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The Asylum Information Database (AIDA)

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The visit to Romania was conducted as part of the Asylum Information Database (AIDA) managed by ECRE, which provides up-to-date information and analysis of the legal framework and practice with regard to asylum procedures, reception conditions, detention and content of international protection in 25 countries. This report complements and should be read together with the AIDA Country Report on Romania.

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GLOSSARY & LIST OF ABBREVIATIONS

Public custody Detention centre for persons facing removal or transfer under the Dublin Regulation.

centre There are two such centres, located in Otopeni and Arad.

Regional Centre for Accommodation and Procedures for Asylum Seekers ("reception Regional centre

centre"). There are six such centres, located in: Timisoara, Somcuta Mare, Rădăuţi,

Galaţi, Bucharest and Giurgiu.

AIDRom Ecumenical Association of Churches from Romania | Asociatia Ecumenica a

Bisericilor din România

AMIF Asylum, Migration and Integration Fund

CNRR Romanian National Council for Refugees | Consiliul National Roman pentru Refugiati Directorate-General for Social Assistance and Child Protection | Directia Generală de **DGASPC**

Asistență Socială Şi Protecția Copilului

EUAA European Union Agency for Asylum

FRONTEX European Border and Coast Guard Agency

IGPF General Inspectorate of the Border Police | Inspectoratul General Politia de Frontiera **ITPF**

Territorial Inspectorate of the Border Police | Inspectoratul Teritorial al Politiei de

Frontieră

IGI General Inspectorate for Immigration (GII) | Inspectoratul General pentru Imigrări **IGI-DAI** General Inspectorate for Immigration – Directorate for Asylum and Integration |

Inspectoratul General pentru Imigrări - Direcția Azil Integrare

IOM ROMANIA International Organisation for Migration - Romania Office

JRS Jesuit Refugee Service Romania

UNHCR United Nations High Commissioner for Refugees

Fact-finding Visit Report - August 2025

THE ASYLUM INFORMATION DATABASE (AIDA)

The Asylum Information Database is a database containing information on asylum procedures, reception conditions and detention and content of international protection across 25 countries. This includes 19 European Union (EU) Member States (Austria, Belgium, Bulgaria, Cyprus, Germany, Spain, France, Greece, Croatia, Hungary, Ireland, Italy, Malta, Netherlands, Poland, Portugal, Romania, Sweden, Slovenia) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine, United Kingdom).

The overall goal of the database is to contribute to the improvement of asylum policies and practices in Europe and the situation of asylum seekers by providing all relevant actors with appropriate tools and information to support their advocacy and litigation efforts, both at the national and European level. These objectives are carried out by AIDA through the following activities.

Country reports

AIDA contains national reports documenting asylum procedures, reception conditions, detention and content of international protection in 25 countries.

Comparative reports

AIDA comparative reports provide a thorough comparative analysis of practice relating to the implementation of asylum standards across the countries covered by the database, in addition to an overview of statistical asylum trends and a discussion of key developments in asylum and migration policies in Europe. Annual reports were published in 2013, 2014 and 2015. From 2016 onwards, AIDA comparative reports are published in the form of thematic updates, focusing on the individual themes covered by the database. Thematic reports have been published on reception (March 2016), asylum procedures (September 2016), content of protection (March 2017), vulnerability (September 2017), detention (March 2018), access to the territory and registration (October 2018), reception (May 2019), asylum authorities (October 2019), digitalisation of asylum procedures (January 2022) and family reunification (February 2023).

Fact-finding visits

AIDA includes the development of fact-finding visits to further investigate important protection gaps established through the country reports, and a methodological framework for such missions. Fact-finding visits have been conducted in Greece, Hungary, Austria, Croatia, France, Belgium, Germany and Poland.

Legal briefings

Legal briefings aim to bridge AIDA research with evidence-based legal reasoning and advocacy. With the assistance of information gathered from country reports, these short papers identify and analyse key issues in EU asylum law and policy and identify potential protection gaps in the asylum acquis. Legal briefings so far cover: (1) Dublin detention; (2) asylum statistics; (3) safe countries of origin; (4) procedural rights in detention; (5) age assessment of unaccompanied children; (6) residence permits for beneficiaries of international protection; (7) the length of asylum procedures; (8) travel documents for beneficiaries of international protection; (9) accelerated procedures; (10) the expansion of detention; (11) relocation; and (12) withdrawal of reception conditions.

