

Armed Forces	Police
The forces designated for national defence are the Armed Forces, which include the National Army and the General Inspectorate of Carabineers (Article 9, Law No 345 of 25 July 2003 on National Defence)	Police – a specialised public institution of the state, subordinated to MIA, which has the mission to defend the fundamental rights and freedoms of the individual through activities of maintaining, ensuring and restoring public order and security, of prevention, investigation and discovery of crimes and offences. (Article 2 Law No 320/2012 on Police Activity and Police Officer Status)
The status of active duty servicemen and of those serving under contract falls under the incidence of Law No 1245/2002 on the Preparation of Citizens for the Defence of the Motherland ¹ and Law No 162/2005 on the Status of the Military Personnel ² , which regulates, among others, the awarding of military ranks.	The legal status of the police officers is set by Law No 320/2012 on Police Activity and Police Officer Status ³ , as well as by Law No 288/2016 on the Civil Servant with Special Status within the Ministry of Internal Affairs.
A serviceman must follow the order (command) of the commander (chief) unconditionally, exactly and on time (Article 9 of the Regulation on Military Discipline, approved by Law No 52-XVI of 2 March 2007).	A civil servant with a special status has the right to refuse, in writing and express the grounds for refusal, to comply with the orders of a superior if they are illegal (Article 6(6) of the Law on the Civil Servant with Special Status within the MIA); According to Article 65 of the same Law, ‘a civil servant with special status is subject only to the law and executes the legal instructions of superiors.’
In addition to other disciplinary sanctions, a serviceman can be subject to arrest (Article 74 of the Regulation of Military Discipline).	The list of disciplinary sanctions applicable to civil servants with special status within MIA does not include the arrest (Article 6(6) of the Law on the Civil Servant with Special Status within MIA)
Military personnel are prohibited from carrying out any political or trade union activities in the military units. (Article 36(2) of the Law No 1245/2002 on the Preparation of Citizens for the Defence of the Motherland)	Civil servants with special status have the right to establish trade unions and to join trade unions in order to defend their legitimate interests (Article 44 of the Law on the Civil Servant with Special Status within MIA)

¹ [Law](#) No 1245-XV of 18 July 2002 on the Preparation of Citizens for the Defence of the Motherland

² [Law](#) No 162-XVI of 22 July 2005 on the Status of the Military Personnel

³ [Law](#) No 320 of 27 December 2012 on Police Activity and Police Officer Status