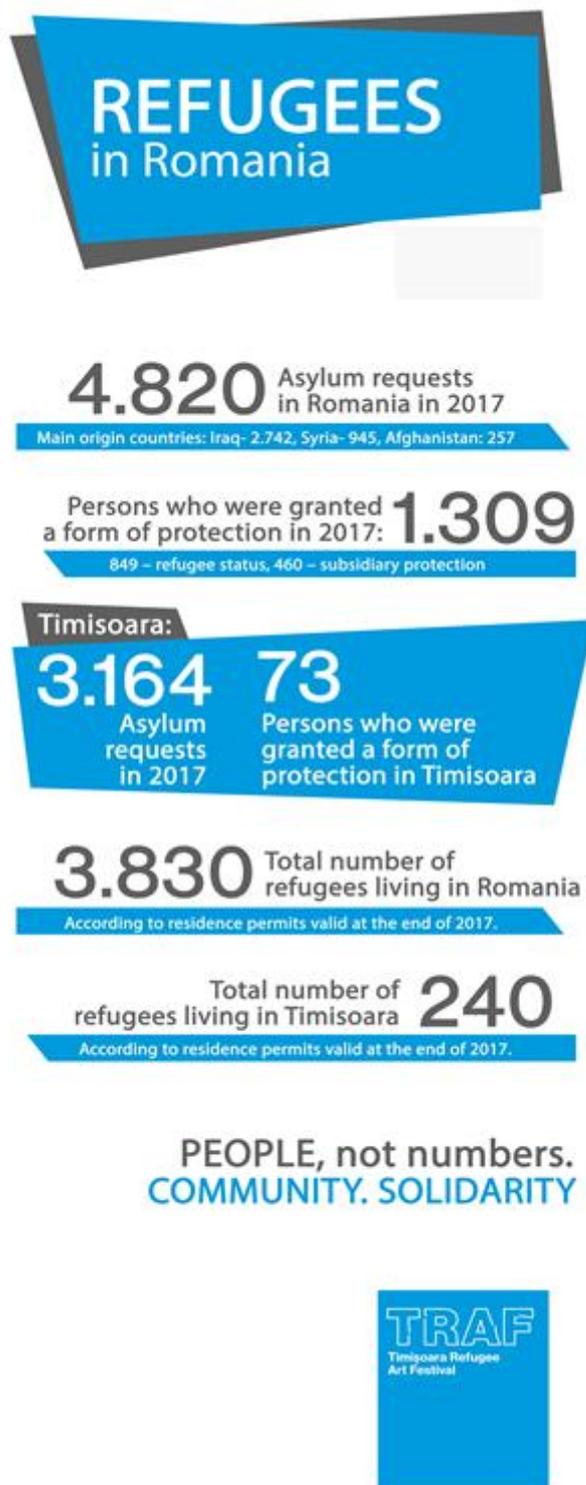


COUNTRY REPORT

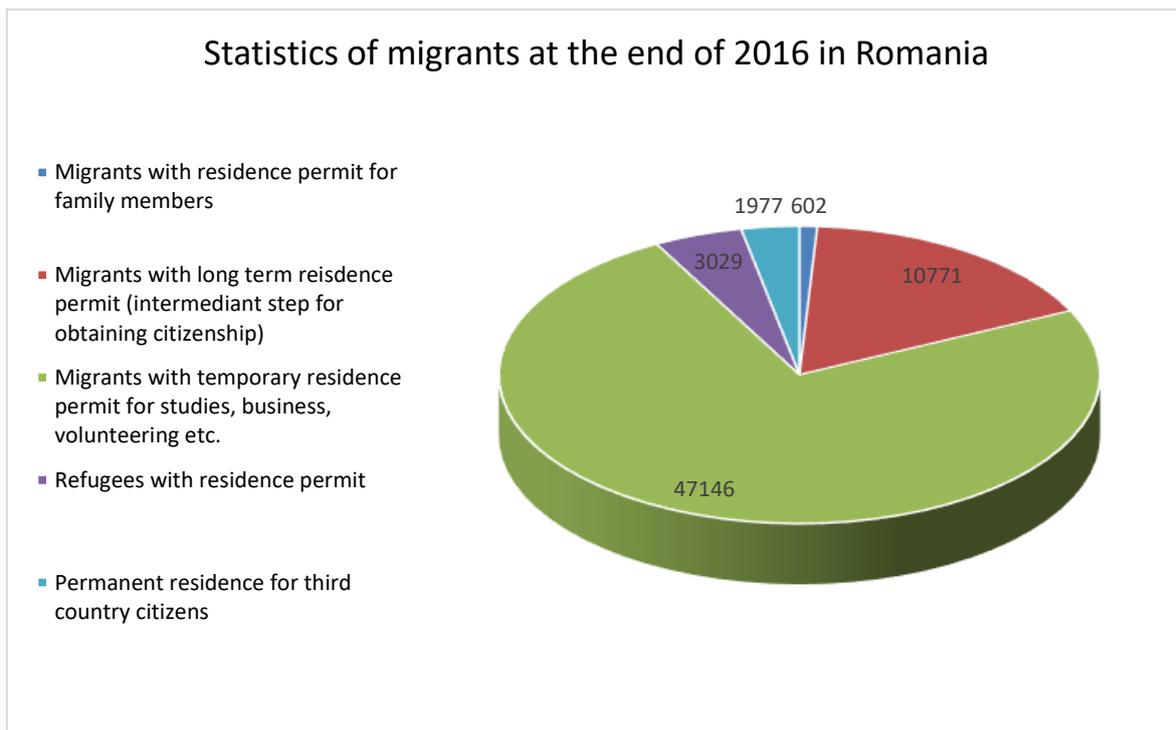
The situation of refugees, asylum seekers and migrants in Romania



Statistics in 2016

During 2016, a number of 1886 asylum demands were registered, with an increase of 49% in comparison to 2015. A number of 554 persons were relocated from Greece and Italy according to EU relocation quota. Most asylum demands came from Syria - 816, Iraq - 472, Pakistan - 93, and Afghanistan - 80. Protection was offered for 824 cases.

