

# Input by civil society to the EASO Annual Report 2018

Fields marked with \* are mandatory.

## Input by civil society to the EASO Annual Report on the Situation of Asylum in the EU+ 2018

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EASO has started the production of the 2018 Annual Report on the Situation of Asylum in the European Union, 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). [Previous reports are available at EASO's website](#)

While the final product comes out of an analytical and synthetic process that takes place in-house, a critical part of information is elicited through valuable contributions by a multiplicity of stakeholders from EU+ countries, civil society organizations, UNHCR, and other actors possessing in-depth knowledge on main developments in asylum policies and practices in EU+ countries.

We would like to kindly invite you to take part in this process, by sharing your observations on developments in asylum law, policy or practice in 2018 (and early 2019) in the areas listed on the online survey. The topics listed there reflect the structure of Chapter 4 of the EASO Annual Report, which focuses on the 'Functioning of the CEAS'. To this end, your observations may concern national practices of specific EU+ countries or the EU as a whole. You can fill in all or only some of the points. Overall, the EASO Annual Report is not meant to describe the national asylum systems in detail, but present key developments in 2018, including improvements and new/remaining concerns. In terms of format, your contributions would be preferably offered in the form of bullet points, which would facilitate further processing of your input.

Please, bear in mind that the EASO Annual Report is a public document. Accordingly, it would be desirable that your contributions, whenever possible, be supported by references to relevant sources. Providing links to materials such as analytical studies, articles, reports, websites, press releases, position papers/statements, and press releases, would allow for maintaining transparency. For your reference, you may review the [contributions offered by civil society actors for the 2017 Annual Report](#). If you do not consent on EASO making your submission available, please indicate so in the relevant part of the online survey.

In our effort to provide an inclusive overview of all relevant developments, we strive to incorporate as

many contributions as possible. At the same time, the final content of the EASO Annual Report is subject to its set terms of reference and volume limitations. To this end, your submissions, which are gratefully received and acknowledged, may be edited for length and clarity so that the final product concisely serves the objectives of the Annual Report: to improve the quality, consistency, and effectiveness of CEAS. From our side, we can assure you that the valuable insights you offer feed into EASO's work in multiple ways and inform reports and analyses beyond the production of the Annual Report.

Please, kindly provide your input completing the online survey by **Thursday, 28 February 2019**.

## Instructions

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Within each area, 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.**

*You are kindly requested to make sure that your input falls within each section's scope. Please, refrain from including information that goes beyond the thematic focus of each section or is not related to recent developments. Feel free to use Section 16 to share information on developments you consider important that may have not been covered in previous sections.*

*Prior to completing the survey, please take a moment to review the list of areas and the types of information that needs to be included in each area.*

*Please contribute your feedback online or copy and paste your answers from an editable type document*

## Questions

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### **1. Access to territory and access to asylum procedure (including first arrival to territory and registration)**

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

**4. Providing interpretation services**

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

**5. Specific 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 – rise/fall/stable, material reception conditions, i.e. housing, food and clothing and financial support, contingency planning in reception, access to labour market and vocational training, medical care, schooling and education, residence and freedom of movement)**

**7. Detention of applicants for international protection (including detention capacity – rise/fall /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, international protection status determination, decision making, 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 definition, special reception facilities, identification mechanisms/referral, applicable procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children).**

**12. Content of protection – situation of beneficiaries 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)**

**13. Return of former applicants for international protection**

**14. Resettlement and humanitarian admission programmes including EU Joint Resettlement Programmes; national resettlement programme (UNHCR); National Humanitarian Admission Programme; Private sponsorship programme/scheme and Ad-hoc special programmes)**

**15. Relocation (any relevant developments concerning persons transferred under the EU relocation programme and relocation activities organised under national schemes/on bilateral basis)**

**\* 16. Other relevant developments**

*1 character(s) minimum*

1. Access to education

In January 2018, the Romanian Ministry of Education issued an Order (no. 3027/2018) that is limiting the access to education for minor beneficiaries of protection and asylum seekers who lack documentary evidence of study.

Specifically, Art. 136 of the newly issued Order cancels the simplified procedure for enrolling students in the

grade corresponding to their level of training/knowledge and establishes a standard testing procedure of all students “regardless of nationality or status” on all the academic subjects and for all the study years for which they are unable to provide documentary evidence.

Previously, the national Methodology regarding the organization and functioning of the initiation course in Romanian language and the schooling of children who have acquired a form of protection or a right to stay in Romania (Order no. 5925/2009) provided a simplified procedure that consisted in assessing the level of Romanian language and Mathematics only.

The standard procedure is creating additional barriers for asylum-seeking and refugee children as the time limit necessary for completing it does not take into consideration the insufficient knowledge of Romanian of most asylum-seeking and refugee children and which negatively affects the assessment of their academic knowledge of other subjects.

This amendment will likely encourage school drop-out among the children who are seekers or beneficiaries of protection or seeking of alternative options such as unaccredited community ‘schools’ which may lead to integration problems on the longer term.

## 2. Lack of Action at the Central Level

During 2018, despite the numerous open letters sent to the Prime-Minister by the representatives of the civil society (that took the form of a formal Coalition – the Coalition for the rights of Migrants and Refugees – CDMiR in 2017) the Governmental Committee National Coalition for Refugee Integration remained inactive.

## 3. Delayed legislative amendments

After debating the amendment proposal addressing Gov. Ordinance 44/2004 regulating integration policies for third-country nationals and beneficiaries of international protection in January 2018, the bill is still, one year later, following the legislative route and will, most likely, be adopted during 2019.

## References and Sources

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### \* 17. Please provide links to references and sources and/or upload the related material in pdf format using the following box

1. Romanian Minister of Education Order no. 3027/2018 available (in Romanian) at [https://www.edu.ro/sites/default/files/fisiere%20articole/3027\\_2018\\_2.pdf](https://www.edu.ro/sites/default/files/fisiere%20articole/3027_2018_2.pdf)

2. Open Letter to the Romanian Prime Minister ref. the reactivation of the Governmental Committee National Coalition for Refugee Integration <http://www.inovarepublica.ro/scrisoare-deschisa-viorica-dancila-comitet-interministerial-integrarea-refugiatilor/>

3. The bill amending the Gov. Ordinance 44/2004 is available. (in Romanian) at [http://www.mai.gov.ro/index05\\_1.html](http://www.mai.gov.ro/index05_1.html), whilst the report of the public debate from 12th January 2018, requested by the civil society is available (in Romanian) at [http://81.181.207.101/frontend/documente\\_transparenta/94\\_1517985907\\_minuta%20sedinta%2012%20ianuarie.pdf](http://81.181.207.101/frontend/documente_transparenta/94_1517985907_minuta%20sedinta%2012%20ianuarie.pdf)

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## Consent for making the input publicly available

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\* Do you consent on making your input available on the EASO website?

- Yes  
 No

## Case law

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Please include relevant case law and/or submit cases to [EASO Portal IDS on Caselaw](#)

## Contact details

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\* Name of the contributing stakeholder

Center for the Public Innovation

Contact person, Role

\* Email

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

### Contact

Consultative-Forum@easo.europa.eu

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