

# Forms of protection - Romania | DIP

## EUAA

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### Overview

### Relevant EU legislation

Romania is bound by the recast Asylum Procedures Directive (APD), the recast Reception Conditions Directive and the Dublin III Regulation and has transposed their provisions through the Law No 122 of 4 May 2006 concerning asylum in Romania ([Lege nr. 122 din 4 mai 2006 privind azilul în România](#)).

### National legislation

<b>Refugee status</b>	Articles 2(g) and 23-25 of Law No 122/2006 on asylum ( <a href="#">Lege nr 122/2006 privind azilul in Romania</a> ) and Government Emergency Ordinance No 44/2004; The Methodological norms for the application of Law No 122/2006 on asylum in Romania.
<b>Subsidiary protection</b>	Articles 2(h) and 26-28 of Law No 122/2006 on asylum ( <a href="#">Lege nr 122/2006 privind azilul in Romania</a> ) Government Emergency Ordinance No 44/2004; The Methodological norms for the application of Law No 122/2006 on asylum in Romania.
<b>Temporary protection</b>	Article 2(i), and Chapter IX, Articles 130-142 of the Law No 122/2006 on asylum ( <a href="#">Lege nr 122/2006 privind azilul in Romania</a> ).
<b>National forms of protection</b>	N/A

## Competent authority and stakeholders

<b>Refugee status</b>	The General Inspectorate for Immigration   <a href="#">Inspectoratul General pentru Imigrări</a>
<b>Subsidiary protection</b>	The General Inspectorate for Immigration   <a href="#">Inspectoratul General pentru Imigrări</a>
<b>Temporary protection</b>	The General Inspectorate for Immigration   <a href="#">Inspectoratul General pentru Imigrări</a>
<b>National forms of protection</b>	N/A

## Renewal and withdrawal of international protection and national forms of protection

### Refugee status

Legal provisions relating to review, renewal and withdrawal of refugee status:  
Refugee status is provided for an undetermined period (Article 9, Law No 122/2006 on asylum).

The review process is provided in Article 103 of Law No 122/2006 on asylum.

Chapter VI of Law No 122/2006 provides the cessation or withdrawal of a form of protection.

Length of the first and subsequent residence permits: 3 years (Article 6, Law No 122/2006)

Review of the status:

The [General Inspectorate for Immigration](#) is the competent authority. The law does not foresee automatic review. Articles 98, 100, 102 and 103 of Law No 122/2006 on asylum in Romania are applied. The procedure for renewal and withdrawal of international protection entails a personal interview and legal aid is provided. An appeal is foreseen by Article 105 of Law No 122/2006 on asylum in Romania.

### **Renewal of the status:**

Refugee status is provided for an undetermined period (Article 9, Law No 122/2006 on asylum).

### **Withdrawal of the status:**

The [General Inspectorate for Immigration](#) is the competent authority.

The procedure for withdrawal of international protection is initiated by the General Inspectorate for Immigration ex officio or at the proposal of one of the institutions with responsibilities in the field of national security or public order, when new elements or information appear that indicate the existence of reasons for re-examining the situation of persons benefiting from international protection (Article 102, Law No 122/2006 on asylum).

The case officer informs in writing the beneficiary of international protection about:

