

# ENSURING AND GUARANTEEING THE PETITION RIGHT IN ROMANIA AND THE REPUBLIC OF MOLDOVA

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## Abstract

*The aim of the present study is to analyze the ensuring and guaranteeing the petition right in Romania and Republic of Moldova as a consequence for ensuring of a good administration. The objectives of this study were to analyze the petition right as a fundamental guarantee and the correlation with ensuring of a good administration. In this research we have highlighted the importance of granting the petition right for the citizens and the contribution to the developing of a good administration of the state in the favor of the citizens.*

**Keywords:** *petition right in Romania, petition right in the Republic of Moldova, Romanian Constitution of the Republic of Moldova, fundamental rights, guarantees rights, good administration.*

## 1. Introduction

This study is intended to analyse and identify how the petition right is ensured and guaranteed in Romania and the Republic of Moldova.

The structure of the study is the following: an analysis of some selective aspects of ensuring the petition right in Romania and some selective aspects regarding the guarantee of the petition right in the Republic of Moldova.

The studied matter is important because granting the right to petition as a fundamental right ensures the protection of citizens' manifestations of will in relation to public authorities and also in relation to other citizens' rights, freedoms and interests, and thus it ensures good administration of the state in favour of its citizens.

The present paper intended to answer to the studied matter by analysing the evolution of the petition right in Romania and in the Republic of Moldova and how it is secured and guaranteed, the constitutional provisions in force, as well as how good administration is ensured.

As regards the relation between this paper and the existing relevant literature, this paper approaches a topic which has been rather rarely analysed so far, namely securing and guaranteeing the right to petition in Romania and in the Republic of Moldova. Moreover, the author has drawn a correlation between granting this right-guarantee (in Romanian, 'drept garanție' – a right that is a guarantee) and ensuring good administration.

In the current context, I have considered that the aspects approached in this piece of research have some special importance having regard to societal tendencies towards ensuring good administration for the

development of social sciences and of the relations between public institutions and citizens, thus achieving good administration of a state governed by the rule of law.

## 2. Selective aspects of ensuring the petition right in Romania

The petition right is part of the category of fundamental citizens' rights, freedoms and duties set out in the Constitution of Romania<sup>1</sup>.

Therefore, the petition right was brought under regulation in Romania by Article 51 of the Constitution of Romania: "(1) Citizens have the right to address public authorities through petitions formulated only in the name of their signatories. (2) Legally established organisations have the right to address petitions exclusively in the name of the groups they represent. (3) The exercise of the right to petition is free of charge. (4) Public authorities have the obligation to answer petitions within the terms and under the conditions established by law."

The petition right has been guaranteed in the European Union, being stipulated by Article 44 of the Charter of Fundamental Rights of the European Union<sup>2</sup>: "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 petition the European Parliament."

The petition right, a fundamental right of the Romanian citizen, is a legal guarantee by its nature since it benefits, on one hand, from the systems granting the constitutional rule and, on the other, from the legal guarantee of a subjective right.

In legislative terms, the right to petition in Romania has been set out by the Government Decree

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<sup>1</sup> *Constitution of Romania*, republished, Official Gazette of Romania, Part I, no. 767 of 31 October 2003.

<sup>2</sup> The Charter of Fundamental Rights of the European Union was published in the Official Journal of the European Union, the edition in Romanian, C83/02/30 March 2010.

no. 27/2002<sup>3</sup> on the settlement of petitions, approved with amendments and additions by Law 233/2002. According to Article 2 of this regulatory document, “a petition is understood as being a request, a complaint, a notification or a proposal formulated in writing, or by electronic mail, which a citizen or a legally established organisation may address to central and local public authorities and institutions, to decentralised public services of the ministries and of other central bodies, to national companies, to businesses of interest at county or local level, as well as to autonomous municipal companies, hereinafter called public authorities and institutions.”

Fundamental rights are essential rights for the Romanian citizens. Since fundamental rights and freedoms are supreme values guaranteed by the Constitution, they form a system of legal guarantees for Romanian citizens and for their dignity, values and way of life.

The petition right has the value of a right-guarantee (in Romanian, ‘drept garanție’ – a right that is a guarantee), representing a person’s right to call for the involvement of the state through its administrative bodies anytime their intervention is required.