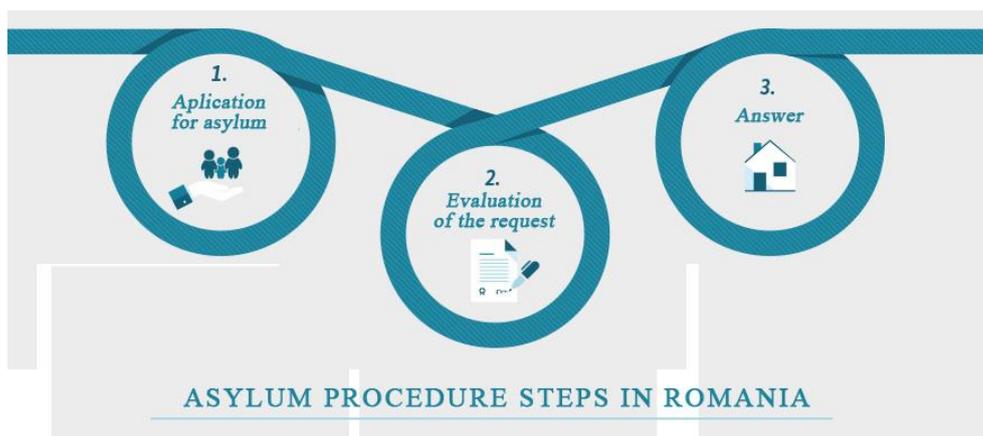
During first 6 months of 2017, 2000 asylum request were registered in Romania, according to Immigration Office statistics. Most requests were from Irak (886), Siria (509) and Pakistan (229)ⁱ. Out of the 2000 asylum request, 558 were from women and 1420 from male persons. Regarding age, 375 were minors, 1040 persons were aged from 18 to 64 and 6 persons were over 65 years of age.