- the initiation of the procedure for the termination or, as the case may be, cancellation of the international protection, as well as the reasons that determined the initiation of the procedure;
- the rights and obligations during this procedure;
- the opportunity to present, in a personal interview or through a written statement, the reasons why international protection should be maintained (Article 103, Law No 122/2006 on asylum).
- According to Article 103(2) of Law No 122/2006 on asylum, the beneficiary of international protection has the following rights and obligations during this procedure:
  - the right to be assisted by a lawyer;
  - the right to be provided with an interpreter free of charge;
  - the right to contact and be assisted by an official of the United Nations High Commissioner for Refugees (UNHCR);
  - the right to be advised and assisted by a representative of non-governmental organizations, Romanian or foreign;
  - the right to be provided, upon request, with legal and procedural information, including information on the procedure in the administrative phase, under the terms of the legislation on public legal aid in civil matters;
  - the right to be provided, upon request, with information to clarify the reasons for a decision to terminate or to cancel international protection in the administrative phase and to explain how such a decision can be appealed;
  - the obligation to present complete and real information regarding the personal situation;
  - the obligation to submit all documents relevant to the personal situation;
  - the obligation to monitor the status of the procedure and to inform the General Inspectorate for Immigration regarding the change of residence, within a maximum of 5 days;
  - the obligation to respond to requests from bodies with responsibilities in the field of asylum.

During the review process, the beneficiary of international protection is invited for an interview to clarify the situation. If the beneficiary of the form of protection does not appear for the interview, the official will resolve the case based on the

documents in the personal file (Article 103(4), Law No 122/2006 on asylum).

The re-examination of the case is carried out in the regular or accelerated asylum procedure (Article 103(5), Law No 122/2006 on asylum).

UNHCR may be provided access to the procedure and to the decisions issued, if the third country national agrees to such access and UNHCR has the right to present its opinions regarding the procedure at any stage of this procedure (Article 103(6), Law No 122/2006).

The decision may be appealed (Article 105, Law No 122/2006), following the rules for appeals against decisions pronounced in the regular asylum procedure.

### **Grounds for withdrawal of the status:**

**Cessation:** Article 98(1) of Law No 122/2006 on asylum provides that refugee status ceases where the beneficiary:

- a) Has voluntarily re-availed him or herself of the protection of the country of nationality;
- b) Having lost his or her nationality, has voluntarily re-acquired it;
- c) Has acquired a new nationality and enjoys the protection of the country of his or her new nationality;
- d) Has voluntarily re-established him or herself in the country which he or she left or outside which he or she remained owing for the reasons on the basis of which he or she was granted refugee status;
- e) Can no longer, because the circumstances in connection with which he or she has been recognised as a refugee have ceased to exist, continue to refuse to avail him or herself of the protection of the country of nationality or habitual residence and cannot invoke, in order to justify such refusal, imperious reasons of concern to previous persecutions;

f) Being a stateless person, he is able to return to the country in which he had his habitual residence, no longer having the circumstances under which his refugee status was granted.

g) Expressly renounces refugee status in writing.

Cancellation: Refugee status is cancelled in the following situations, as stipulated in Article 100 of Law No 122/2006 on asylum:

a) the person whose refugee status has been recognized has made false statements, omitted to present certain data or used false documents, which were decisive in the acknowledgment of the form of protection and there are no other reasons to lead to maintaining refugee status;

b) after granting the form of protection it was discovered that the third country national should have been subject to exclusion clauses, as described in Law No 122/2006 , Article 25.

Article 25 of Law No 122/2006 on asylum provides the exclusion from refugee status of the following applicants who:

a) Have committed a crime against peace and humanity, a war crime or another offence defined according to the relevant international treaties to which Romania is a party or another international document which Romania is obliged to abide by;

b) Have committed a serious offence outside Romania, before being admitted to Romanian territory;

c) Have committed acts contrary to the goals and principles of the UN Charter (its Preamble and Articles 1 and 2);

d) Have instigated or were accomplices to acts stipulated at letters a) - c).

Also, refugee status is not granted to third country nationals or stateless persons who planned, facilitated or took part in committing terrorist acts.

Refugee status is also not recognised to:

Foreign nationals and stateless persons who, having their residence in another state, are considered by the competent authorities of that State to enjoy rights and obligations arising out of the nationality of that state or to enjoy equivalent rights and obligations.

Foreign citizens and stateless persons falling within the scope of Article 1D of the Geneva Convention, relating to protection or assistance from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees.