Good administration is, in my opinion, about how the state ensures good governance with regard to its citizens, where the citizens benefit from the legal protection of their fundamental rights, as well as the realization of rights that are guarantees, which ensure for citizens the realization of all fundamental rights in a state governed by the rule of law.

The petition right is a fundamental citizen’s right which grants a right to demand and to make requests before the authorities of the state. Therefore, this right to demand, being an essential right, guarantees the existence and the observance of all other fundamental citizens’ rights.

Therefore, several types of petitions have been defined and how they should be settled by public authorities, thus securing a citizen’s right to address any authority and establishing in correlation also the obligation for the authorities to answer citizens’ petitions within the legal term.

The petition right has also been characterised as “a citizens’ right with tradition in the Romanian legal system, belonging to the category of rights that are

guarantees, and being also a general legal guarantee for other rights and liberties.”<sup>4</sup>

We regard to the guarantee of the petition right, professors Ioan Muraru and Elena Simina Tănăsescu stated that it is “a citizens’ right with tradition in the Romanian legal system, belonging to the category of rights that are guarantees, and being also a general legal guarantee for other rights and liberties.”<sup>5</sup>

Professors Ioan Muraru and Elena Simina Tănăsescu held that the petition right “is considered as being a first generation right”.<sup>6</sup> They also mention that this fundamental right has been qualified in the doctrine as a “right that is a guarantee”<sup>7</sup>.

Furthermore, professors Ioan Muraru and Elena Simina Tănăsescu held that through the petition right “citizens enter a direct relationship with the state authorities at their own initiative and have a possibility to solve both personal problems and matters of general interest.”<sup>8</sup>

Professor Ioan Muraru has analysed the Romanian Constitutions, beginning with “Statutul dezvoltător al Convenției de la Paris” (the Developing Status of the Paris Convention) of 7/19 August 1858 and until the 1991 Constitution of Romania, and identified therefore the petition right in its various forms until its current regulation in the 2003 Constitution of Romania.

The petition right has been acknowledged by professors I. Muraru and E.S. Tănăsescu as being “a citizens’ right with tradition in the Romanian legal system”<sup>9</sup>.

The Romanian doctrine held that “through the petition right, citizens enter a direct relationship with the state authorities at their own initiative and have a possibility to solve both personal problems and matters of general interest.”<sup>10</sup>

The petition right has been qualified as “a right that is a guarantee, meaning a right by means of which, in fact, effective legal protection is secured for other rights and legitimate interests, at the same time with the protection of some form of citizens’ manifestation.”<sup>11</sup>

Professors Nicolae Pavel and Vasile Gionea held that the petition right is one of the “main human rights (...) which is free of charge”.<sup>12</sup>

Professor Nicolae Pavel has defined and analysed citizens’ fundamental rights and completed a comparative study on the identification of fundamental

<sup>3</sup> Government Decree no. 27/2002 on the settlement of petitions, approved with amendments and additions by Law 233/2002, published in the Official Gazette of Romania, Part I, no. 84 of 1 February 2002.

<sup>4</sup> I. Muraru, E.S. Tănăsescu, *Drept constituțional și instituții politice, Ediția 15, Volumul I (Constitutional Law and Political Institutions, 15th edition, Volume I)*, C.H. Beck, Bucharest, 2016, p. 186.

<sup>5</sup> I. Muraru, E.S. Tănăsescu, *Drept constituțional și instituții politice, Ediția 15, Volumul I (Constitutional Law and Political Institutions, 15th edition, Volume I)*, C.H. Beck, Bucharest, 2016, p. 186.

<sup>6</sup> Coordinators I. Muraru, E.S. Tănăsescu, *Constituția României, Comentariu pe articole (Constitution of Romania. Articles Commented)*, C.H. Beck, Bucharest, 2008, p. 512.

<sup>7</sup> Ibidem.

<sup>8</sup> Idem, p. 511.

<sup>9</sup> Coordinators I. Muraru, E.S. Tănăsescu, *Constituția României, Comentariu pe articole (Constitution of Romania. Articles Commented)*, C.H. Beck, Bucharest, 2008, p. 511.

<sup>10</sup> Ibidem.

<sup>11</sup> Ibidem.

<sup>12</sup> V. Gionea, N. Pavel, *Curs de drept constituțional (A Course of Constitutional Law)*, Scaiul, Bucharest, 1996, p. 66.

rights, including the right to petition and the right of a person aggrieved by a public authority, in the reviewed Constitution of Romania of 2003, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and in the Convention for the Protection of Human Rights and Fundamental Freedoms.

