The Law No. 51/July 29,1991

on the national security of Romania**)

ISSUED BY: PARLIAMENT

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The consolidated form of the Law No. 51 of July 29, 1991 (Rep. 1) published in the Official Gazette No.190 of March 18, 2014, as of March 18, 2023 has been completed by incorporating all the amendments and additions introduced by Law No. 2 of January 11, 2016; Decision No. 91 of February 28, 2018; Decision No. 802 of December 6, 2018; Law No. 327 of November 28, 2022; Law No. 58 of March 14, 2023.

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CAP. 1

General Provisions

ART. 1

Romania's national security means the state of legality, balance, social, economic and political stability necessary for the existence and development of the Romanian national state as a sovereign, unitary, independent and indivisible state, for the maintenance of the rule of law, as well as for the climate for the unrestricted exercise of the fundamental rights, freedoms and duties of the citizens, in accordance with the democratic principles and rules provided by the Constitution.

- (1) National security shall be achieved by knowledge, prevention and removal of the internal or external threats to the values provided under Article 1.
- (2) Romanian citizens, as an expression of their loyalty to their country, have a moral duty to contribute to the achievement of national security.

ART. 3

The following constitute threats to Romania's national security:

- a) the projects and actions aiming at the suppression or the prejudice of the sovereignty, unity, independence or indivisibility of the Romanian $\left(\frac{1}{2} \right)$
- b) the actions having as purpose, directly or indirectly, the provocation of a war against the country, or of a civil war, facilitating foreign military occupation, subservience to a foreign power, or helping a foreign power or organization to commit any of these deeds;
 - c) treason by helping the enemy;

^{**)} Republished on the basis of Article 107, paragraph 3, of Law No. 255 of 2013 for the implementation of Law No. 135 of 2010 on the Code of Criminal Procedure and for amending and supplementing certain normative acts which contain criminal procedural provisions, published in the Official Gazette of Romania, Part 1, No. 515 of August 14, 2013, with subsequent amendments, giving the texts a new numbering.

Law No. 51 of 1991 was published in the Official Gazette of Romania, Part

^{1,} No. 163 of August 7, 1991, and was also modified through:

Law No.187 of 2012 for the implementation of Law No. 286 of 2009 on the

Criminal Code, published in the Official Gazette of Romania, Part 1, No. 757 of November 12, 2012, amended in the Official Gazette of Romania, Part 1, No. 117 of March 1, 2013, with subsequent amendments.

- d) the military or any other violent actions aimed at the weakening of the state power;
- e) espionage, transmission of state secrets to a foreign power or organization, or to their agents, illegal procurement or possession of state secret documents or data with a view to transferring them to a foreign power or organization, or to their agents, or for any other purpose unauthorized by law, as well as betrayal of state secrets, or negligence in preserving them;
- f) undermining, sabotage or any other actions that have as purpose the removal of the democratic institutions of the state by force or that severely affect the fundamental rights and freedoms of Romanian citizens *), or may damage the defense capacity, or other similar interests of the country, as well as the acts of destruction, degradation or rendering useless of the structures necessary for the proper conduct of socio-economic life, or national defense;

By Decision of The Constitutional Court No. 91 of February 28, 2018, published in the Official Gazette of Romania No. 348 of April 20, 2018, as to Article 3, letter f) of Law No. 51 of 1991, on the national security of Romania, the plea of unconstitutionality was upheld, concluding that the phrase: "seriously infringe the fundamental rights and freedoms of Romanian citizens" contained in this article is unconstitutional.

According to Article 147, paragraph (1) of The Constitution of Romania, republished in the Official Gazette No. 767 of October 31, 2003, the provisions of the laws and ordinances in force, as well as those of the regulations, found to be unconstitutional, shall cease to have legal effect 45 days after the publication of the decision of the Constitutional Court if, within this period, the Parliament or the Government, as the case may be, do not bring the unconstitutional provisions in line with the provisions of the Constitution. During this period, the provisions found to be unconstitutional shall be automatically suspended.

Subsequently, from April 20, 2018 to June 3, 2018, the phrase "seriously infringe the fundamental rights and freedoms of Romanian citizens" contained in the provisions under Article 3, letter f) of Law No. 51 of 1991, on the national security of Romania, was suspended by operation of law, ceasing its legal effects beginning of June 4, 2018, since the legislator did not intervene to amend the contested provisions.