### **Consequences of the withdrawal of the status:**

At the end of the review process, if the decision confirms the cessation or orders the cancellation of the form of protection, and according to the reasons for cessation or cancellation of the form of protection, the authorities can communicate to individuals concerned their obligation to leave the country. Article 105 of Law No 122/2006 provides for the possibility to appeal the decision.

When the decision includes the obligation of the person to leave the territory of Romania, the General Inspectorate for Immigration issues and enforces the order to leave Romanian territory (Law No 122/2006, Article 104).

If the person whose form of protection was ceased or cancelled remains on Romanian territory after the finalization of the procedure of cessation or cancellation of the form of protection, he/she is subject to the legal provisions regarding the legal status of third country nationals in Romania (Law No 122/2006 on asylum, Article 106).

Finally, the confirmation of the cessation or ordering the cancellation of the form of protection does not produce effects regarding the family members of the person regarding whom the decision was issued (Article 104(2), Law No 122/2006 on asylum).

It is possible to obtain a different residence status, and this is facilitated by GII. Legal counselling is available.

### **Subsidiary protection status**

Legal provisions relating to review, renewal and withdrawal of subsidiary protection:

- Subsidiary protection is provided for an undetermined period (Article 9, [Law No 122/2006 on asylum](#)).
- Length of the first and subsequent residence permits: 2 years (Article 6, Law No 122/2006 on asylum)

### **Review of the status:**

The General Inspectorate for Immigration is the competent authority. The law does not foresee automatic review. Articles 99, 101, 102 and 103 of Law No 122/2006 on asylum in Romania are applied. The procedure for renewal and withdrawal of international protection includes a personal interview and legal aid is provided. An appeal is foreseen by Article 105 of Law No 122/2006 on asylum in Romania.

### **Renewal of the status:**

Subsidiary protection is provided for an undetermined period so a renewal is not foreseen Article 9 of Law No 122/2006 on asylum is applied.

### **Withdrawal of the status:**

The [General Inspectorate for Immigration](#) is the competent authority.

The procedure follows the same conditions as for refugee status according to Law No 122/2006 on asylum, Article 103.

The procedure for withdrawal of international protection is initiated by the General Inspectorate for Immigration ex officio or at the proposal of one of the institutions with responsibilities in the field of national security or public order, when new elements or data appear that indicate the existence of reasons for re-examining the situation of persons benefiting from international protection (Article 102, Law No 122/2006 on asylum).

The case officer informs in writing the beneficiary of international protection regarding:

the initiation of the procedure for the termination or, as the case may be, cancellation of the international protection, as well as the reasons that determined the initiation of the procedure;

the rights and obligations during this procedure;

the opportunity to present, in a personal interview or through a written statement, the reasons why international protection should be maintained (Article 103 of Law No 122/2006 on asylum).

During the review process beneficiaries of subsidiary protection are invited for an interview to clarify their situation.

If the beneficiary of the form of protection does not appear at the interview, the officer will solve the case based on the existing documents in the personal file (Article 103(4), Law No 122/2006).

Legal assistance is provided.

Throughout the process, beneficiaries of international protection have the following rights and obligations:

the right to be assisted by a lawyer in any stage of the procedure;

the right to be supplied, for free, with an interpreter, at any stage of the procedure;

the right to contact and be assisted by an official of the United Nations High Commissioner for Refugees (UNHCR), at any stage of the procedure;

the right to be counselled and assisted by a representative of Romanian or foreign non-governmental organizations at any stage of the procedure;

the right to be provided, upon request, with legal and procedural information, including information on the procedure in the administrative phase, in accordance with the law on public legal aid in civil matters, taking into account the personal situation of the third country national;

the right to be provided, upon request, with information in order to clarify the reasons for a decision to terminate or, as the case may be, to annul international protection in the administrative phase and to explain how to challenge such a decision, in accordance with public legal aid legislation;

the obligation to present to the competent authorities complete and real information regarding the personal situation;

the obligation to submit all the available documents which are relevant to the personal situation;

the obligation to follow the stage of the procedure and to inform the General Inspectorate for Immigration about the change of residence, within maximum 5 days from the occurrence of the situation;

the obligation to respond to the requests of the bodies with competencies in the field of asylum.