Statistical updates

AIDA releases short publications with key figures and analysis on the operation of the Dublin system across selected European countries. Updates have been published for 2016, the first half of 2017, 2017, the first half of 2018, 2018, the first half of 2019, 2019 and the first half of 2020, 2020, 2021, 2022 and 2023.



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INTRODUCTION

The visit to Romania took place against the backdrop of the ongoing implementation of the EU Pact on Migration and Asylum (EU Pact), which will significantly alter the legislative and operational landscape for Member States. This report analyses Romania's national asylum system, with a particular focus on the application of special procedures (notably border and accelerated procedures) - which will become more prominent and in certain cases obligatory with the coming into effect of the Pact -, as well as reception and detention conditions for asylum seekers. The visit was aimed at assessing how Romania is preparing to adapt its procedures, infrastructure, and legal framework to comply with the Pact's new requirements.

The report presents the findings of fact-finding visit to Romania conducted between 17 and 21 March 2025. During this period, the ECRE delegation visited:

Bucharest, where it met with JRS Romania, the Romanian National Council for Refugees (CNRR), Save the Children, the International Justice Mission, Terre des Hommes, the General Inspectorate of the Border Police (IGPF), the General Inspectorate for Immigration – Asylum and Integration Directorate (IGI – DAI), and UNHCR Romania.

- » Timisoara, where it met with the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara);
- » The Giurgiu Regional Centre for Asylum Seekers;
- » The Otopeni Public Custody Centre;
- » The Timișoara Regional Centre for Asylum Seekers;
- » The Timisoara Emergency Transit Centre;
- » The Moravita border crossing point;
- » The Arad Public Custody Centre.

Information and data gathered from interviews and observations made in the various sites visited are complemented by desk research and authoritative sources on the Romanian asylum system.

The report is structured into two chapters:

Chapter I focuses on access to the territory and asylum procedures, including border and accelerated procedures.

- » Chapter II assesses reception and detention conditions for asylum seekers
- » **Chapter III** assesses **access to rights** such as employment, education, and healthcare for both asylum seekers and beneficiaries of protection.

Each section highlights the most relevant changes of the EU Pact for the Romanian context, outlining the necessary legal, institutional, and practical adaptations Romania must undertake by July 2026. A final section contains conclusions and recommendations to the Romanian authorities based on the findings of the visit.

CHAPTER I: ASYLUM PROCEDURES

1. Access to the territory and border management

On 1 January 2025, Romania, together with Bulgaria, became a full member of the Schengen Area, ¹ after years of opposition from several member states, notably Austria, ² which had long cited concerns over migration and irregular entries. In November 2024, Hungarian, Austrian, Romanian and Bulgarian authorities issued a joint declaration in which the countries acknowledged the "joint efforts to fight irregular migration" and the consequent decrease in the number of irregular entries and asylum applications of the route, which let Austria to remove its opposition to Romania and Bulgaria's accession to Schengen.³

Since the autumn of 2023 and throughout 2024, a significant drop in the number of migrant crossings on the Western Balkans route was registered. According to Frontex statistics, this amounted to a 78% fall in detections of irregular crossings in 2024.⁴ This might be due to different factors, including an increase in border surveillance and anti-smuggling initiatives from countries on the route, but also to smugglers' networks adapting their activities to tighter border enforcement.⁵ According to reports from several civil society organisations, the increase in border surveillance activities has led to increased violence on the route.⁶

According to official statistics from the Romanian Border Police, throughout 2024, 18,396 foreign nationals were apprehended while irregularly crossing the borders of the country – an increase compared to 2023. The majority of the detected irregular crossings regarded Ukrainian nationals (14,800) who sought protection in Romania after apprehension. The number of detected crossings from the borders with Bulgaria and Serbia registered a decrease. The main countries of origin of the persons apprehended during irregular crossings were Ukraine, Syria, Iraq, Nepal, Bangladesh, Türkiye, Ethiopia, Sri Lanka, Pakistan, and India. The Border Police reported that most crossings (85%) were attempted by crossing land borders by foot. 12% of the people detected were found hidden in vehicles, while only 3% arrived by boat or using other methods such as presenting false documents. In 2024, Romanian border authorities denied entry to 10,266 foreign nationals who did not meet the legal requirements for accessing the country, representing an increase by 41.7% compared to 2023. In the same time period, 2,389 individuals were caught trying to irregularly leave Romania. The people involved were primarily migrant workers legally staying in Romania and attempting to move onwards, attempting to cross the Hungarian border. 351 people involved in smuggling activities were identified.