By Decision of The Constitutional Court No. 802 of December 6, 2018, published in the Official Gazette of Romania No. 218 of March 20, 2019, the plea of unconstitutionality was upheld, concluding that the phrase: "or to other similar interests of the country", contained in the provisions under Article 3, letter f) of Law No. 51 of 1991 on the national security of Romania, is unconstitutional.

According to Article 147, paragraph (1) of The Constitution of Romania, republished in the Official Gazette No. 767 of October 31, 2003, the provisions of the laws and ordinances in force, as well as those of the regulations, found to be unconstitutional, shall cease to have legal effect 45 days after the publication of the decision of the Constitutional Court if, within this period, the Parliament or the Government, as the case may be, do not bring the unconstitutional provisions in line with the provisions of the Constitution. During this period, the provisions found to be unconstitutional shall be suspended by operation of law.

Subsequently, from March 20, 2019 to May 3, 2019, the phrase "or to other similar interests of the country" contained in the provisions under Article 3, letter f) of Law No. 51 of 1991, on the national security of Romania, was suspended by operation of law, ceasing its legal effects beginning of May 4, 2019, since the legislator did not intervene to amend the contested provisions.

g) the actions by which an attempt is made on the life, physical integrity or the health of the persons holding important positions in the state, or of the representatives of other states, or of international organizations, whose protection must be ensured during their stay in Romania, in accordance with the law, the treaties and agreements concluded, as well as with the international practice;

h) the initiation, organization, perpetration, or the supporting in any way of the totalitarian or extremist actions of a communist, fascist, legionary, or of any other origin, of the racial, anti-Semitic, revisionist, separatist actions that can endanger in any way the unity and

territorial integrity of Romania, as well as the instigation to deeds that can put in danger the order of the state governed by the rule of law;

- i) the terrorist acts, as well as the initiation or the supporting in any way of any activities whose purpose is the perpetration of such deeds;
 - j) the attempts committed by any means upon a community;
- k) the removal of arms, ammunition, explosive or radioactive, toxic or biological materials from the units authorized to hold them, smuggling these materials, the manufacturing, possession, transfer, transport or their use under conditions other than those provided by the law, as well as the illegal carrying of arms and ammunition, if by these deeds national security is endangered;

1) the initiation or constitution of organizations or groups, adhering to them, or supporting them in any way, with a view to carrying on one of the activities mentioned under the paragraphs a) to k), as well as the carrying on in secrecy of such activities by organizations or groups constituted according to the law.

m) any actions or inactions that harm Romania's strategic economic interests, those that have the effect of endangering, illegally managing, degrading or destroying natural resources, forestry, hunting and fishing funds, waters and other such resources, as well as monopolizing or blocking access to them, with consequences at national or regional level.

(On January 17, 2016, letter m was added to Article 3, by the sole article of Law No. 27 of January 14, 2016).

- n) cyber threats or cyber attacks on information and communication infrastructures of national interest;
- (On March 18, 2003, Article 3 of Chapter 1 was supplemented by Article 50, Chapter XIII of Law No. 58 of March 14, 2023, published in the Official Gazette of Romania No. 214 of March 15, 2023)
- o) actions or inactions or events with national, regional or global consequences that affect the state's resilience to hybrid risks and threats;
- (On March 18, 2023, Article 3 of Chapter I was supplemented by Article 50, Chapter XIII of Law No. 58 of March 14, 2023, published in the Official Gazette of Romania No. 214 of March 15, 2023)
- p) actions carried out by a state or non-state entity by conducting propaganda or disinformation campaigns in cyberspace that are likely to undermine the constitutional order.
- (On March 18, 2023, Article 3, Chapter I was supplemented by Article 50, Chapter XIII of Law No. 58 of March 14, 2023, published in the Official Gazette of Romania No. 214 of March 15, 2023)

ART. 4

- (1) The provisions under Article 3 cannot be interpreted or used with a view to limiting or forbidding the right to defend a legitimate cause, to express a protest or an ideological, political, religious or of another kind of disagreement, guaranteed by the Constitution or laws.
- kind of disagreement, guaranteed by the Constitution or laws.

 (2) No person can be prosecuted for the free expression of his/her political opinions, nor can he/she be the object of an interference in his/her private life, family, dwelling place, properties, correspondence or communications; no person can also be the object of some prejudices regarding his/her honor or reputation unless he/she perpetrates one of the deeds that, in accordance with the provisions of the present law, constitute a menace against the national security.

ART. 5

National security shall be realized in accordance with the laws in force and with the obligations assumed by Romania through the international conventions and treaties regarding the human rights, which it is part of.