The petition right has been characterised as “a citizens’ right with tradition in the Romanian legal system, belonging to the category of rights that are guarantees, and being also a general legal guarantee for other rights and liberties.”<sup>13</sup>

Therefore, the petition right secures and guarantees the right of any citizen to petition and, correlatively, the obligation for the authorities to answer petitions within the terms and under the conditions set forth by organic law. Depending on the type of petition, the legislator defined various ways of settlement. Petitions may be formulated in several forms of applications, complaints, proposals or notifications. In the Constitution of Romania, the petition right is free of charge. Therefore, the petition right *ensures legal protection for citizens, for all their fundamental rights, in general*<sup>14</sup> and also contributes to ensuring good administration of the state, in particular.

The fundamental right to petition has been called in the doctrine “a right that is a guarantee” (in Romanian, ‘drept garanție’ – a ‘right-guarantee’), playing the role of a constitutional guarantee by means of which efficient legal protection is secured for citizens, as well as for other rights and their legitimate interests.

Pursuant to Article 51 of the Constitution of Romania, the petition right is granted to citizens and to legally established organisations, that formulate petitions only in the name of their signatories and exclusively on behalf of the groups they represent. The right to petition refers to *assuming responsibility by the petitioner and does not encourage anonymous petitions*.

The subjects of the petition right are “citizens individually or groups of citizens, irrespective of whether they are established ad hoc or organised in the forms provided by law”.<sup>15</sup> Entitled people may be both natural and legal persons.

The responsibility assumed by signing the petition and the fact that petitions can only refer to issues concerning the petitioner reinforce the moral aspects of this constitutional provision.

With regard to the status of a foreigner who has not been granted the right of residence in Romania, the Constitutional Court of Romania held that “*with reference to the criticism concerning the breach of Article 47 (Article 51 now – author’s note) of the Constitution, which governs the right to petition, the Court finds that the aforesaid constitutional provision is not applicable in the case, since it is concerned with individuals who are Romanian citizens.*”<sup>16</sup>

The petition right is guaranteed in the European Union by Article 44 of the Charter of Fundamental Rights of the European Union<sup>17</sup>: “*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 petition the European Parliament.*”

In my opinion, the petition right is characterised by unicity with regard to its scope and the legal effects it generates. Through its effects, it guarantees all fundamental rights and freedoms of citizens.

It is also my opinion that, correlatively with citizens’ right to petition in their name or on behalf of the legal organisations they represent, an obligation also subsists in the fundamental law for the state to answer – through its public authorities – the petitions that have been put forward.

The petition right guarantees the good administration of the state in favour of its citizens by granting the citizen’s right to petition any public authority and through the correlative obligation of the notified authorities to provide an answer.

Professor I. Deleanu<sup>18</sup> stated about the petition right that “it has some special significance for the relations between a person and the public authorities, being not only a means to request them to fulfil the duties that fall on them, but also a means of control on their activity.”

The opinion of professor T. Drăganu<sup>19</sup> on the petition right is that “citizens’ petitions may tend to enforce not only rights, but also some simple personal interests. Consequently, even if a personal interest, not protected by the possibility sanctioned by law to request a third party to accomplish an action or to

<sup>13</sup> I. Muraru, E.S. Tănăsescu, *Drept constituțional și instituții politice, Ediția 15, Volumul I (Constitutional Law and Political Institutions, 15th edition, Volume I)*, C.H. Beck, Bucharest, 2016, p. 186.

<sup>14</sup> Pavel Cătălin-Radu, *Aspecte selective cu privire la garantarea dreptului de petiționare (Selective aspects on the guarantee of the petition right)*, in Materials of the International Scientific Symposium with the topic: “Forensic investigation of violent crimes”, Association of Romanian Forensic Scientists, Bucharest, 2017.

<sup>15</sup> Decision of the Constitutional Court of Romania no. 389 of 24 March 2011, published in the Official Gazette of Romania, Part I no. 471 of 5 July 2011.

<sup>16</sup> Decision of the Constitutional Court of Romania no. 151 of 17 April 2003 published in the Official Gazette of Romania, Part I no. 290 of 25 April 2003.