The re-examination of the case is carried out in the regular or accelerated asylum procedure (Article 103(5), Law No 122/2006 on asylum).

UNHCR may be provided access to the procedure and to the decisions issued, if the third country national agrees to such access and UNHCR has the right to present its opinions regarding the procedure at any stage of this procedure (Article 103(6), Law No 122/2006 on asylum).

### **Grounds for the withdrawal of the status:**

**Cessation:** According to Article 99 of Law No 122/2006 on asylum, subsidiary protection ceases when the circumstances which led to its granting have ceased to exist or have changed to such an extent that this form of protection is no longer necessary, and when the beneficiary expressly renounces in writing, to the subsidiary protection granted by Romania. This provision does not apply to a foreign national or stateless person who has been granted subsidiary protection and who may invoke compelling reasons arising from previous serious risk to refuse protection of the country of which he/she is a national or, as the case may be, of the

country of habitual residence. The beneficiary of subsidiary protection who expressly renounces this form of protection, is informed, in a language which he/she understands or is reasonably presumed to understand, of the consequences of the act of renunciation.

Cancellation: Subsidiary protection is cancelled according to provisions of Law No 122/2006 on asylum, Article 101, in the following situations:

- a) after granting subsidiary protection, it is discovered that the third country national is in one of the situations stipulated in Article 28 (exclusion grounds);
- b) when the person who was granted subsidiary protection has made false statements, omitted to present certain data or used false documents, which were decisive in granting the form of protection and there are no other reasons to lead to maintaining subsidiary protection.

Article 28 Law No 122/2006 on asylum provides for the exclusion from subsidiary protection of the following applicants who:

- a) Have committed a crime against peace and humanity, a war crime or another offence defined according to the relevant international treaties to which Romania is a party or another international document which Romania is obliged to abide by;
- b) Have committed a serious offence outside Romania, before being admitted to Romanian territory;
- c) Have committed acts contrary to the goals and principles of the UN Charter (its Preamble and Articles 1 and 2);
- d) Are a danger to Romania's public order and national security;
- e) Have instigated or were accomplices to acts stipulated at letters a) - d).

Also, subsidiary protection is not granted to third country nationals or stateless persons who planned, facilitated or took part in committing terrorist acts.

### **Consequences of the withdrawal of the status:**

Same as for refugee status.

At the end of the review process, if the decision confirms the cessation or orders the cancellation of the form of protection, and according to the reasons for cessation or cancellation of the form of protection, the authorities can communicate to individuals concerned their obligation to leave the country. Article 105 of Law No 122/2006 on asylum provides for the possibility to appeal the decision.

When the decision includes the obligation of the person to leave the territory of Romania, the General Inspectorate for Immigration issues and enforces the order to leave Romanian territory (Law No 122/2006 on asylum, Article 104).

If the person whose form of protection was ceased or cancelled remains on Romanian territory after the finalization of the procedure of cessation or cancellation of the form of protection, he/she is subject to the legal provisions regarding the legal status of third country nationals in Romania (Law No 122/2006 on asylum, Article 106).

Finally, the confirmation of the cessation or ordering the cancellation of the form of protection does not produce effects regarding the family members of the person regarding whom the decision was issued (Article 104(2) of Law No 122/2006 on asylum).

It is possible to obtain a different residence status and this is facilitated by GII. Legal counselling is available.