- (1) The state bodies responsible for national security are: the Romanian Intelligence Service, the Foreign Intelligence Service, the Protection and Guard Service, as well as the Ministry of National Defence, the Ministry of Internal Affairs, and the Ministry of Justice, through specialized internal structures.
- (2) The activity for the achievement of national security is organized and co-ordinated by the Supreme Council of National Defence.

ART. 7

The Supreme Council of National Defence shall have the following tasks in the field of national security:

- a) to examine the obtained data and information and to estimate the state of national security;
- b) to establish the main directions of activity and to approve the general compulsory measures for the removal of the menaces stipulated under Article 3;
- c) to establish the modalities for the exploitation of national security information;
- d) to examine reports and information on the implementation of the law on national security;
- e) to approve the organizational structures, staffing and operating regulations of the Romanian Intelligence Service, the Foreign Intelligence Service, and the Protection and Security Service;
- f) to approve the operational expenditure for the implementation of national security.

CAP. 2

Intelligence Activity

ART. 8

- (1) The intelligence activity for the realization of the national security shall be carried out by the Romanian Intelligence Service, a state body specialized in the intelligence matters in the interior, the Foreign Intelligence Service, a state body specialized in obtaining from abroad the data regarding the national security, and the Protection and Guard Service, a state body specialized in ensuring the protection of the Romanian dignitaries and of the foreign dignitaries during their presence in Romania, as well as in ensuring the surveillance of their work offices and residences.
- (2) The state bodies stipulated under paragraph 1 should be organized and shall function in accordance with the law, and should be financed from the state central administration budget.
- (3) The activity of the state bodies stipulated under paragraph 1 shall be supervised by the Parliament.

ART. 9

- (1) The Ministry of National Defense, the Ministry of Internal Affairs, and the Ministry of Justice shall organize their own intelligence structures having powers specific to their activity fields.
- (2) Intelligence activity of these bodies should be carried on in conformity with the provisions of the present law, and it shall be supervised by the Parliament.

ART. 10

- (1) The intelligence activity for the realization of the national security shall have the state secret character.(2) The information from this field cannot be communicated but in the
- (2) The information from this field cannot be communicated but in the conditions of the present law.

- (1) Information from the field of the national security may be communicated:
- a) to the President of the Senate, to the President of the Chamber of Deputies, as well as to the standing committees for the defence and the ensuring of public order of the two Chambers of the Parliament.

 b) to the ministers and to the heads of departments in ministries, when
- b) to the ministers and to the heads of departments in ministries, when the information are related to the activity fields that they co-ordinate or they are responsible for;
- c) to the prefects, to the mayor general of the Capital, as well as to the sector mayors of the Bucharest municipality, the mayors of the county municipalities, as well as the presidents of the county councils, for matters concerning the competence of the respective bodies;
- (On December 2, 2022, letter c) of Paragraph (1), Article 11, Chapter II was amended by Point 1, single article of Law No. 327 of November 28, 2022, published in the Official Gazette of Romania No. 1146 of November 29, 2022).
- d) to the criminal prosecution bodies, when the information concerns the perpetration of a criminal offence.

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- (1^1) Information for national security obtained abroad by the Foreign Intelligence Service shall be exempt from the provisions of Paragraph(1), letter c).
- (On December 2, 2022, Article 11 of Chapter II was amended by Point 2, single article of Law No. 327 of November 28, 2022, published in the Official Gazette of Romania No. 1146 of November 29, 2022)
- (2) The communication of information shall be approved by the heads of the bodies responsible for national security.
- (3) The provisions of Article 10 concerning the protection of State secrecy shall apply accordingly to all persons referred to in Paragraph (1), (a) to (d).

ART. 12

- (1) No person has the right to announce secret activities regarding the national security, taking advantage of the unrestricted access to information, of the right to their diffusion, and of the freedom of expressing opinions.
- (2) The disclosure, by any means, of secret data and information that may be prejudicial to the interests of the national security, regardless of the way in which they have been obtained, is prohibited and shall involve the responsibility of the guilty persons, according to the law.
- (3) The provisions of the paragraphs (1) and (2) do not cause damage to the freedom of opinion and expression, to the right of the person not to be in any way disturbed for his/her opinions, as well as to the right to look for, to receive and to diffuse information and ideas, by any means of expression, if these rights are exercised in accordance with the laws of Romania.