<sup>17</sup> The Charter of Fundamental Rights of the European Union was published in the Official Journal of the European Union, the edition in Romanian, C83/02/30 March 2010.

<sup>18</sup> I. Deleanu, *Instituții și proceduri constituționale – în dreptul român și în dreptul comparat (Constitutional Institutions and Proceedings in Romanian Law and in Comparative Law)*, C.H. Beck, Bucharest, 2006, p. 529.

<sup>19</sup> T. Drăganu, *Drept Constituțional și Instituții Politice – Tratat Elementar – Volumul I (Constitutional Law and Political Institutions – An Elementary Treaty)*, Lumina Tipo, Bucharest, 1997, p. 185.

refrain from it, is not a subjective right, that interest can still be protected through the right to petition.”<sup>20</sup>

Also, professor T. Drăganu held that, in respect of the petition right, “it can be applied both in the political field, and in the economic, social and cultural one, which confers as a matter of fact its characteristic of social-political right.”<sup>21</sup>

According to paragraph 4 of Article 51 of the Constitution of Romania, “*the exercise of the right to petition is free of charge*”, securing a free and unconditioned right for citizens to have access to public authorities. Equally, under paragraph 4 of the same article “*public authorities have the obligation to answer petitions within the terms and under the conditions established by law*”, the fundamental law ensuring the citizen’s right to receive an answer to their request addressed to public authorities within the legal term.

The concerned public authorities have the obligation to answer a citizen who formulated a petition within 30 days from its registration at the latest, irrespective of whether the solution is favourable or unfavourable, according to Article 8 of the Government Decree no. 27/2002<sup>22</sup> on the settlement of petitions, approved with amendments and additions by Law 233/2002.

The Constitutional Court of Romania pronounced a decision to settle an exception of unconstitutionality concerning the fact that “*the object of the Government Decree no. 27/2002 is to regulate how citizens exercise their right to address petitions formulated in their name to public authorities and institutions, as well as how these petitions are settled, as an expression of the right to petition stipulated by Article 51 of the Constitution, determining the responsibilities of the public authorities and institutions to which the petitions are addressed, as well as the terms in which they have to settle the petitions, as provided for in paragraph (4) of the same article*”<sup>23</sup>

Pursuant to Article 2 of the regulatory document mentioned above, “a petition is understood as being a request, a complaint, a notification or a proposal formulated in writing, or by electronic mail, which a citizen or a legally established organisation may address to central and local public authorities and institutions, to decentralised public services of the ministries and of other central bodies, to national companies, to businesses of interest at county or local level, as well as to autonomous municipal companies, hereinafter called public authorities and institutions.”

Therefore, several types of petitions have been defined and how they should be settled by public

authorities, thus securing a citizen’s right to address any authority and establishing correlatively also the obligation for the authorities to answer citizens’ petitions within the legal term, which guarantees the good administration of their interests by public authorities.

In my opinion, citizens enjoy the petition right as a fundamental right, this being a subjective citizen’s right, an essential right for the safeguard of fundamental rights and a legal guarantee for the citizen, ensuring and guaranteeing good administration of the state in favour of the citizen.

The subjective nature of the petition right gives prerogatives to citizens to benefit from its regulatory force, to expect some appropriate conduct from the passive subject, and if the passive subject fails in its duty, the citizens may resort to the coercive force of the state for the realisation and the safeguard of their right.

### 3. Selective aspects regarding the guarantee of the petition right in the Republic of Moldova

In the Republic of Moldova, the right to petition was set out by the Constitution of the Republic of Moldova<sup>24</sup> in Article 52, which provided that: “(1) Citizens have the right to address public authorities through petitions formulated only in the name of their signatories. (2) Legally established organisations have the right to address petitions exclusively in the name of the groups they represent.”

With regard to Article 52 of the Constitution of the Republic of Moldova, i.e. the right of petition, we can see that this right is granted to citizens and legally established organisations.

The examination of anonymous petitions has been declared unconstitutional by the Constitutional Court of the Republic of Moldova: “*Citizens have the right to address public authorities with petitions formulated only in the name of their signatories (...) it is therefore clear that any petition is to be signed, so it must contain the identification data of the petitioner. The Court held that, through its express formulation, the constitutional text neither establishes, nor provides legal protection for a right to anonymous petitioning.*”<sup>25</sup>

Professors B. Neagu, N. Osmochescu, A. Smochină, C. Gurin, I. Creangă, V. Popa, S. Cobăneanu, V. Zaporojan, S. Țurcan, V. Șterbeț, A.