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The asylum procedure in Romania

According to the Law no. 122/2006 on asylum in Romania, a person is considered asylum seeker from the moment in which he/she manifests his/her will, expressed, in writing or orally, in front of competent authorities, from which it results that he/she is demanding protection from the Romanian state.



In Romania the procedure of asylum requests is realized into two stages, the administrative stage and the judicial one. During the administrative stage asylum demands are individually verified by Regional Centres for Accommodation and Procedures for Asylum seekers from Romania (General Inspectorate for Immigration),

on the basis of declarations made by the asylum seeker and of data obtained from the origin country. In case of rejections during the administrative stage, the asylum seeker may appeal the decision during the judicial stage, in two ways, the situation being analysed by regional courts from competency areasⁱⁱⁱ.



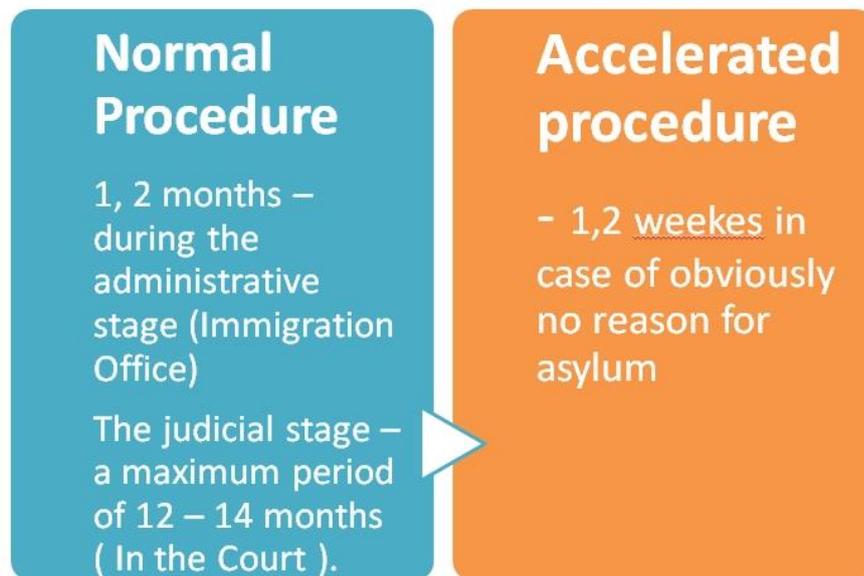
According to the Law no. 122/2006, Art. 2: *“the refugee status is a form of protection for the foreign citizen or for the stateless person, recognized by the Romanian state, which agrees to the conditions provided by the Convention on the Status of Refugees, signed in Geneva on the 28th of July 1951, subsequently called the Geneva Convention, to which Romania adhered with the issuing of the Law no. 46/1991 on the Romania adherence to the Convention on the Status of Refugees, and to the Protocol on the status of refugees”^{iv}.*

Thus, the refugee status may offer asylum seekers with a real fear of persecution on the basis of belongingness to a race, to a religion, to a nationality; belonging to a certain social group, minority or political opinion and his/her life is in danger in case he/she has to return to his/her country.

The second form of protection, the subsidiary protection, may be offered to the asylum seeker to which the conditions of a refugee status don't apply, but there is a real fear in case of a return to the origin country serious reasons for a damage to his/her rights may exist, as:

- Death punishment conviction;
- Torture, punishments and degrading and/or inhuman treatments;
- A threat to the person's life or integrity, as a result of a generalized violence in situations of internal or international armed conflict, if the seeker is a member of the civil population.

Duration of Asylum Procedure



In Romania each institutional actor (The Ministry of Internal Affairs, The Ministry of Education, Research and Youth, the Ministry of labour, family and equality of chances, the Ministry of Health etc.) is responsible for foreigners integration in its domain of activity, politics coordination and monitoring being the responsibility of the Ministry of Internal Affairs, through the General Inspectorate for Immigration, which also possesses the attribution of offering, by its regional structures, specific services in order to facilitate integration to the Romanian society to different foreigners categories.