ART. 13

In the situations referred to in Article 3, the bodies responsible for national security may, in accordance with the law on their organization and functioning:

- a) to request and obtain objects, documents or official reports from public authorities or institutions, respectively request from private legal persons or natural persons;
 - b) to consult specialists or experts;
 - c) to receive referrals or notes of reports;
- d) to record certain operational moments by photography, filming or other technical means or to make personal observations on public activities carried out in public places, if this activity is carried out occasionally;
- e) to request to obtain data generated or processed by providers of public electronic communications networks or providers of electronic communications services to the public, other than their content, and retained by them in accordance with the law;
- f) to carry out specific activities of collecting information which involve the restriction of the exercise of fundamental human rights or freedoms carried out in compliance with the law.

- (1) Specific intelligence-gathering activities involving restrictions on the exercise of fundamental human rights or freedoms shall be carried out only in situations where:
- a) there are no other possibilities or limited possibilities for knowing, preventing or countering risks or threats to national security;
- b) they are necessary and proportionate, given the circumstances of the particular case;
 - c) the authorization required by law was obtained.
 - (2) The specific activities referred to in Paragraph (1) may consist of:
- a) interception and recording of electronic communications, carried out in any form;
- b) the search for information, documents or records which require access to a place, an object or the opening of an object;
- c) picking up and replacing an object or document, examining it, extracting information contained therein, and recording, copying or obtaining extracts by any means;

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- d) installation of objects, their maintenance and removal from the places where they have been deposited, surveillance by photography, filming or other technical means, or personal findings, systematically carried out in public places or carried out in any way in private places;
 - e) locating, tracking and obtaining information by GPS or other technical means of surveillance;
- f) interception of postal items, picking up and returning them, their examination, the extraction of information contained therein and the recording, copying or obtaining of extracts by any

processes;

g) obtaining information on financial transactions or data financial obligations of a person, under the law.

ART. 15

- (1) Proposal for the authorization of specific activities of those referred to in Article 14, paragraph (2), shall be expressed in writing and shall contain:
 - a) the name and position of the person making the proposal;
 - b) the date and place of issue of the proposal;
- c) data or information indicating the existence of a threat to national security, by presenting the facts and circumstances on which the proposal is based;
 - d) the rationale for the need for specific activities;
- e) the categories of activities for which the application for authorization is proposed;
- f) where permission to enter private premises is required for the performance of specific activities;
 - g) the period for which the application for authorization is proposed;
 - h) the identity of the person subject to the measure, if known;
 - i) the place where the proposed activities are to be carried out, if known.
- (2) The proposal shall be submitted to the Public Prosecutor's Office of the of the High Court of Cassation and Justice and shall be examined from the legality and regularity, within 24 hours of registration or without delay, in urgent cases, by the specific prosecutors appointed by him.
- (3) If the public prosecutor considers that the proposal is unjustified, he or she shall reject it by reasoned order and shall immediately communicate it to the body which made the proposal.
- (4) If the proposal is deemed to be justified and the conditions provided for by law are met, The Prosecutor General of the High Court of Cassation and Justice or his/her legal substitute shall apply in writing to the President of the High Court of Cassation and Justice for authorization of the proposed activities.
 - (5) The request shall contain the data mentioned in paragraph (1).
- (6) The request shall be examined, as a matter of urgency, in chambers by one of the judges designated by the President of the High Court of Cassation and Justice.
- (7) If the judge, having examined the request, considers that the information is insufficient, he shall immediately request that the arguments submitted be supplemented in writing.

ART. 16

In the case of a request for an extension of the authorization, it shall be drawn up in accordance with Article 15, which shall apply accordingly, to which shall be added the application for an extension of the authorization, stating the reasons justifying the extension.

ART. 17

(1) If the judge finds that the request is justified and the activities required under the conditions of Article 14, paragraph (1), he/she shall order the authorization, by means of a reasoned decision, which shall include: file:///H/FORME%20INCOMPLETE_IN%20ENGLEZA/LEGE%2051%2029_07_1991.htm[3/13/2024 8:42:25 AM]

