



## Input by civil society to the EASO Annual Report 2016

EASO has started production of the Annual Report on the Situation of Asylum in the European Union 2016, in line with Article 12 (1) of the EASO Regulation. The report aims to provide a comprehensive overview of important asylum-related developments at EU and national level, and the functioning of all key aspects of the Common European Asylum System (CEAS). The report will be finalised by collecting information from EU+ countries, civil-society stakeholders, UNHCR and other relevant sources on main developments in asylum policies and practices of EU+ countries in 2016.

Previous reports can be consulted on EASO's website: <https://www.easo.europa.eu/information-analysis/annual-report>

We would kindly like to ask you to provide your **observations**, - preferably bullet points to facilitate further processing of your input - **on developments in asylum law or practice in 2016 (and early 2017) in the areas listed below, reflecting the usual structure of the report**. Observations may concern national practices of specific EU+ countries or the EU as a whole.

The EASO Annual Report will not describe the national asylum systems in detail but present key developments in 2016, including **improvements and new/remaining concerns**. The topics listed below reflect the structure of chapter 4 of the EASO report on the 'Functioning of the CEAS'. We kindly ask all contributors to provide brief summaries only on those topics/issues that have seen important **improvements/deterioration as well as new concerns or where previous relevant concerns remained in 2016**.

Please bear in mind that the EASO Annual Report is a public document. Therefore, your input should be, whenever possible, supported with references to written sources to ensure transparency. That can be done by providing links to any documents such as position papers, important press releases, studies, comments, input to the other reports, public statements to government programs, etc.

While EASO endeavours to cover all relevant developments and strives to include as many references as possible, the final content of the EASO Annual Report remains bound by its terms of reference and volume. Therefore, while all contributions are gratefully received and recognised, EASO may edit contributions for length and clarity and use the submissions to best serve the objective of the Annual Report: to improve the quality, consistency and effectiveness of the CEAS.

Please provide your input by filling in this document (with attachments if required) and emailing it to [ids@easo.europa.eu](mailto:ids@easo.europa.eu) **AND** [consultative-forum@easo.europa.eu](mailto:consultative-forum@easo.europa.eu) **by 20 February 2017**.

Within the areas, please highlight the following **type of information**:

- NEW positive developments; improvements and NEW or remaining matters of concern;
- Changes in policies or practices; transposition of legislation; institutional changes; relevant national jurisprudence.
- Please use the topics listed below as a guide to providing input for each section. **DO NOT** provide information unrelated to relevant new developments.

**Name of the contributing stakeholder:**

**Contact details:**

**1) Access to territory and procedure**

- Access to territory and procedure is made in accordance with human rights conventions and EU laws. We have not heard about

**2) Access to information and legal assistance**

- According to the Asylum Law, the officers of The General Inspectorate for Immigration (IGI) must inform the asylum seekers and refugees about their rights.

ALSO, NGOs are the implementing partner of IGI providing information and legal assistance. NGOs work in Bucharest, in the cities where the reception centres are located (Bucharest, Timisoara, Giurgiu, Radauti, Somcuta Mare, Galati) and other cities in Romania (Brasov, Craiova, Pitesti, Sibiu, Cluj, Oradea, Constanta, Iasi etc)

Access to information and legal assistance is made through different materials (flyers, brochures, CDs, leaflets) created in the projects funded by EU and other sponsors (EEA grants, European Commission grants). Right now IGI has pushed NGOs to translate all these materials in at least 7 languages.

Other NGOs use different local tools to properly inform migrants in their respective cities (for example, Information Point where the local Immigration Office is sited, offering migrants information and recommendation to visit the local specialized NGO)

**3) Providing interpretation services**

- The General Inspectorate for Immigration uses different interpreters from the refugee community.  
- On the 16<sup>th</sup> of January 2017 the Romanian General Inspectorate for Immigration (IGI) posted an announcement calling for interpreters applications to work in interpretation services in IGI. The call was posted on the 16<sup>th</sup> 2017 of January with a deadline on the 20<sup>th</sup> of January 2017 (Link: <http://igi.mai.gov.ro/stiri/citeste/ro/42/Inspectoratul-General-pentru-Imigrari-intenioneaz-s-ncheie-contracte-civile-pentru-prestii-de-servicii-cu-interpreti-i-traductori-autorizati>). The call was posted on IGI website.