Coordination at an institutional level is mainly realized by meetings with decision factors (organized by the National Strategy regarding Immigration) and by meetings with experts (organized periodically by the General Inspectorate of Immigration through the Asylum and Integration Direction). Measures provided by the law in order to fulfil integration refer, on one side, to facilitating access to a series of economic and social rights, and to the right to work, to have a home, the right to education, to social and medical care, and on the other side, to the development of integration programs (specific activities of cultural orientation, counselling and learning the Romanian language).

The general objective of politics on foreigners integration, who gained a form of protection in Romania, it that of being self-sufficient, of becoming independent from the

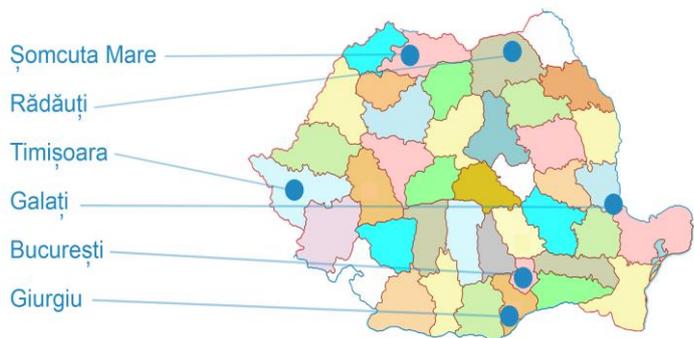
assistance offered by the state or by non-governmental organisations and to actively participate in the economic, social and cultural life.

For this reason, the General Inspectorate for Immigration, through regional centres sustains these persons by offering a package of services reunited in the Integration Program.

On the other hand, NGOs and the Civil Society are also involved in helping and assisting migrants to settle down and integrate in Romania.

Initial reception of asylum seekers

In Romania, the situation of foreign persons, arrived on legal or illegal paths in this country, is managed by the General Inspectorate for Immigration. The institution has in its management six Regional Centres for Accommodation and Procedures for Asylum seekers, with a total capacity of a maximum of 1000 accommodation places.



The asylum centres dispose of medical offices, special rooms for recreation, sports and educational activities, which function in an open regime and offer assistance and accommodation to asylum seekers who don't dispose of financial means of self-support and to refugees and persons with a subsidiary protection.

According to the Law no.122/2006 on asylum in Romania, with subsequent modifications and completions, asylum seekers benefit of: an amount of 3 lei/day/person for food; 1,8 lei/day/person for accommodation and 0,6 lei/day/person for other expenses. To these other services are added like free of charge primary medical and hospital assistance, medical assistance and free of charge treatment in case of acute or chronic illnesses.



Other benefices include: children's access to compulsory education as in the case of Romanian citizens; participation to cultural adaptation activities; access to the labour market after the deadline of one year from the registration of the asylum demand (if the asylum procedure is not yet finalized).



When arriving in these centres, asylum seekers are informed on their rights and obligations, are fingerprinted and photos are taken, in order to receive a temporary ID document, which can prove their quality as asylum seekers and the right to remain on the Romanian territory until they receive a definitive decision regarding their asylum demand. In addition they are subjected to a medical examination. Afterwards, asylum seekers are repatriated to one of the accommodation establishments and each of them receives clean sheets and objects of personal hygiene and cooking and serving dishes.



The asylum seeker also benefits an amount of 16 lei/person/day for food, expenses for local transportation, cultural services, press, reparation and maintenance services and expenses for personal hygiene.

Also for clothing they can receive 67 lei/person/season during the summer and 100 lei/person/season during the winter for clothing. For asylum seekers that cannot be accommodated in the camps (for no room) an amount of 450 Ron per person per month can be covered for renting an apartment. Also housing expenses can be covered up to 120 Ron per person per month in the summer and 155 per persons per month in the winter.