## **National forms of protection**

**Legal provisions relating to the review, renewal and withdrawal of national forms of protection:** N/a

**Length of the first and subsequent residence permits:** N/a

**Review of the status:** N/a

**Renewal of the status:** N/a

**Withdrawal of the status:** N/a

**Grounds for the withdrawal of the status:** N/a

**Consequences of the withdrawal of the status:** N/a

## **Content of protection**

### **Overview**

The relevant legal provisions concerning content of protection in Romania for

- Beneficiaries of refugee status: Chapter III, Section 2 of [Law No 122/2006 on asylum](#) and [Government Emergency Ordinance No 44/2004](#).
- Beneficiaries of subsidiary protection: Chapter III, Section 2 of [Law No 122/2006 on asylum](#) and [Government Emergency Ordinance No 44/2004](#).

### **Provision of information on the content of protection**

The authority responsible for the provision of information on the content of protection for refugees and beneficiaries of subsidiary protection is the General Inspectorate for Immigration.

The General Inspectorate for Immigration informs the beneficiary of international protection, in a language that he/she understands or is reasonably supposed to understand, about the rights he/she has and the obligations resulting from the recognition of refugee status or the granting of subsidiary protection, as soon as international protection has been granted in Romania (Article 21<sup>1</sup>, Law No 122/2006 on asylum).

## **Residence permits**

### **Refugees:**

The authority responsible for delivering the residence permit is the General Inspectorate for Immigration.

The length of the residence permits is 3 years.

After being informed about the granting of the status, the beneficiary is advised to file a request for the issuance of the residence permit. The document is received in maximum 30 days from the lodging of the request. According to the law, the residence permit is issued as soon as possible (Article 20(6), Law No 122/2006). The residence permit is issued for free, according to Article 51(1) of the [Methodological norms for the application of Law No 122/2006 on asylum in Romania](#).

### **Beneficiaries of subsidiary protection:**

The General Inspectorate for Immigration is the authority responsible for delivering the residence permit.

The length of the residence permits is 2 years.

After being informed about the granting of the status, the beneficiary is advised to file a request for the issuance of the residence permit. The document is received in maximum 30 days from the lodging of the request. According to the law, the residence permit is issued as soon as possible (Article 20(6), Law No 122/2006 on asylum). The residence permit is issued for free, according to Article 51(1) of the [Methodological norms for the application of Law No 122/2006 on asylum in Romania](#).

## **Travel documents**

### **Refugees:**

The authority responsible for delivering the travel document (a Geneva Travel Document) is the General Inspectorate for Immigration.

The travel document is valid for 2 years without the possibility to extend the validity. After expiry, a new travel document with the same validity is issued (Article 20(8) of Law No 122/2006 on asylum).

Beneficiaries of refugee status and subsidiary protection abroad, who no longer possess valid travel documents, are issued by the diplomatic missions or consular offices of Romania, with the approval of the Romanian Immigration Office, travel documents only for the purpose of returning to the country. The validity of the travel document is for a maximum of 30 days and ceases by law on the date of the holder's entry into the territory of Romania. The form and content of the travel document is established by decision of the Government of Romania (Article 20(9), Law No 122/2006 on asylum).

### **Beneficiaries of subsidiary protection:**

The authority responsible for delivering the travel document (Geneva Travel Document) is the General Inspectorate for Immigration.

The travel document is issued on request to the beneficiaries of refugee or subsidiary protection for a period of 2 years with no possibility of extending the validity period. After expiry, a new travel document will be issued with the same validity. (Article 20(8), Law No 122/2006 on asylum).

Beneficiaries of refugee status and subsidiary protection abroad, who no longer possess valid travel documents, are issued by the diplomatic missions or consular offices of Romania, with the approval of the Romanian Immigration Office, travel documents only for the purpose of returning to the country. The validity of the travel document is for a maximum of 30 days and ceases by law on the date of the holder's entry into the territory of Romania. The form and content of the travel document shall be established by decision of the Government of Romania (Article 20(9), Law No 122/2006 on asylum).

## **Freedom of movement**

Beneficiaries of refugee and subsidiary protection have the right to freely choose the place of residence and to travel freely, under the conditions set by law for foreign nationals (Article 20(1)(b), Law No 122/2006 on asylum).