- a) the name of the court, date, time and place of issue;
- b) data and information from which the existence of a threat to national security is established by the presentation of the facts and circumstances justifying the measure;
- c) the specific authorized activities, among those referred to in Article 14, paragraph (2);
- d) the identity of the person affected by the specific activities, by restricting fundamental human rights and freedoms, if known;
 - e) the bodies carrying out the authorized activities;
- f) the natural or legal persons required to assist in the execution of the authorized activities;
- g) the place or places where the authorized activities will be carried out, if known;
 - h) the period of validity of the authorization.
- (2) The judge shall also issue a warrant containing the elements referred to in paragraph (1), letters (a) and (c) to (h).
- (3) Where it is necessary to authorize new activities other than the initial ones, their deployment in other places or localities, if known, or when contact numbers have changed, the original warrant shall be supplemented accordingly, with the procedure laid down in Article 15.
- (4) The period of validity of the authorization for the activities is the period necessary for their deployment, but no longer than 6 months. The authorization may be extended under the same conditions for duly justified reasons, each extension not exceeding 3 months. The maximum duration of authorizations in respect of the same data and information that indicate a threat to national security is two years. Specific activities shall cease before the expiry of the period for which they were authorized, once the reasons justifying them have ceased to exist.

ART. 18

- (1) If the judge finds that the request is not justified, he shall reject it by reasoned decision. The decision is final.
- (2) A new authorization in respect of the same person may be applied for and issued only if the request is based on new data and information and in compliance with Articles 15 to 17.

ART. 19

- (1) Where the delay in obtaining authorization would seriously undermine the purpose of the specific activities required, they may be carried out with the authorization of the prosecutor for a maximum of 48 hours, and the authorization of the judge must be requested as soon as possible, but no later than the expiry of this period. The judge shall decide on the request immediately.
- (2) If the judge considers that it is necessary to continue the activities referred to in paragraph (1), the dispositions of Articles 15 to 17 shall apply accordingly.
- (3) If the judge considers that it is no longer necessary to continue with the activities referred to in paragraph 1, he shall confirm the activities deployed and shall preserve the materials obtained therein or, where appropriate, order their immediate termination and the destruction of the materials resulted, within a maximum of 7 days. A copy of the destruction report shall be forwarded to the judge.

- (1) Persons requesting authorization, authorizing, executing or assisting in the execution of the authorization shall enjoy the protection of the law and shall be obliged to maintain the secrecy of the data and information which come to their knowledge in this connection and to comply with the legal provisions on the protection of classified information.
- (2) The bodies implementing the authorized activities shall be obliged to discontinue them immediately when the grounds justifying them have ceased to

exist and to inform the Public Prosecutor of the High Court of Cassation and Justice. The Prosecutor General of the Public Prosecutor's Office of the High Court of Cassation and Justice shall inform the High Court of Cassation and Justice of the discontinuation of the authorized activities when the grounds justifying them have ceased to exist.

- (3) The same bodies shall inform the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice in writing on the outcome of the activities authorized by the warrant and the measures taken, according to the law.
- (4) The procedure for authorizing specific activities and the conduct of authorized activities shall be carried out in compliance with the legal provisions on the protection of classified information.

ART. 21

- (1) Data and information of interest for national security, resulting from authorized activities, if they indicate preparation or commission of an offence provided for by criminal law, shall be withheld in writing and transmitted to the prosecuting bodies, in accordance with Article 61 of the Code of Criminal Procedure, accompanied by the mandate issued for them, together with the proposal for a declassification, where appropriate, in full or in extracts, according to the law, of the warrant. The intercepted conversations, written conversations and/or communications, and/or the images recorded shall be transmitted to the prosecuting bodies in their entirety, together with their original digital content.
- (2) If the data and information resulting from authorized activities are not sufficient for the referral to the prosecution authorities and do not justify the further conduct of intelligence activities with regard to that person, the head of the state body with powers in the field of national security shall, by order, notify the person whose rights or freedoms have been affected by the authorized activities of the activities conducted with regard to him/her and the periods during which they were conducted.
 - (3) The notification referred to in paragraph (2) shall not be made if:
- a) could lead to endangering the performance of the service duties of State bodies responsible for national security by disclosing their sources, including those of the security and intelligence services of other states;
 - b) could affect the defence of national security;
 - c) might adversely affect the rights and freedoms of third parties;
- d) could lead to the disclosure of methods and means, including concrete special investigative techniques, used in the case in question by State bodies responsible for national security.

ART. 22

Any person who considers that his/her rights or freedoms have been violated as a result of specific intelligence-gathering activities carried out by intelligence services or bodies responsible for national security may, in accordance with the law, apply to parliamentary committees or judicial bodies as follows:

- a) committees responsible for exercising parliamentary scrutiny, according to the laws on organization and operation of intelligence bodies or those responsible for national security;
- b) the court, under the conditions of Law No. 677 of 2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, with subsequent amendments and additions;
- c) the courts, for compensation for material and moral damages suffered, according to the civil law;
- d) judicial bodies, by making complaints and appeals under the Code of Criminal Procedure;
- e) other committees or judicial bodies, in accordance with procedures regulated by special laws.