Refugees that are part of integration programs receive from the government an amount of 540 Ron per month for person up to 12 months. In case of finding a job, the allowance is stopped.

Asylum seekers have the right to receive primary medical assistance and appropriate treatment, emergency hospital medical assistance and free of charge medical assistance in case of acute or chronically illness, which can endanger one's life, through the national system of emergency medical assistance and qualified first aid services. These services insure, according to the case, through the medical service offered by accommodation centres and/or other sanitary units authorised by the law.

Refugees receive medical insurances in the same conditions as the Romanian citizens do.



Social Counseling Provided by national NGOs

Complimentary to governmental assistance, NGOs that implement programs financed by the European fund for refugees, offer different forms of assistance, from medical assistance to psychological one and the access facilities to education and to the health system, to the labour market and the offering of food, clothing, shoes and home use products.

Access to education for migrants and asylum seekers

In Romania only the asylum seekers who are minors can access Romanian



language courses provided by national NGO's. Also the minors may participate after three months of procedure, in scholar education and only as visitors. Minor asylum seekers have access to ante-pre-school education, pre-school education and compulsory

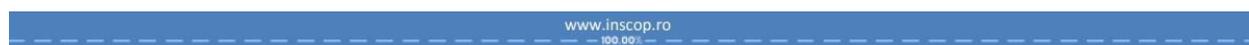
education, in the same conditions as Romanian minor citizens, as long as no measure to remove them or their parents from the Romanian territory is carried out^v.

Romanian language classes provided by national NGO's.

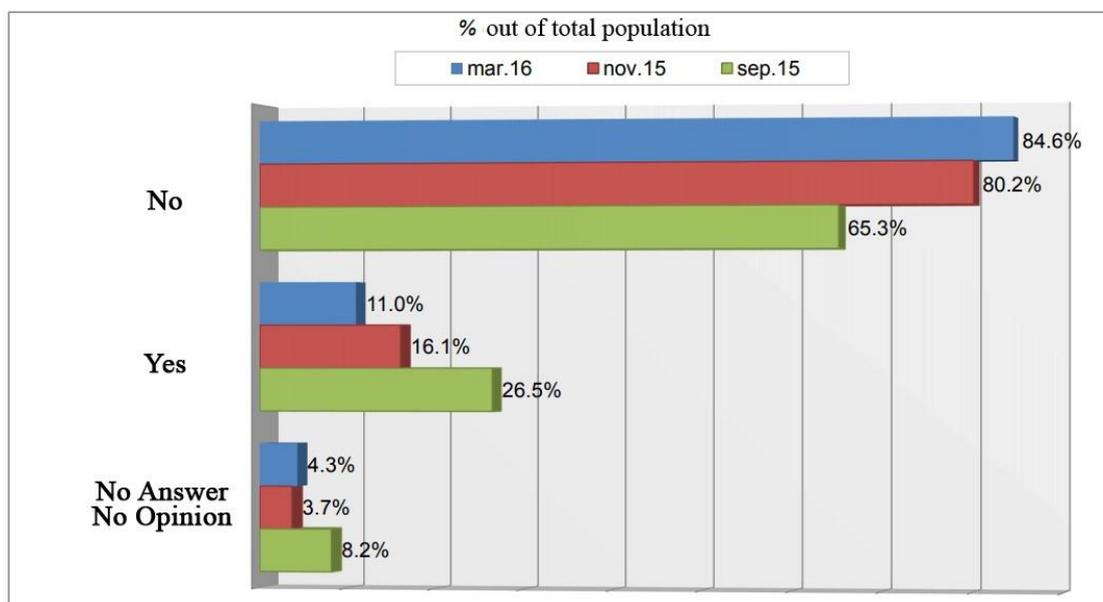
Regarding access to adult education and VET the only Refugees and Third Country Citizens can register in different programs provided by national agency's or NGO's.

When it comes to work access, the Asylum seekers may obtain a legal job three months after procedures are started. Refugees and Third Country Citizens can work in the same conditions as Romanian citizenships, except the students that can have only part-time jobs.