Border with Serbia

The most notable decrease (over 80%) in the number of arrivals was registered at the Serbian border. In 2024, registered prevention of entries at the Serbian-Romanian border regarded only 259 individuals - a 67% decrease compared to 2023. According to the Border Police, this drop is to be attributed to the enhanced border management activities, as well as to the join operations, carried out by the Romanian and Serbian border police.⁸

According to Romanian NGOs, the decrease in arrivals may be linked to measures implemented by the country in anticipation of Schengen accession, which significantly strengthened border management and efforts in

- 1. European Commission, Bulgaria and Romania join the Schengen Area, 3 January 2025, available here.
- 2. Euronews, Austria still opposed to Schengen accession of Romania and Bulgaria, preventing December vote, 5 December 2023, available here.
- 3. Euractiv, Hungarian presidency secures full Schengen membership for Bulgaria, Romania, 22 November 2024, available here.
- 4. FRONTEX, Irregular border crossings into EU drop sharply in 2024, 14 January 2025, available here.
- 5. Mixed Migration Centre Danish Refugee Council, Mixed migration in the Western Balkans: Shifting policies, smuggling dynamics and risks, November 2024, available here
- 6. See, inter alia, Balkan Insight, As Borders Tighten, Violence Rises on Migrant Route Through the Balkans, 20 November 2024, available here; Info Migrants, Frontex data on Balkan route 'only part of reality,' says ICS, 17 January 2025, available here; Info Migrants, EU border crossings down 25 percent, but Central Mediterranean route sees increase, 18 March 2025, available here; ECRE, Significant decrease in irregular border crossings via Balkan route, 24 October 2024, available here; ECRE, GO warning about Frontex data showing major fall in irregular crossings, 23 January 2025, available here; EU News, Irregular border crossings into the EU decrease dramatically in 2024, 14 January 2025, available here; 11.11.11 (Belgium), Hungarian Helsinki Committee, We Are Monitoring Association (Poland), Center for Peace Studies (Croatia), Lebanese Center for Human Rights (CLDH), Sienos Grupé (Lithuania), Centre for Legal Aid Voice in Bulgaria (CLA), Foundation Mission Wings (Bulgaria), I Want to Help Refugees/ Gribu palīdzēt bēgļiem (Latvia), Pushed, beaten left to die Pushback report 2024, February 2025, available here.
- 7. Romanian Border Police, Evaluarea activității Poliției de Frontieră Române desfășurate în anul 2024, 19 February 2025, available here.
- Romanian Border Police, Evaluarea activităţii Poliţiei de Frontieră Române desfășurate în anul 2024, 19 February 2025, available here; Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara), Timișoara, 20 March 2025.

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terms of prevention of entries. However, according to the General Inspectorate of the Border Police, the change in route pre-dates the country's accession to the Schengen area. 10

Multiple stakeholders point to a range of factors that could explain the reduced number of arrivals via the Serbian border. These include Croatia's Schengen accession, enhanced EU and Frontex support for border surveillance with Serbia, and the deployment of tools such as helicopters and night vision equipment to intercept individuals before they cross into Romania. Notably, no substantial change in migration patterns has been observed since Romania officially joined Schengen on 1 January 2025. To fully understand this trend, it is also important to consider developments in Serbia. All temporary reception facilities there were closed at the end of 2023, likely as part of an effort by Serbian authorities to make the country less accommodating to migrants in transit. This move appears to have redirected part of the arrivals from Serbia to Bosnia and Herzegovina. 12

In 2024, there were 125 detections at the Romanian border with Serbia, with 526 third-country nationals involved. Out of these, 172 persons were detected attempting to irregularly exit Romania to Serbia, 30 were detected entering from Serbia to Romania, 59 were detected in the border zone (i.e., the part of territory that goes from the border to the interior) without their presence being justified, 231 irregularly staying on Romanian territory, and 34 were subject to readmission from Serbia to Romania.¹³

The Timisoara Border Police Inspectorate, which oversees Romania's borders with Serbia (543.8 km), Hungary (49.3 km), and Bulgaria (28.3 km), reported on a trend observed prior to 2023, of people entering Romania legally (mainly through work visas) but attempting to exit irregularly towards other EU countries. Irregular border exits have decreased notably from 2023 to 2024, likely due to fewer people entering Romania through work visas. The number of people detected at the border dropped significantly from 2020 to 2024.

