(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) EIR 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 cannot be civil servants.

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.

The European Affairs Committee 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) Employers' organisations and trade unions, which fulfil the conditions set out in Law No 62/2011 on social dialogue, as amended and supplemented, are nationally representative.

(2) In the case of the members appointed by employers' organisations or trade unions, the appointment shall be made by consensus, by the employers' organisations and, respectively, by the trade unions which are representative at national level.

Article 13

(1) The Administrative Board shall have the following tasks:

- 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 of 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 draft annual revenue and expenditure budget, which shall be submitted for approval to the Ministry of Foreign Affairs, as well as the budget implementation of the previous year;

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- f) to approve the Director General's report on discharge in respect of 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) Membership of AB can cease in the following cases:

- a) removal (from office);
- b) resignation;
- c) death.

(2) The members of the Board shall be removed from office by the authorities which appointed them.

The authority which appointed the member of the AB who is in one of the situations referred to 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 meeting shall be convened by the Director-General, at least 72 hours before the reunion 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 legally convened, for the first convening, in the presence of two thirds of appointed members.

(2) The decisions of the AB shall be adopted by the vote of two thirds of its members.

(3) If the statutory quorum provided for in paragraph (1) has not been constituted after the first convening, a second convening shall take place, but no later than one month after the prior convening. In this case, the meeting of the Administrative Board shall be deemed legally convened, irrespective of the number of members present.

Article 18

(1) The meetings of AB may be held through the physical participation of its members or via teleconferencing, by phone or through IT applications (e.g. . Skype). If the meeting is held via teleconferencing, the President of the AB shall communicate this aspect in the notice convening the meeting. In this case, by 6 p.m. on the day of the teleconference, the members of the AB shall confirm in writing, by e-mail to the President of the AB, the vote expressed in the teleconference concerning the issues on the agenda.

(2) In urgent cases, the Administrative Board may take decisions via correspondence by e-mail. To this end, the President of the AB shall notify in writing the members of the AB on the circumstance giving rise to urgency, and shall set the date and time by which they must exercise their right to vote, by sending them via e-mail all the material relevant to the decision-making process. In this case, the attendance quorum shall be determined by

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reference to the number of members having cast a vote until the expiry of the voting period established.

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

(4) If a member of the AB, for objective reasons, is unable to attend a meeting, 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 email to the President of the AB and shall include information regarding the name of the empowered person, the date of the meeting, its agenda and the delegation of voting rights to the empowered person in respect of the issues on the agenda of the meeting;
- b) to forward his/her vote concerning the issues on the agenda of 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 work 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, cannot 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 Administrative Board meetings;
- d) to issue decisions of the Administrative Board;
- e) to represent the Administrative Board in its relations with the authorities or with public or private Romanian or foreign institutions.

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

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 and Marketing 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 of 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 revocation of the mandate by the Administrative Board;
- d) by agreement between the parties;
- e) on the date of the cumulative fulfilment of the standard age conditions and completion of the minimum pension contribution period;
- f) in the case of death;

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- g) upon the dissolution of the European Institute of Romania;
 - h) by any other method expressly permitted 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

Failure service for objective reasons, the Director General shall delegate the performance of its duties of a person responsible for the management of the European Institute of Romania, until the end of the causes leading to the impossibility of public service obligations.

Article 25

The Director General shall have the following powers:

- a) to draw up and apply specific strategies and policies that ensure the proper conduct of the current and future activity of EIR;
- b) to ensure the management and administration, in accordance with the law, of all EIR assets;
- c) to follow the implementation of EIR's objectives and of the work 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 budgetary 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 tasks 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 work 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 management rules, the Organisation and Functioning Regulation 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 EIR personnel, 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 monitor and exercise control over the fulfilment of their tasks by the staff employed;
- o) to set out and order the application of measures to ensure the security of EIR employees, during the performance of their specific activities;
- p) to issue mandatory provisions for EIR's staff, subject to their legality;
- q) to award, during his/her mandate, the honorary title of *Honorary President of the Scientific Advisory Board* and other honorary titles of EIR;
- r) to appoint and revoke the members of the Scientific Advisory Board, as provided for in this Statute;
- s) to coordinate and monitor the activity of the Scientific Advisory Board;
- t) to inform the Administrative Board about the activity of the Scientific Advisory Board;

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- u) to participate in the meetings of the Administrative Board, without the right to vote;
- v) to prepare reports on the activities carried out and the financial situation, and submit them to the Administrative Board;
- w) 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, namely 5 (five) years.

(2) The Director General can award the title of President/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.

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) as a result of the revocation of the mandate by the Director General;
- d) by agreement between the parties;
- e) by death or if they are unable 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) in case of non-fulfilment of 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 term of office.

Article 29

SAB shall have the following main powers:

- a) to analyse, together with specialised organisational structures, issues related to the conduct of scientific activities by EIR;
- b) to analyse EIR's medium and long-term strategy and annual programme;
- c) to recommend the selection criteria for the outsourcing of specialised services;
- d) to scientifically assess both existing projects and the projects to be carried out and to propose improvement measures;
- e) to analyse the high scientific quality of the products created by the European Institute of Romania;
- f) to perform other tasks according to their specialisation, in order to achieve the scientific objectives of EIR, set by the Director General;
- g) They can participate in the activities carried out by EIR, at the request of the Director General.

(2) The debates and the recommendations formulated shall be recorded in the minutes, assumed by all the members of the Scientific Advisory Board who are present at the meeting.

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(3) In the performance of their duties, the members of the Scientific Advisory Board shall formulate recommendations.

Article 30

The members of the Scientific Advisory Board shall sign a solemn declaration concerning the conflict of interests between them and the author of the products created by the European Institute of Romania, which are entrusted to them for assessment.

Article 31

(1) The Scientific Advisory Board shall meet whenever necessary, upon convening by the Director General or at the request of two thirds of the members of the Scientific Advisory Board.

(2) The meetings shall be convened with at least 72 hours' notice and shall include the date, time, place and agenda.

(3) The extraordinary meetings shall be convened with 24 hours' notice.

Article 32

For the work performed, the members of the Scientific Advisory Board shall receive, for each meeting they attend, an allowance equivalent to the monthly basic salary of a Director of the European Institute of Romania.

Article 33

(1) The Secretariat for the meetings of the Scientific Advisory Board of EIR shall be provided by the Studies and Analyses Unit of the Research and Training in European Affairs Unit.

(2) For each meeting, minutes shall be drawn up and signed by all participants.

Honorary titles

Article 34

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

Article 35

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) Other honorary titles.

Article 36

The specific aspects of the honorary titles awarded by EIR are laid down in the Regulation for the award of honorary titles.

CHAPTER IV — FINAL PROVISIONS

Article 37

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

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Article 38

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

Article 39

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 Procedure
- c) the Code of Ethics and Integrity
- d) the internal procedures.

Article 40

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 41

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