The opinion of the population towards migrants, asylum seekers and refugees in Romania



Do you agree that refugees/imigrants should settle in Romania ?



More than 80% of the Romanian population doesn't agree to refugees/immigrants establishment in Romania, according to a survey realized by INSCOP Research and transmitted to AGERPRES.

The general director of INSCOP, Darie Cristea, considered that the public opinion in Romania has a conservatory and prudent position: “It is a common position in the EU East-European member states, other opinions being even more radical than the ones mentioned by the Romanian. The truth is that Europeans, thus also Romanians, nor have seen the coherence and the management of a situation, expected from European institutions”.

Non-formal and informal competencies recognition in Romania

The European Qualifications Framework (EQF) is a European Union initiative to promote learners’ and workers’ mobility between countries by creating a translating facility for referencing academic degrees and other learning qualifications across the continent.

Based on the national qualification framework, Romania has recently been working on frameworks for vocational qualifications. The system of validation of non-formal learning has been set up in parallel to formal Vocational Education Training and the link to a formal system has not been established yet and the results of a validation of non-formal and informal learning are thus not recognized in the formal system.

In Romania non-formal learning is realized in these types of institutions:

Educational Institutions

- Education and Training Centre;
- Private and public providers of education and training;
- Nongovernmental organizations and the government;
- Employers who offer training to their employees;
- Childcare centres and students clubs;
- Cultural institutions such as museums, theatres, cultural centres, libraries, documentation centres, cinema sites and cultural centres;
- Professional associations and cultural unions.

In Romania, there is a legal framework for the validation of non-formal and informal in terms of professional skills. Validation is provided by various institutions.

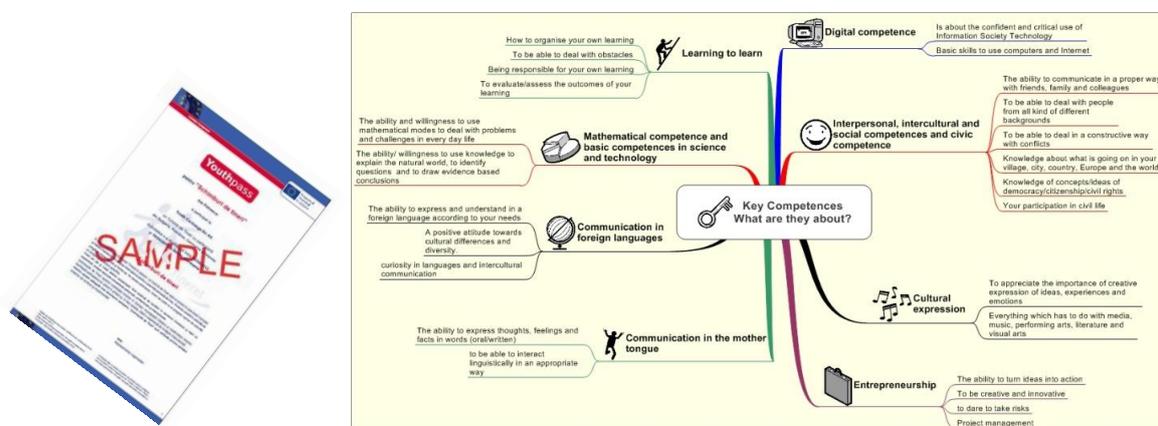
Therefore, the system of validation of non-formal and informal structure includes four distinct stages:

- The identification of learning outcomes and consultants - individuals become aware of skills they have and are professionally oriented;

- Documentation and evaluation of learning outcomes - it establishes that certain knowledge, skills and competence are acquired;
- Validation of learning outcomes - recognizes that learning outcomes meet requirements established;
- Certification of learning - formally confirmed learning outcomes.

Non-formal education / informal education in Romania have a certain tradition and valuable items that can be taken into consideration: education is conceived by the society and facing the local profile.