2020	2021	2022	2023	2024
4,039	5,354	1,645	82	76

The top 5 nationalities in 2024 were Türkiye, Mongolia, Afghanistan, Syria and India.

The number of irregular border crossings in 2023 and 2024 was the following:

Ctructure	2023		2024		
Structure	Cases	Nº of persons	Cases	Nº of persons	
Land border	39	80	27	76	
River border	2	2	0	0	
Total	41	82	27	76	

Of the 76 people who had crossed the border irregularly in 2024, 38 were readmitted to Serbia within 24 hours, while the rest applied for asylum. The number of smuggling facilitators detected was of 82 in 2023 and 62 in 2024.

The number of prevention of entries also significantly dropped since a peak in 2021:

2018	2019	2020	2021	2022	2023	2024
2,854	6,107	34,938	75,303	27,469	804	268

^{9.} Information provided by CNNR, Terre des Hommes and JRS Romania, Bucharest, 17 March 2025.

^{10.} Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.

Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025; Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara), Timişoara, 20 March 2025.

^{12.} ECRE/AIDA, Country report on Serbia – Update on 2024.

^{13.} Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.

Efforts to prevent irregular entry include enhanced surveillance (cutting border vegetation, use of a fixed- wing aircraft equipped with thermovision cameras, patrols, and Frontex support) and cooperation with Serbia, involving joint and ad hoc patrols up to 10 km inside Serbian territory. Frontex's technical support includes a surveillance aircraft (214 missions in 2024), mobile systems, and co-financed Romanian deployments. This allows the Border police to detect people attempting to reach the border 6-8km before they would enter Romanian territory; the border police is then able to prevent their entry by informing Serbian authorities that intervene to stop them from crossing.

Cooperation on border monitoring between Romania and Serbia includes monthly meetings, joint patrols (4 per month), joint investigations, and medical/humanitarian responses. Future plans involve deploying a ground sensor system under a BMVI-funded Strategic Project to enhance detection and support ongoing cross-border collaboration. The Border Police emphasized that, while all these measures have been put in place, no fences have been built at the borders.¹⁴

Romania maintains a readmission agreement with Serbia, which has been criticised in the past as at risk of 'formalising pushbacks'. ¹⁵ In line with the decrease in the number of arrivals through this border, the number of readmissions to Serbia has also declined significantly in 2024 - from several hundred in past years to fewer than 40 individuals. ¹⁶

Border with Ukraine and Moldova

In 2024, over 7.8 million Ukrainian citizens crossed the border (registered entries and exits), slightly more than in 2023. Out of them, 1.6 million were children. Among these, a relatively small number (14,800) of Ukrainians entered Romania through irregular crossings. 11 deaths were registered at the green border. ¹⁷

Most of the people irregularly crossing the border from Ukraine appear to be men, that would not be legally permitted to leave the country due to law on mobilization. The General Inspectorate of the Border Police indicated that the borders with Ukraine and Moldova are mostly crossed irregularly by men, while women and children exit Ukraine from regular border crossings. According to UNHCR, after the irregular crossing, persons leaving Ukraine do not experience issues in accessing temporary protection in Romania.

The Border Police deployed at the Moravita border crossing point indicated to have observed a certain number of Ukrainian nationals exiting from the country.²¹

Borders with Bulgaria, Hungary and the Black Sea

The Border Police registered 407 irregular crossings from Bulgaria to Romania in 2024. The main nationalities were Syrian (272), Iraqi (109), Turkish (8), Iranian (5) and Egyptian (4). In 2023, people crossed irregularly on foot through the river. This changed in 2024, when people more often used cars or other forms of transportation to cross the border.

After Bulgaria and Romania became members of the Schengen area, Bulgaria introduced border controls at its land border with Romania due to "security risks related to illegal migration, including smuggling activities, as well as migratory pressure caused by ongoing crises in the Middle East and Africa, particularly in Syria, Afghanistan, and Gaza/Lebanon", 22 while Romania did not introduce similar measures.