<sup>20</sup> Ibidem.

<sup>21</sup> Ibidem.

<sup>22</sup> Government Decree no. 27/2002 on the settlement of petitions, approved with amendments and additions by Law 233/2002, published in the Official Gazette of Romania, Part I, no. 84 of 1 February 2002.

<sup>23</sup> Decision of the Constitutional Court of Romania no. 307 of 29 March 2007, published in the Official Gazette of Romania, Part I no. 279 of 26 April 2007.

<sup>24</sup> Constitution of the Republic of Moldova, published in the Official Gazette of the Republic of Moldova no. 1 on 12 August 1994.

<sup>25</sup> Judgment no. 25 of 17 September 2013 for the control of the constitutionality of some provisions referring to the examination of anonymous petitions, published in the Official Gazette of the Republic of Moldova no. 276-280/44 of 29 November 2013.

Armeanic, D. Pulbere,<sup>26</sup> held that: “*the petition right has an unquestionable tradition in the history of law (...) the concerned right has been known ever since the time of feudal Moldova, when those who were seeking justice were taking their grievances to the boyar, the High Steward, the Lord, etc. The petition right was brought under regulation in the Constitution of the Soviet Union, including in the Constitutions of the Union Republics, which took over its provisions. The 1978 Constitution of the Moldavian Socialist Soviet Republic stipulated in Article 47 that every citizen is entitled to address the bodies of the state and the community organisations with proposals concerning the improvement of their activities and to criticise the shortcomings of their work. People in positions of responsibility were obligated to examine the citizens’ petitions and requests, to give answers and undertake the necessary measures. Oppression for criticism was prohibited and punished by law. However, in the circumstances of a totalitarian state, it was impossible to have petitions in connection with the exercise of political rights, the freedom of information and expression, the freedom of conscience, the respect for private and family life, the secrecy of correspondence, etc.*”

Also, professors B. Neagu, N. Osmochescu, A. Smochină, C. Gurin, I. Creangă, V. Popa, S. Cobăneanu, V. Zaporojan, S. Țurcan, V. Șterbeț, A. Armeanic, D. Pulbere<sup>27</sup> held that “*Because it belongs to the category of rights that are guarantees, the petition right is also a general legal guarantee for other human rights and fundamental freedoms.*”

Moreover, according to the doctrine professors B. Neagu, N. Osmochescu, A. Smochină, C. Gurin, I. Creangă, V. Popa, S. Cobăneanu, V. Zaporojan, S. Țurcan, V. Șterbeț, A. Armeanic, D. Pulbere, “*the Constitution of the Republic of Moldova does not expressly provide for an obligation for the public authorities to answer petitions, take measures in connection with their examination, and nor does it provide a term for their examination. The manner and the procedures applied are governed by the Petition Law (Articles 8-9, 12-14, 16, etc.).*”<sup>28</sup>

Professor Teodor Cârnaț held that the petition right “*presents itself also as a guarantee of the effective exercise of all other rights, being a general legal guarantee.*”<sup>29</sup>

Professors Teodor Cârnaț and Marina Cârnaț mentioned about the petition right that “*its exercise is a way of solving some personal problems or problems concerning a collective.*”<sup>30</sup>

Professor Ion Guceac held that the petition right is part of the category of “*rights that are guarantees*”<sup>31</sup>, and this “*suggests their significance of being constitutional guarantees*”.<sup>32</sup>

The petition right was brought under regulation in legislative terms with the provisions of Law 190-XIII of 19 July 1994 on petitioning, published in the Official Gazette of the Republic of Moldova no. 4/47 of 8 September 1994.

Law 190 on petitioning in the Republic of Moldova defined the petition as being “*any request, complaint, notification addressed to the relevant bodies, including the preliminary application appealing against an administrative act or the failure to settle a request within the term provided by law*”<sup>33</sup>.

At the same time, the regulatory document also set out the procedure for protecting the citizen with regard to the petition right: “*(2) The preliminary application is addressed to the issuing body. In case that the issuing body has another hierarchically superior body, the preliminary application may be addressed, at the petitioner’s choice, to the issuing body or to the hierarchically superior body. (3) The petitioner who is not satisfied with the answer received to the preliminary application or has not received an answer within the term provided for by the law is entitled to notify the competent administrative dispute court.*”<sup>34</sup>

Petitions are examined by the authorities in the Republic of Moldova within the term of a month according to Article 8 paragraph 1 of the law above. Equally, pursuant to paragraph 2 of the same article, in some special cases, the term may be extended by a month and the petitioner is informed thereof.

