

Input by civil society to the EASO Annual Report 2019

Fields marked with * are mandatory.

The production of EASO's *2019 Annual Report on the Situation of Asylum in the European Union* is currently underway. The yearly [annual report](#) series present a comprehensive overview of developments in the field of asylum at the regional and national levels.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organizations, the UNHCR and researchers. To this end, we invite you to submit information on developments in asylum law, policy or practice in 2019 (and early 2020) by topic as presented in the online survey.

Please note that the EASO Annual Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain. Your input can cover practices of a specific EU+ country or the EU as a whole. You can complete all or only some of the sections. It is preferred to provide your submission in bullet points to facilitate drafting.

All submissions are publicly accessible. For transparency, 2019 contributions will be published on the EASO webpage. Contributions to the 2018 annual report by civil society organisations can be accessed [here](#). All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the EASO annual report is subject to terms of reference and volume limitations. Submissions may be edited for length and clarity or may not be included in the final report. Contributions from civil society organisations feed into EASO's work in multiple ways and inform reports and analyses beyond the annual report.

Please complete the online survey and submit your contribution to the 2019 annual report by **Thursday, 12 March 2020**.

[Instructions](#)

Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, please only include the following type of information:

- New developments and improvements in 2019 and new or remaining challenges;
- Changes in policies or practices, transposition of legislation or institutional changes during 2019.

Please ensure that your responses remain within the scope of each section. Do not include information that goes beyond the thematic focus of each section or is not related to recent developments.

Contributions by topic

1. Access to territory and access to asylum procedures (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

2. Access to information and legal assistance (including counselling and representation)

D and Others v Romania: Lack of Access to an Effective Remedy in Case Concerning Expulsion to Iraq

On 14 January 2020, the European Court of Human Rights published its judgment in the case of D and Others v Romania (App no. 75953/16). The Court found that the applicant did not have access to an effective remedy to challenge an order for his expulsion to Iraq, contrary to Article 13 ECHR in conjunction with Articles 2 and 3 ECHR.

https://www.ecre.org/d-and-others-v-romania-lack-of-access-to-an-effective-remedy-in-case-concerning-expulsion-to-iraq/?fbclid=IwAR1GVxu2hffVp76BdJHyUyn8mK6wZv7N_R4QdF_xfoe-4At6ZJdL3cPngjA

(se also: <https://www.ecre.org/?s=romania>)

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

Report stating that the "The foreigners with a form of protection can access and participate in the Romanian labour market under the same conditions as national citizens. The newly-arrived have to enroll on and attend a governmental reintegration program individually tailored to their needs for up to 1 year. It offers educational support, professional training, social assistance, employment, healthcare and other services"
https://www.novapolis.ro/wp-content/uploads/2019/12/mirage-handbook_EN.pdf (see page 12)

The Integration Law in Romania, Ordinance 44/2004 has been amended in October 2019:

NEW ASPECTS INCLUDED IN THE LAW:

expressions and terms have been included in the law = ARTICLE 2, d) The NGOs working in the field of integration have been included in this law and defined as NGOs working with the general Inspectorate for Immigration by collaboration or other NGOs who received funding from external funds for the integration of immigrants

- ARTICLE 6 - The beneficiaries of international protection have the same rights as Romanian citizens when accessing social houses (they did not have the same rights before this law)

- ARTICLE 10 - Children with a form of protection in Romania have the right to receive a free one year Romanian language course - AND the new law adds that the enrollment can be done in every moment of the year

- ARTICLE 14 - Adults with a form of protection in Romania have the right to receive a free one year Romanian language course - AND the new law adds that the enrollment can be done in every moment of the year

ARTICLE 14 - was amended with POINT 7 stating that beneficiaries with a form of protection can take the Romanian language exam even if they have not been present in the class (this implies that they have acquired the language in other settings and they need a certification of their language knowledge)

- ARTICLE 14.1 POINT 2 - says that in every city the Government representatives can set up local support groups for the integration of beneficiaries with a form of protection and other foreigners in Romania

- ARTICLE 16 - a beneficiary of international protection can request to be included in the Integration Program in 3 months after he/she receives a form of protection (before this law it was only 1 month)
- ARTICLE 17 - gives more power to NGOs as it stipulates that NGOs can be present when the General Inspectorate for Immigration creates the needs chart for the integration plan, together with the beneficiary. Before this law the NGOs were not allowed to get involved in this activity of drawing the integration plan for beneficiaries of international protection
- ARTICLE 20 - the beneficiary of international protection can extend his/her integration program of 12 months to another 6 months = 18 months (before this law, the integration program was of 6 months and could be extended to 12 months)
- ARTICLE 22 - grants beneficiaries of international protection the right to receive a financial help, equal to the one granted to asylum seekers, until their right to receive the non-refundable financial help comes into force (but not more than 3 months)

(<https://lege5.ro/Gratuit/gm2dqmbwgmyq/legea-nr-178-2019-pentru-modificarea-si-completarea-ordonantei-guvernului-nr-44-2004-privind-integrarea-sociala-a-strainilor-care-au-dobandit-protectie-internationala-sau-un-drept-de-sedere-in-romania>)

There are also other minor modifications of the present law.
If you need more details for the report let me know.

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management - including backlog management)

10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

11. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

West University in Timisoara (WUT) city from Romania grants a scholarship to a refugee from Afghanistan. It is the first South - East European University to grant such a scholarship to refugees.

<https://www.unhcr.org/ceu/11546-afghan-refugee-student-wins-scholarship-from-romanian-university.html>

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

The General Inspectorate for Immigration, IOM Romania and UNHCR Romania have been involved in several programs for the relocation of refugees from NON-EU countries (Turkey and Jordan) according to the Government Decision 1596/2008

At least 70 persons have been transferred to Romania in 2019 using this program.

12 persons have been transferred from Italy and Malta through the Search and Rescue Operations in the

Mediterranean Sea

The UN Transit Center in Timisoara hosted 666 refugees who are waiting for the procedure to be finalized and transferred to a destination and final country of residence

15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)

16. National jurisprudence on international protection in 2019 (please include a link to the relevant case law and/or submit cases to the [EASO Case Law Database](#))

17. Other important developments in 2019

The National Strategy for Migration 2019 - 2022 has been voted.

http://webapp.mai.gov.ro/frontend/documente_transparenta/188_1549983152_Anexa%20nr.%201%20-%20Strategia%20na%C5%A3ional%C4%83%20pentru%20imigra%C8%9Bie.pdf

References and sources

18. Please provide links to references and sources and/or upload the related material in PDF format

19. Feedback or suggestions about the process or format for submissions to the EASO Annual Report

Please upload your file

The maximum file size is 1 MB

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I accept the provisions of the EASO [Legal and Privacy Statements](#)

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