^{14.} Information provided by the Timisoara Territorial Inspectorate of the Border Police (ITPF Timisoara), Timisoara, 20 March 2025.

^{15.} KlikAktiv – Center for Development of Social Policies, Formalizing Pushbacks – The use of readmission agreements in pushback operations at the Serbian-Romanian border, available here.

^{16.} Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.

^{17.} Romanian Border Police, Evaluarea activității Poliției de Frontieră Române desfășurate în anul 2024, 19 February 2025, available

^{18.} Visit Ukraine, Which men are eligible to travel abroad in 2025, the list of documents for travel and a new military card, available here; Information provided by International Justice Mission, Bucharest, 17 March 2025; Information provided by International Justice Mission, Bucharest, 17 March 2025.

^{19.} Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.

^{20.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{21.} Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara) at the Moravita Border Crossing Point, 21 March 2025.

^{22.} European Commission, Temporary Reintroduction of Border Control, available here.

The route through the Black Sea appears to be almost closed.²³ According to the Timisoara Inspectorate of the border police, officers and resources are in any case allocated to both of Romania's internal borders with Bulgaria and Hungary. Joint operations are in place with both the Hungarian and Bulgarian authorities to combat irregular migration networks. 40 Romanian police officers are deployed to the Turkish-Bulgarian border as part of a joint deployment by Austria, Bulgaria, Hungary and Romania. According to the Border Police, the joint patrols and general coordination among authorities in the region led to a decrease in the number of arrivals from Bulgaria, and a reduced number of irregular crossings from Romania to Hungary.²⁴

Border monitoring and pushback practices

Reports of pushbacks at Romania's borders have significantly declined since the period between 2020 and 2022, when more frequent cases, particularly at the Serbia-Romania border, were reported. This trend appears linked to the substantial decrease in arrivals through this route, largely due to intensified preventive measures - such as surveillance operations up to 10 km inside Serbian territory - which reduce the number of people reaching the Romanian border.

No pushbacks have been directly observed by UNHCR,²⁷ though occasional allegations have surfaced, including a May 2024 case involving reported violence by Romanian authorities during a return to Serbia.²⁸

Differing perspectives persist regarding the transparency and practices at Romania's borders. NGOs such as JRS and CNRR note limited direct access in particular to transit zones and challenges in monitoring, especially at Otopeni airport, where access to potential asylum seekers is often denied during early legal procedures. CNRR has received complaints from individuals (e.g., from Russia and Belarus) who felt discouraged from entering Romania, and training provided to the border police has highlighted a strong focus on security over asylum responsibilities. UNHCR has received information on five situations of lack of access to the asylum procedure at the border, mainly at the Otopeni airport. Although violent pushbacks are not widely reported, organizations have limited capacity to verify claims on the ground, with most humanitarian support provided inland in reception centres.

Romanian NGOs also expressed concerns regarding the fact that, when joint operations organised by the border police of different countries are conducted, the people detected through such operations are often not informed regarding their right to apply for asylum or are not given the opportunity to present an application.³¹

In terms of border monitoring, while UNHCR and its implementing partner, CNRR, have maintained border monitoring under a Memorandum of Understanding with the Border Police since 2014, their capacity has recently decreased due to staffing limitations, and their access to transit zones remains restricted. UNHCR and CNRR do not conduct unannounced visits at the border. The Timisoara Inspectorate of the Border Police reported having received announced monitoring visits every six months in the past year. Additionally, the Border Police reported to receive several visits per year from Frontex's Fundamental Rights Officer.³² According to UNHCR, the operational relationship with Frontex is limited.³³

Preliminary checks for third country nationals

OUG 194/2002 governs the legal regime applicable to foreign nationals in Romania. Articles 8 and 9 specifically address the conditions under which foreign nationals may be denied entry into Romania.