Compared to the regulations studied before, we can see that “*in the Republic of Moldova, there is no mention in the Constitution or in other laws that petitions are free of charge, in comparison with the rules of the petition right in the Constitution of Romania, and this fact may lead to petitioners being*

<sup>26</sup> B. Neagu, N. Osmochescu, A. Smochină, C. Gurin, I. Creangă, V. Popa, S. Cobăneanu, V. Zaporojan, S. Țurcan, V. Șterbeț, A. Armeanic, D. Pulbere, *Constituția Republicii Moldova, Comentariu (The Constitution of the Republic of Moldova. A Commentary)*, Arc, Chișinău, Republic of Moldova, 2012, p. 205.

<sup>27</sup> Ibidem.

<sup>28</sup> Ibidem.

<sup>29</sup> T. Cârnaț, *Drept Constituțional (Constitutional Law)*, Print-Caro SRL, Chișinău, 2010, p. 306.

<sup>30</sup> T. Cârnaț, M. Cârnaț, *Protecția juridică a drepturilor omului (The Legal Protection of Human Rights)*, Reclama, Chișinău, 2006, p. 90.

<sup>31</sup> I. Guceac, *Curs elementar de drept constituțional, Volumul II (An Elementary Course on Constitutional Law. Volume II)*, Tipografia Centrală, Chișinău, 2004, p. 120.

<sup>32</sup> Ibidem.

<sup>33</sup> Article 4 paragraph (1) of Law 190-XIII of 19 July 1994 on petitioning, published in the Official Gazette of the Republic of Moldova no. 4/47 of 8 September 1994.

<sup>34</sup> Article 4 paragraphs (2) and (3) of Law 190-XIII of 19 July 1994 on petitioning, published in the Official Gazette of the Republic of Moldova no. 4/47 of 8 September 1994.

asked by the public authorities to pay post charges, clerical duties, travel costs etc.”<sup>35</sup>

The petition right, being a fundamental right guaranteed by the Constitution of the Republic of Moldova, secures the citizens’ legal protection and ensures good administration of the state.

#### 4. Conclusions

The petition right is a fundamental citizen’s right which grants a right to demand and to make requests before the authorities of the state. This right to demand, being an essential right, guarantees the existence and the observance of all other fundamental citizens’ rights and ensures good administration of the state in favour of its citizens.

The petition right is part of the category of fundamental citizens’ rights, liberties and duties provided for in the Constitution of Romania.

As regards the right to petition in the Constitution of the Republic of Moldova, it was held that this right is granted to citizens and to legally established organisations.

The petition right, as a fundamental right, both in Romania and in the Republic of Moldova, guarantees the citizen’s civil liberties.

The petition right has the value of a right-guarantee, representing a person’s right to call for the involvement of the state through its administrative bodies anytime their intervention is required.

The petition right is part of the category of rights-guarantees, which are rights that confer legal protection to the citizen and ensure good administration of the state in favour of its citizens. The petition right grants a citizen’s right to address a public institution and to receive an answer within the legal term.

The fundamental right to petition has the role of a constitutional guarantee by means of which efficient legal protection is ensured for citizens and for their other rights and legitimate interests.

The subjects of the petition right are citizens individually or groups of citizens, irrespective of whether they are established ad hoc or organised in the forms provided by law. Entitled people may be both natural and legal persons.

Correlatively with citizens’ right to petition in their name or on behalf of the legal organisations they represent, an obligation also subsists in the fundamental law for the state to answer – through its public authorities – the petitions that have been put forward.

Therefore, with the realisation of the petition right, this also contributes to ensuring good administration in favour of citizens, both in Romania and in the Republic of Moldova.

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<sup>35</sup> Pavel Cătălin-Radu, *Considerații teoretice privind realizarea drepturilor garanții* (Theoretical Considerations on the Realisation of the Rights-Guarantees), in *Revista Română de Criminalistică* (Romanian Criminalistics Magazine) nr. 1/2017, Vol. XVIII, Bucharest, p. 2474.

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