We find the post duration extremely short for appropriate responses.

**4) Dublin procedure**

- Many recognized refugees leave from Romania when they receive their travel document. Cases have been reported of refugees sent back to Romania by other EU states.

**5) Specific procedures (border, accelerated, admissibility)**

- An asylum seeker in Romania receives an answer about his/her asylum request in maximum 2 months.

**6) Reception of applicant for international protection:**

- In general, an applicant for international protection is housed in one of the 6 reception centres in Romania. Sometimes the applicant has relatives and chooses to live outside the reception centre.

Housing conditions are poor in almost every reception centre in Romania.

- In November 2016 the law was modified and clearly defined the reception conditions of the applicants for international protection = Article 55, p. (1)

“The asylum seeker will be given upon request, food of 10 lei/day/person, clothes for 67 lei/person/summer and 100 lei/person/winter, other expenses of 6 lei/day per person for transportation, cultural services, press, maintenance and repair services, expenses for personal intimate products”

NOTE: 1 EURO = 4,52 Romanian Lei

#### 7) Detention:

|  |
|--|
|  |
|--|

#### 8) Procedures at First instance:

|  |
|--|
|  |
|--|

#### 9) Procedures at Second Instance:

|  |
|--|
|  |
|--|

#### 10) Availability and use of Country of Origin Information:

|  |
|--|
|  |
|--|

#### 11) Vulnerable applicants:

- Romania does not have the proper social system and the necessary infrastructure to care for vulnerable persons. We, as NGOs working in Romania in the field of asylum, do not understand why Romania agreed to resettle a big number of vulnerable persons.

Romania's social system is meager and unable to care for vulnerable people. Hospitals, social assistance, welfare benefits are substandard. Refugees become dependent on NGOs funds and services which are also unstable and depended on EU funds.

#### 12) Content of protection – situation of beneficiaries of protection

- Clear gap between the legislation and the situation in the field. The provisions in the Asylum Law are positive and endorse the BP's social rights. In reality, the Romanian system does not implement these provisions properly.

- NGOs in Bucharest have reported the unwillingness of the school directors to enroll refugee children in school.

- NGOs have reported the unwillingness of the local School Boards to organize a one year Romanian language course for migrants on the basis that there is no funding and no available professor (at my NGO we struggle with this all the time)

- Romania lacks prepared professors to teach Romanian as a foreign language (at my NGO we struggle with this all the time)

#### 13) Return of former applicants for international protection

- Many recognized refugees leave from Romania to Western countries when they receive their travel document. Cases have been reported of refugees with a form of protection in Romania sent back to Romania by other EU states.

#### 14) Resettlement and relocation

- Approximately 600 persons have been relocated from Greece and Italy until now in Romania (sources, IOM Romania).

- Regarding the National Resettlement program, Romania has agreed to resettle yearly a quota of 20 refugees from third countries. The General Inspectorate for Immigration did not succeed until now (February 2017) to resettle the 20 recognized refugees from Turkey – the quota for 2016. Recognized refugees in Turkey have been waiting since Spring 2016 to be resettled in Romania.

#### 15) Other relevant developments

- the Asylum legislation in Romania (Law 122/2006) has been modified in November 2016 and other changes are on their way in 2017

Modifications in 2016:

- The rights of vulnerable persons have become specific in the law

- Access to work in Romania is conditioned by the recognition of studies/certificates/competencies of refugees (which is an impediment as many refugees do not have their diplomas; and also, Romania does not have functional centers for the recognition of competencies of foreign persons)
- New rules for the administration of the regional centers which include privileging family rights, women's rights, ethnic groups, combating gender, sexual, ethnic violence, requesting asylum seekers and refugees to do maintenance work in the centers