

BULLETIN

No. 734, the 30th of November 2006

Minister Vasile Blaga present in Kosovo on the National Day of Romania

The Minister of Administration and Interior, Vasile Blaga, will celebrate the National Day of Romania together with the Romanian gendarmes and the police officers carrying out different missions in Kosovo, under the aegis of the United Nations Organisation. On this occasion, some of the Romanian police officers will be granted the medal “**In service of peace**” – an important award of the UNO, as well as other distinctions acknowledging their professionalism.

At the same time, nine commissioned officers, seven non-commissioned officers and two police agents will be awarded some Romanian military ensigns, and 18 police officers and gendarmes will be granted a higher rank.

Presently, there are 115 gendarmes and 55 police officers from Romania, carrying out different tasks within the framework of the international peacekeeping missions in Kosovo, many of them holding important positions attesting to their professionalism, and proving the appreciation they have been granted; they hold positions such as: head of the internal affairs department, head of the risk analysis department, deputy administrative director, trainers.

Upon the recent request of the United Nations, M.A.I. expressed its availability to send more 13 police officers to the theatre of operations.

In total, over 200 workers within M.A.I. are participating in peacekeeping operations. Beside the 170 M.A.I. workers present in Kosovo, Romania also sent police officers in Macedonia, Bosnia-Herzegovina, the Gaza Strip, the Democratic Republic of Congo, Haiti and in the Eastern Timor.

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“On the 1st of January 2007, Romanian citizens will be able to travel on the basis of their identity cards in at least 22 of the 25 member states of the European Union”, stated Vasile Blaga, the Minister of Administration and Interior, in the context of a briefing which has taken place today, 29.11.2006, after the Government’s session at Victoria Palace.

After the today’s session of the Government, upon the proposal of the Ministry of Administration and Interior, there has been passed the *Emergency Ordinance for amending and supplementing Law No. 248/ 2005 on the Romanians’ free movement abroad, with the subsequent amendments and supplementations*.

This enactment aims at the adjustment of some provisions within the Romanian legislation to the Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

This Emergency Ordinance is the result of the preliminary procedures started in July 2006 by the Ministry of Administration and Interior on informing the member states on the present format (appearance and content) of the Romanian identity card (IC). This stage was concluded on Monday, November 27th 2006, as the authorities of the member states were sent a sample of the above mentioned document. Thus, Romania finalised the necessary formalities at the international level, in view of fulfilling the conditions for creating the required framework allowing Romanians to travel within the territory of the EU member states on the basis of the identity card, according to the provisions of the Directive 2004/38/EC.

The main amendment put forth by this document is the introducing of the IC in the category of the travel documents that Romanians can use in order to move within the territory of the EU member states. As regards this aspect, a particular mention must be made about the fact that Romanians will be able to travel based on their identity cards **only in the EU member states**, as for the other countries passports will be necessary in order to cross the border.

This Emergency Ordinance also brings about some amendments regarding the travels abroad of the under-aged (Romanian citizens), that is the fact that they will be able to travel in the EU member states based on their identity cards as well, but obeying the provisions of Law No.248/2005.

Taking into consideration that the under aged get their identity cards after the age of 14, the youngsters under 14 will be able to travel in the member states either based on an individual passport, or if they are included in one of their parents' passports.

“By this emergency ordinance the Romanian Border Police is entrusted with the responsibility of displaying - in all border crossing points, as well as on its own Internet website - the list with the Member States which allow Romanians to enter and reside within their territory on the basis of identity cards”, Vasile Blaga also said.

The states in which Romanians can travel based on their identity cards, states which have their national legislation already adapted to the Directive 2004/38/EC or are applying the Directive itself, without any further adjustments being necessary, are the following ones: **Austria, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Great Britain, the Netherlands, Poland, Portugal, Slovenia, Spain, Hungary.**

The procedures regarding the introducing of the Directive 2004/38/EC provisions into the national law are unfolding in **Belgium** and **Slovakia**; as regards **Bulgaria**, it has already adapted its national legislation to the provisions of this Directive.

The Directive was also transposed in the legislation of the **Czech Republic, Cyprus and Sweden**, but these states established **strict criteria** regarding the access within their territories based on identity cards. Thus, Czech and Cyprus allow the access by virtue of an IC provided that the IC includes a **bar code** (which does not currently exist in the Romanian IC), while Sweden introduced the requirement that the **owner's nationality** be mentioned on the IC, in a distinct section.

“We will have discussions with Sweden in order to explain the situation of Romania. In our country, only Romanian citizens possess identity cards, the nationals of any other state who are residing in Romania being given other documents”, stated Minister Vasile Blaga.

The Ministry of Administration and Interior reiterated his message to those Romanian citizens who have not their identity cards issued yet, consequently possessing the old type of identity documents: to go to the specialised centres and get their IC; he also reminded them that, after 01.01.2007, Romanians will use, in the border crossing points, the EU citizens' flow (which will result in less crowding of people on the other crossing flows).

Minister Blaga also underlined the fact that those Romanian citizens who were lifted the right to enter one of the Schengen Member States will not be allowed to enter any country included in the Schengen territory until that particular interdiction is suspended. Besides, Romanian citizens have to be aware of the difference between the EU Member States and the Schengen Member States.

BACKGROUND INFORMATION

Considering the differences between the national legislations of the member states regarding the rights to enter/leave a Member State to another Member State, the European Parliament and Council from the 29 April 2004 adopted Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

This Directive had to be adapted to the national legislation of the Member States by **April 30, 2006**.

Art.40 of the Directive 2004/38/EC sets the obligation of the Member States to include in their legislation, until April 30 2006, the necessary provisions acting as laws and the necessary administrative measures, so that the Directive provisions could be applied.

The Directive's passing and the adaptation of the Directive to the national legislation of the Member States are aimed at enhancing the free movement of the persons within the European territory, considering that the free movement is one of the fundamental freedoms of the internal market.