## **Access to employment and employment-related education**

### **Refugees and beneficiaries of subsidiary protection:**

Beneficiaries of refugee status enjoy the same access to employment as Romanian nationals, to engage in unpaid activities, to pursue self-employment and to perform legal acts, to perform acts and acts of trade, including economic activities independently ([Article 20\(1\)\(c\), Law No 122/2006 on asylum](#)).

Access to employment-related educational opportunities for adults and vocational training: Beneficiaries of refugee and subsidiary protection have the right to access all types of education, under the conditions stipulated by law for Romanian citizens ([Article 20\(1\)\(h\), Law No 122/2006 on asylum](#)).

## **Access to education**

### **Refugees and beneficiaries of subsidiary protection:**

Minors' right and conditions to access education (pre-school, primary school, secondary school, post-secondary and tertiary education): Beneficiaries of international protection have the right to access all types of education, under the conditions stipulated by law for Romanian citizens (Article 20(1)(h), [Law No 122/2006 on asylum](#)).

Additional support provided to minors for education, including access to grants and loans: Beneficiaries of international protection have the right to access all types of education, under the conditions stipulated by law for Romanian citizens (Article 20(1)(h), [Law No 122/2006 on asylum](#)).

Minors who have acquired international protection in Romania benefit from a preparatory course in learning Romanian, intensive and free of charge, for one school year. Registration is made throughout the calendar year, and attendance of the course may continue during the following school year. While following the introductory course in Romanian, minors who have acquired international protection in Romania participate free of charge, within school units, in didactic activities of a theoretical, practical and recreational nature, without their presence being recorded in official documents. At the end of the introductory course in Romanian, an evaluation committee, whose composition and functioning are established by order of the Minister of National Education, assesses the level of knowledge of the Romanian language and determines the enrolment of minors who have acquired international protection in Romania in the corresponding study year (Article 10, [Government Emergency Ordinance No 44/2004](#)).

Adults' right and conditions to access education: Beneficiaries of international protection have the right to access all types of education, under the conditions stipulated by law for Romanian citizens (Article 20(1)(h), [Law No 122/2006 on asylum](#)).

Additional support provided to adults for education, including access to grants and loans: Beneficiaries of international protection have the right to access all types of education, under the conditions stipulated by law for Romanian citizens (Article 20(1)(h), [Law No 122/2006 on asylum](#)).

## **Access to procedures for recognition of qualifications and validation of skills**

### **Refugees and beneficiaries of subsidiary protection:**

Conditions to access the procedure for the recognition of qualifications and validation of skills: Beneficiaries of international protection have the right to equal treatment with Romanian citizens in terms of the equivalence of studies or periods of study, the recognition of diplomas, attestations and certificates of competence, as well as professional qualifications that give access to regulated professions in Romania, in accordance with the regulations in force (Article 20(1)(r), [Law No 122/2006 on asylum](#)).

**Procedure to follow for the recognition of foreign diplomas, certificates and other evidence of formal qualifications:** Beneficiaries of international protection have the right to equal treatment with Romanian citizens in terms of the equivalence of studies or periods of study, the recognition of diplomas, attestations and certificates of competence, as well as professional qualifications that give access to regulated professions in Romania, in accordance with the regulations in force (Article 20(1)(r), [Law No 122/2006 on asylum](#)).

The Ministry of National Education and the Ministry of Labor and Social Justice ensure, upon request, the recognition of diplomas, attestation of studies and qualifications from the country of origin, under the conditions established by Romanian law. The Ministry of National Education in collaboration with the Ministry of Internal Affairs develop a special methodology for attesting pre-university studies for foreigners who have obtained international protection in Romania and who do not have documents proving their studies or who, for objective reasons, do not fall within the current legal provisions in the field of recognition and attestation of studies of foreigners in Romania, in order to facilitate access to the labour market or the continuation of studies. The methodology is provided by order of the Minister of National Education (Article 11, [Government Emergency Ordinance No 44/2004](#)).