- 23. Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.
- 24. Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara), Timişoara, 20 March 2025.
- 25. ECRE/AIDA, Country report on Romania, Updates on 2023 and 2024.
- 26. ECRE/AIDA, Country report on Romania, Updates on 2021 and 2022; KlikAktiv Center for Development of Social Policies, Formalizing Pushbacks The use of readmission agreements in pushback operations at the Serbian-Romanian border, available here; Border Violence Monitoring Network, Submission to the Committee on the Economic, Social and Cultural Rights Written Input for the 69th Session of the Committee on Economic, Social and CulTural Rights, available here; Global Detention Project, Romania's Treatment of Migrants and Asylum Seekers Challenged by UN Committee against Torture, 3 August 2023, available here
- 27. Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 28. BVMN, Balkan Regional Report, May 2024, available here.
- 29. EUAA, Input by civil society organisations to the Asylum Report 2024 CNRR, available here.
- 30. Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 31. Information provided by CNNR, Terre des Hommes and JRS Romania, Bucharest, 17 March 2025
- 32. Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara), Timișoara, 20 March 2025.
- 33. Information provided by UNHCR Romania, Bucharest, 19 March 2025.

A third country national who has been denied entry into Romania has up to 24 hours to voluntarily leave the border crossing point. If the person does not leave within this timeframe, the Romanian Border Police will enforce the denial of entry, while having to take into account the individual's health condition and follow relevant legal provisions. If the departure process requires more than 12 hours, the foreign national will be housed in a designated area within the transit zone at the border crossing point. If no such space is available, they will be accommodated in another designated location outside the border crossing point, which functions as a transit area.

The General Inspectorate of the Border Police establishes the location of these facilities outside the border points, sets internal regulations for foreigners housed there, and organizes access, security, and escort arrangements. Other authorities, including those from the Ministry of Internal Affairs (IGI) and local administration, provide support as needed for the management of these locations.

While housed in the designated locations, foreign nationals are entitled to food, emergency medical care, and basic treatment for illnesses. Vulnerable persons receive special consideration.

Reflections on the implementation of the EU Pact on Migration and Asylum

Migration management at the EU external borders is one of the central building blocks identified by the European Commission in its Common Implementation Plan to the EU Pact on Migration and Asylum. The plan provides guidance for Member States on the necessary adaptations to their national migration and asylum management systems. Under the Pact, all migrants who enter European territory irregularly or who apply for asylum at a border crossing point without fulfilling Schengen entry conditions must be registered and undergo a screening process assessing identity, security risks, vulnerability, and health.³⁴

The Screening Regulation also introduces the requirement for an independent monitoring mechanism to oversee the screening process. Member States have the option to extend the scope of these mechanisms to include broader border monitoring functions.³⁵

At present, Romania does not have dedicated facilities at the external borders suitable for screening procedures. Unless sections of existing reception centres for asylum seekers - particularly those located 'in proximity' to external borders, as defined by the Screening Regulation - are repurposed, new centres will need to be established closer to the border areas.

Several stakeholders indicated that the Border Police are expected to take responsibility for managing screening centres.³⁶ According to the Timişoara Inspectorate of the Border Police, staff are already receiving training on Schengen databases, vulnerability assessments, and access to the asylum procedure. Additional training on the new functions introduced by the Pact is anticipated. Moreover, Romania may receive further funding through the BMVI programme to enhance border management capacities, including the procurement of equipment.³⁷ However, many actors stressed the importance of targeted capacity-building for frontline officers, especially to strengthen the identification of vulnerabilities during screening.

A key concern has been the slow progress toward establishing an independent monitoring mechanism under the Screening Regulation. UNHCR reported a lack of clarity regarding its potential role in the context of the monitoring mechanism.³⁸ National NGOs have highlighted the need to increase the Ombudsman's staffing capacity if the office is to take on this responsibility effectively.³⁹

However, recent developments indicate that steps are now being taken in this direction. On 26 June 2025, a meeting was held between the People's Advocate (the national Ombudsman), its deputies and other representatives, and a delegation from the Ministry of Internal Affairs, the General Inspectorate for Immigration,

^{34.} European Commission, Commission presents the Common Implementation Plan for the Pact on Migration and Asylum, 12 June 2024, available here.

^{35.} Article 10, Screening Regulation.

^{36.} Information provided by UNHCR Romania, Bucharest, 19 March 2025; Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara), Timişoara, 20 March 2025; Information provided by the People's Advocate Institution, online meeting, 1 April 2025.

^{37.} Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara), Timișoara, 20 March 2025; Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara) at the Moravita Border Crossing Point, 21 March 2025.

