

**PARTICIPATION OF THE CITIZENS OF THE EUROPEAN UNION
TO LOCAL ELECTIONS,
THE 27TH OF SEPTEMBER 2020**

The citizens of the European Union who have their domicile or residence in Romania have the right to elect and be elected in the same conditions as Romanian citizens, according to the provisions of the law.

✚ Where can EU citizens who have their domicile or residence in Romania vote?

EU citizens who have their domicile or residence in Romania can vote only at the specific polling station where the street or place of domicile or residence is located.

✚ Who holds the records of EU citizens having their domicile or residence in Romania and who draws up the electoral lists?

EU citizens having their domicile and residence in Romania are registered in the records of the General Inspectorate for Immigration and shall be included in the complementary electoral lists, which are permanent.

The complementary electoral lists shall be drawn up and updated by the mayor, together with the territorial units of the General Inspectorate for Immigration.

✚ What data of the EU citizens must the complementary electoral lists contain?

The complementary electoral lists must include the following: first and last name of the voter, date and place of birth, member state of origin, address where he/she lives in Romania, number of the electoral constituency.

EU citizens have the right to verify the registrations made in the complementary electoral lists. To this purpose, the mayors shall notify publicly the place and time when the lists can be verified.

✚ Which is the deadline for updating the complementary electoral lists?

The mayor, alongside the territorial units of the General Inspectorate for Immigration, shall update the complementary electoral lists up to 23 days before the voting day.

✚ Under what conditions do the registered citizens get removed from the complementary electoral lists?

The citizens who lost their electoral rights shall be removed from the complementary electoral list, based on a notification sent to the mayor by the court of law within 3 days since the ruling of the court becomes final.

If they no longer fulfil the conditions set by the law to exercise their right to vote or if they request expressly to be removed from the electoral lists through a written request

addressed to the mayor, as well as in case of death, the EU citizens are eliminated by the mayor from the complementary electoral lists. In case of death, the citizens of the European Union shall be removed from the complementary electoral lists based on a notification sent by the General Inspectorate for Immigration.

✚ How can EU citizens who have the right to vote and have their domicile or residence in the constituency where elections are being held, but are not included in the registers of the General Inspectorate for Immigration, vote?

EU citizens who have the right to vote and have their domicile or residence in the constituency where elections are being held, but are not included in the records of the General Inspectorate for Immigration, shall be registered by the mayor in the complementary electoral list, upon request, based on a document attesting the identity and a document attesting the address. The request must be submitted no later than 23 days before the election day.

✚ Which are the documents attesting the address in Romania for the EU citizens?

The document attesting the address may be one of the following documents:

- a) Documents concluded under the validity conditions stipulated by the Romanian legislation in force on housing titles, namely the sale and purchase agreement, the rental agreement and others;
- b) The written statement of the host, a natural person or legal entity, regarding the acceptance of the residence, accompanied by one of the documents mentioned in letter a);
- c) The affidavit of the petitioner, accompanied by the verification note of the community policeman, verifying the existence of the building and the fact that the petitioner actually lives at that address, for the natural person who cannot present the documents mentioned in letters a) and b);
- d) The document issued by the town hall stating that the petitioner is registered in the Agricultural Register, in the case of rural localities.

✚ What identity documents can the EU citizens use for voting?

The EU citizens can exercise their right to vote based on any valid document attesting their identity.

✚ How can the EU citizens, omitted from the copy of the complementary electoral list, vote?

On voting day, the president of the electoral bureau of the polling station shall register in the additional electoral list the EU citizens omitted from the copy of the

complementary electoral list who come out to vote and prove that they have their domicile or residence in the territorial range of the respective polling station, with any of the documents issued by the General Inspectorate for Immigration or one of the documents attesting the address in Romania.

✚ **How can the EU citizens who change their address to another constituency, after the copy of the complementary electoral list is sent to the electoral bureau of the polling station, vote?**

In this case, the voter shall exercise the right to vote in the electoral constituency in whose territorial jurisdiction he/she is living, based on any valid identity document accompanied by the registration certificate attesting the new address or, where appropriate, by the permanent residence card or the permanent residence permit attesting the previous address, together with a certification issued by the competent territorial unit of the General Inspectorate for Immigration, attesting the current address. At the same time, in order to exercise his/her right to vote, the EU citizen can send a request to the mayor, accompanied by one of the documents proving their address.

The voter who finds himself/herself in the situation described above, shall be registered in the additional electoral list by the president of the polling station situated in the territorial range of the his/her new address.

Provisions regarding the right of EU citizens to be elected at the local elections in Romania

- ✚ The citizens of the European Union have the right to be elected as mayors, local councilors, county councilors and presidents of county councils.
- ✚ **The EU citizens may submit their candidature in the territorial-administrative unit where they reside.** The candidature proposals shall be submitted in the same conditions as for Romanian citizens.
- ✚ If the lists of candidates include EU citizens, they shall be accompanied by the following mentions: full name, member state of origin, place and date of birth, address where they live in Romania, occupation, profession, political membership, and in the case of alliances, also the political or electoral alliance that proposed them.
- ✚ In the case of a candidature of an EU citizen, the candidature acceptance statement shall include the full name, member state of origin, address in Romania, occupation, profession and political membership, his/her express consent to run for the respective office, as well as the statement that he/she meets the conditions set by the law to stand

as candidate. The candidature acceptance statement shall be accompanied by a document attesting the address in Romania or by a document issued by the General Inspectorate for Immigration.

✚ Together with the submission of the candidature, apart from the documents needed by Romanian citizens, the EU citizens shall present a document attesting their identity and an affidavit including the following mentions:

- a) That they do not lack the right to be elected in their member state of origin, following a final criminal or civil court ruling;
- b) That they do not hold offices in another member state of the European Union, that are equivalent to the offices which are incompatible in Romania with the status of local elected official.

Legal framework: *Law no. 115/2015 for the election of local public administration authorities, for the modification of the Law of local public administration no. 215/2001, as for the modification and completion of the Law no. 393/2004 regarding the Status of local elected officials.*

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