1RT 23

- (1) Means of obtaining information necessary for national security must not in any way infringe fundamental rights or freedoms of the citizens, their private life, honor or reputation, or to subject to illegal restraints.
- (2) Everyone is protected by law against such interference or touching. Those guilty of the initiation, transmission or execution of such measures without a legal basis, as well as of the misuse of measures to prevent, detect or counter threats to national security shall be liable civilly, administratively or criminally, as the case may be.
- (3) A citizen who considers himself/herself harmed in his/her rights or freedoms by the use of the means referred to in paragraph (1) may refer the matter to any of the standing committees on defence, public order and national security of the two chambers of Parliament.

Cap. 3

Obligations and liabilities of State bodies, public or private organisations

ART. 24

In order to achieve national security, the ministries, all the other State bodies, public or private sector organizations have, according to the law, the following duties:

- a) to provide the necessary support at the request of bodies responsible for national security in the performance of their duties and enable them to have access to data held which can provide information on national security;
- b) to take the necessary measures for the application of the law on national security in the fields in which it operates or in matters with which they are concerned;
- c) to request the support of the bodies responsible for national security in carrying out the measures necessary to ensure national security in their field of activity.

ART. 25

- (1) The bodies and organizations holding state secrets, in accordance with the provisions of the special law, or whose activity can be targeted by actions considered, according to Article 3, as threats to national security, will draw up their own programs for the prevention of leakage of information of a secret nature, which are subject to the specialized approval of the Romanian Intelligence Service.
- (2) The head of the body or organization in question shall be responsible under law for fulfilling the obligations laid down in Article 24 and paragraph 1 of this Article.
- (3) The specialized endorsement provided for in paragraph (1) shall not include the personal programs for preventing the leakage of classified information from the Romanian Parliament, the Ministry of National Defence, the Ministry of Internal Affairs, the Foreign Intelligence Service, the Protection and Guard Service and the National Prison Administration subordinated to the Ministry of Justice.

CAP. 4

Penalties

- (1) Carrying out, without authorization, activities specific to the collection of information subject to authorization under the terms of this law or exceeding the authorization granted, is punishable by imprisonment from 2 to 7 years, unless the act constitutes a more serious offense.
- (2) The same penalty is imposed for the fact that the official who discloses, refuses or otherwise prevents the execution of the warrant issued under the terms of this Law.
 - (3) The attempt is punishable.

ART. 27

- (1) Information concerning the private life, honor or reputation of persons, known incidentally as part of obtaining data necessary for national security, may not be made public.
- (2) The disclosure or unauthorized use by intelligence personnel of the data referred to in paragraph 1 shall constitute a criminal offense and shall be punishable by a term of imprisonment of between 2 and 7 years.
 - (3) The attempt is punishable.

CAP. 5

Final provisions

ART. 28

The documents of the intelligence services and national security bodies shall be kept in their archives and may be consulted only in accordance with the law.

ART. 29

- (1) The Romanian Intelligence Service, the Foreign Intelligence Service and the Protection and Guard Service are staffed by permanent military personnel and civilian employees.
- (2) Military personnel of the bodies referred to in paragraph (1) have the rights and obligations provided for the Romanian military.
- (3) The provisions of the Labor Code and the other legal norms concerning their rights and obligations are applicable to civilian employees.

ART. 30

The staff referred to in Article 29, paragraph (1), performing operational tasks, carry out activities involving the exercise of the State authority and have all the rights and obligations provided for by the law to that effect.

ART. 31

- (1) The employees of intelligence and national security bodies may not belong to parties or other organizations of a political or secret nature or be used for political purposes.
- (2) Persons who have been found guilty of acts against fundamental human rights and freedoms cannot be active in the intelligence services.

ART. 32

The employees of the intelligence services and national security bodies are bound by the obligation of state and professional secrecy, including after leaving the service in any way.

ART. 33

Persons referred to in Article 32 who are called to witness before the judicial bodies may give evidence of facts and circumstances concerning national security which have come to their notice in the performance of their duties and in relation to those acts and circumstances only with the written consent of the head of the body of which they are a member.

ART. 34

On the date of coming into force of the present Law, any provision to the contrary shall be repealed.