## **Healthcare**

### **Refugees and beneficiaries of subsidiary protection:**

Refugees and beneficiaries of subsidiary protection are provided with the same access to medical assistance within the social health insurance system, under the

same conditions established by law for Romanian citizens (Article 7, [Government Emergency Ordinance No 44/2004](#)).

## **Access to accommodation**

### **Refugees:**

The integration program can offer:

Accommodation, upon request, in GII centres for the period of enrolment in the integration program (up to 12 months). In order to benefit from this service beneficiaries must pay a monthly contribution representing the cost of utilities. Vulnerable persons are exempted from the payment of utilities, according to [Government Emergency Ordinance No 44/2004](#).

In exceptional situations, the integration officers may consider the extension of the integration program by another 6 months based on a motivated request;

Cultural accommodation sessions supported by GII or partner NGOs is offered to beneficiaries of international protection.

## **Access to integration measures**

### **Refugees:**

Aspects to be covered in this section: integration measures in place for refugees (hyperlink to the scheme, programme or website for additional information), including language courses, civil orientation, integration programmes and vocational training.

According to the [Government Emergency Ordinance No 44/2004](#) on the integration of foreigners who obtained a form of protection in Romania, with subsequent amendments, individuals who have obtained a form of protection enjoy the same social and economic rights as Romanian citizens: the right to employment, the right

to housing, the right to healthcare and social assistance, and the right to education. To support the integration of this category of persons, the General Inspectorate for Immigration is conducting programs of integration, sustained over a period of 12 months with the possibility of extension for another 6 months.

According to the GII [website](#), the integration program can offer:

- Accommodation, upon request, in GII centers for the period of enrolment in the integration program (up to 12 months). To benefit from this service, beneficiaries must pay a monthly contribution representing the cost of utilities. Vulnerable persons are exempted from the payment of utilities, according to [Government Emergency Ordinance No 44/2004](#).
- In exceptional situations, the integration officers may consider the extension of the integration program by another 6 months based on a motivated request;
- Romanian language courses organized with the support of school inspectorates and additionally through partner NGOs;
- Cultural accommodation sessions supported by GII or partner NGOs;
- Providing, during a period of 3 months, an amount equal to the material aid for asylum seekers;
- Social counselling that includes access to the rights provided in Romania: the right to employment, the right to housing, the right to health and social care, social security, the right to education.
- Counselling and psychological support;
- Material aid grant amounting to 540 RON / person for a period of up to 12 months, under the condition of taking part in these activities and in the integration program and in the specific individual integration plan.
- After completing the program, beneficiaries can apply for financial support to pay for accommodation outside the centre, settling up to 50% of the accommodation costs for a period of one year.

### **Beneficiaries of subsidiary protection:**

According to the [Government Emergency Ordinance No 44/2004](#) on the integration of foreigners who obtained a form of protection in Romania, with subsequent amendments, individuals who obtained a form of protection enjoy the same social

and economic rights as Romanian citizens: the right to employment, the right to housing, the right to healthcare and social assistance, and the right to education. To support the integration of this category of persons, the General Inspectorate for Immigration is conducting programs of integration, sustained over a period of 12 months with the possibility of extension for another 6 months.

According to the GII [website](#), the integration program can offer:

- Accommodation, upon request, in GII centres for the period of enrolment in the integration program (up to 12 months). To benefit from this service, beneficiaries must pay a monthly contribution representing the cost of utilities. Vulnerable persons are exempted from the payment of utilities, according to [Government Emergency Ordinance No 44/2004](#).
- In exceptional situations, the integration officers may consider the extension of the integration program by another 6 months based on a motivated request;
- Romanian language courses organized with the support of school inspectorates and additionally through partner NGOs;
- Cultural accommodation sessions supported by GII or partner NGOs;
- Providing, during a period of 3 months, an amount equal to the material aid for asylum seekers;
- Social counselling that includes access to the rights provided in Romania: the right to employment, the right to housing, the right to health and social care, social security, the right to education.
- Counselling and psychological support;
- Material aid grant amounting to 540 RON / person for a period of up to 12 months, under the condition of taking part in these activities and in the integration program and in the specific individual integration plan.
- After completing the program, beneficiaries can apply for financial support to pay for accommodation outside the centre, settling up to 50% of the accommodation costs for a period of one year.