Tools of Non Formal education: Youthpass certificate



The **Youthpass certificate** represents a recognition document of training activities and of competencies developed through the "Erasmus+" program. The "Erasmus+" program represents a program of the European Union which aims in sustaining non-formal educational activities for young people.

The Youthpass certificate refers exclusively to training activities developed inside Erasmus+ projects. The Youthpass certificate aims at competencies gained in non-formal and informal context and offer young people involved in Erasmus+ projects the possibility to present what they have realized/learned/gained, in terms of activities, knowledge, abilities, attitudes, by participating in these projects.

The Youthpass certificate may be used in the management of one's individual formation, thus insuring a greater visibility of results of a non-formal education and thus facilitating the access on the labour market and/or to different forms of permanent education. Any youngster may participate in an Erasmus+ projects and had the right to demand the issuing of a Youthpass certificate.

The acceptance of informal/non-formal competencies and the related certificates in labour market and economy in Romania

Even though Romania should adopt all legislation of the European Union, some aspects of non-formal education are still not very clear and mostly not recognized in the field of work.

If the competences gained through different non formal activities/courses are relevant for the job they apply to, then the certificates are recognized at a certain level and used for increasing their chances of being accepted. The most relevant is the law of Volunteering which is recognized as work experience if the thematic is according to the studies of the volunteer.

However, if the person applies to a field of work which requires a higher level of education (Engineering, Medicine etc.) the skills, knowledge and competences gained through non-formal education are not useful, neither recognized.

On the other hand, several requalification programmes are offered to Romanian citizens, as a life long learning process, as for the migrants and refugees, they need to have good knowledge of Romanian language and, in the same time, they need to be eligible for the target group of those specific requalification (vocational mostly) courses. A certificate is issued by the Romanian Ministry of Education, certificate which is recognized when applying for that specific job.

Improvements to facilitate the living of migrants/refugees in Romania

Improvements are always useful to evolve as a inclusive society, thus we need to add more facilities for refugees to adapt in Romania:

1. Offer the possibility to asylum seekers who came as students previously to access specific scholarships, so they don't have to quite the learning process begun.
2. Help young refugees access loans or startUP programmes, to develop the entrepreneurial skills and access to a more diverse labour market.
3. As for the education and recognition of non-formal competences, facilitate the recognition of the Youthpass certificate, the qualification certificates and language certificates obtained in non formal education projects, at any field of work, even if just related to team work, interpersonal and social competences, for those who apply to have better chances of obtaining that job.

4. More informational campaigns to sensitize the population's opinion towards refugees and or other migrants, as the most of the information surrounding this specific target group are accompanied by a lot of hate speech and lack of reliable facts. If possible, more connections between the refugees and the society they live in.

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ⁱ <http://data.gov.ro/dataset/date-igi-sem1-2017/resource/bda08913-32ff-4429-8ee9-20a029e36b9b>

ⁱⁱ Data taken from the clarifications issued by the General Inspectorate for Immigrants in Romania regarding the Grant Application for the Evaluation and Selection of Grant Projects, aiming at the implementation of the action "Social Integration of Beneficiaries of a Form of Protection and Foreigners with Legal Stay in Romania" National Program - Fund for Asylum, Migration and Integration. FAMI / 17.02 on 31.03.2017.

ⁱⁱⁱ Romanian Asylum Law no. 122, from the 4th of May 2006 with subsequent modifications and completions

^{iv} Law no. 122, from the 4th of May 2006, on asylum in Romania, updated on the 3rd of October 2008 and completed by the Decision no. 14 from the 19th of January 2016 on the modification and completion of Methodological rules for the application of the Law no. 122/2006 on asylum in Romania

^v Letter a, paragraph (1) for art. 17 were introduced by point 22 of art. I, in the Law no. 331 from the 16th of December 2015, published in the Official Gazette no. 944 from the 21st of December 2015. p)

Opinion of the population chart: <https://www.inscop.ro/wp-content/uploads/2016/04/INSCOP-raport-martie-2016-Criza-refugiatorilor.pdf>

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