## **Family reunification for beneficiaries of international protection**

## **Refugees:**

Persons who have been granted refugee status can submit an asylum application for family members, if the latter are not in Romania (Articles 71 and 72, Law No 122/2006 on asylum).

Eligible family members include, according to Article 2(j) of Law No 122/2006 on asylum:

- the husband or the wife of the beneficiary of international protection, only if the person who was granted international protection concluded the marriage before entering the territory of Romania;
- minor children of the beneficiary of international protection who are supported by the latter, provided that they are unmarried, irrespective of whether they are from the beneficiary's marriage or out of wedlock or adopted in accordance with the national law of the country of origin;
- the father or the mother of the beneficiary of international protection or another adult who is responsible for him/her according to Romanian law, when the respective beneficiary is a minor and unmarried.

The unmarried partner in a stable relationship and the dependent unmarried minor children of an unmarried partner do not qualify as family members for the purpose of family reunification.

If the family member does not meet these conditions, the asylum application will be analyzed by itself with reference to the provisions of Article 23 (refugee status) and Article 26 (subsidiary protection).

Requests for family reunification are submitted at the GII and the beneficiary of international protection must prove family kinship or, respectively, prove marriage prior to entering Romania (Article 71(2) [Law No 122/2006 on asylum](#)).

In case of approval of the request for family reunification, the diplomatic mission of Romania will issue the family member with a short stay visa to enter Romania valid for 30 days from issuance and which expires at the moment the family member

enters Romania (Article 71(2) [Law No 122/2006 on asylum](#)).

In the case of unaccompanied minors, requests for family reunification can be made ex officio by the GII, with due regard to the best interest of the minor (Article 72 [Law No 122/2006 on asylum](#)).

### **Beneficiaries of subsidiary protection:**

Persons who have been granted subsidiary protection status can submit an asylum application for family members, if the latter are not in Romania (Articles 71 and 72, [Law No 122/2006 on asylum](#)).

Eligible family members include, according to Article 2(j) of [Law No 122/2006 on asylum](#):

the husband or the wife of the beneficiary of international protection, only if the person who was granted international protection concluded the marriage before entering the territory of Romania;

minor children of the beneficiary of international protection who are supported by the latter, provided that they are unmarried, irrespective of whether they are from the beneficiary's marriage or out of wedlock or adopted in accordance with the national law of the country of origin;

the father or the mother of the beneficiary of international protection or another adult who is responsible for him/her according to Romanian law, when the respective beneficiary is a minor and unmarried.

The unmarried partner in a stable relationship and the dependent unmarried minor children of an unmarried partner do not qualify as family members for the purpose of family reunification.

If the family member does not meet these conditions, the asylum application will be analyzed by itself with reference to the provisions of Article 23 (refugee status) and Article 26 (subsidiary protection).

Requests for family reunification are submitted at the GII and the beneficiary of international protection must prove family kinship or, respectively, prove marriage prior to entering Romania (Article 71(2) [Law No 122/2006 on asylum](#)).

In case of approval of the request for family reunification, the diplomatic mission of Romania will issue the family member with a short stay visa to enter Romania valid for 30 days from issuance and which expires at the moment the family member enters Romania (Article 71(2) Law No 122/2006 on asylum).

In the case of unaccompanied minors, requests for family reunification can be made ex officio by the GII, with due regard to the best interest of the minor (Article 72 [Law No 122/2006 on asylum](#)).