^{38.} Information provided by UNHCR Romania, Bucharest, 19 March 2025; Information provided by the People's Advocate Institution, online meeting, 1 April 2025.

^{39.} Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025.

and the Border Police. Discussions focused on the creation and functioning of the monitoring mechanism, the legislative measures required, and the General Inspectorate for Immigration's plans to establish a pilot centre for the screening procedure. The professional training of future members of the monitoring mechanism was also addressed. It was agreed that further meetings between experts from the involved institutions will be held, with the goal of making the mechanism operational by March 2026, in line with the National Implementation Plan for the Pact on Migration and Asylum. In addition, during an online meeting with the European Union Agency for Fundamental Rights (FRA), the National Preventive Mechanism (NPM) under the People's Advocate proposed receiving training from FRA experts on screening and border asylum procedures, as well as learning from monitoring models used in other Member States.⁴⁰

Recommendations

- » Romanian authorities should establish multi-disciplinary teams at screening centres, including representatives from the asylum authority, medical and social services, and child protection experts, to support vulnerability identification and referral.
- The Border Police, in collaboration with the EUAA, UNHCR and national NGOs, should continue and expand targeted training on vulnerability detection, access to asylum, and protection-sensitive border management.
- The Romanian government should accelerate the establishment of the independent monitoring mechanism under the Screening Regulation. Sufficient resources should be allocated - particularly to the Ombudsman's Office - to enable effective and independent oversight.
- » Romanian authorities should use BMVI funds not only for equipment but also for protection-related measures, including development of vulnerability assessment tools and provision of legal assistance and interpretation services.

2. Asylum procedures: legal framework and current practice

2.1. Access to protection

The number of asylum seekers has decreased in 2024, with only 2,467 asylum applicants (both first-time and subsequent) registered throughout the year, compared to 10,346 applications in 2023 and 12,368 in 2022. The main countries of origin of people in the national asylum system in 2024 were Syria, Iraq, Nepal, Bangladesh and the State of Palestine. In 2023, Bangladesh was the first country of origin for people seeking asylum. Various stakeholders signalled that, in previous years, several asylum applicants from southeast Asian countries (e.g. Bangladesh, India, Pakistan, Sri Lanka, Nepal) present in the asylum system reached the country through work visas and accessed the asylum system after being let down by their employers. In 2024, a decrease in the number of applications from these nationalities was registered. Notable in this sense is the fact that in June 2024, the head of the CaraşSeverin Immigration Office (IGI) was detained by Romania's National Anticorruption Directorate, alongside two subordinate officers, under the charge of having accepted bribes to issue work permits and extend stay authorizations for over 1,137 foreign nationals, primarily from Pakistan and Bangladesh, who arrived without genuine employment arrangements. The case remains pending in front of national courts.

Currently, applications may be submitted orally or in writing to various authorities including the General Inspectorate for Immigration - Direction of Asylum and Integration (IGI-DAI), the Border Police, police units, and structures of the National Administration of Penitentiaries. IGI-DAI must register applications within 3 working days, or within 6 to 10 days if submitted through other authorities or in cases of mass influx. The first instance procedure involves registration, identity checks, a preliminary interview, and a personal interview conducted by a case officer. If another EU country is deemed responsible for the claim, the Dublin procedure is applied. A decision on the application must be issued within 30 days, and in case of rejection, applicants have 10 days to file a suspensive appeal. Since 2023, rejected asylum claims are also accompanied by return decisions, which must be appealed separately at the Court of Appeals.

^{40.} Information provided by the People's Advocate Institution on 10 July 2025.

^{41.} AIDA/ECRE, Country Report on Romania, Updates on 2022, 2023, 2024; Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{42.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025; Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{43.} Digi24, Şeful Biroului pentru Imigrări Caraș Severin, reținut în dosarul rețelei ilegle de migranți. DNA: Mita ajungea până la 22.000 de euro, 5 June 2024, available here; Agerpres, Caraș-Severi: Şeful Biroului pentru Imigrări reținut de procurorii DNA; trei personae sub control judiciar, 5 June 2024, available here.

Romanian law also provides for accelerated and border procedures. The accelerated procedure is applied to manifestly unfounded claims, cases involving safe countries of origin, or threats to public order or national security, and requires a decision within 3 days from the moment the decision officer concludes that the conditions for the accelerated procedure are met. In 2023, Romania implemented a pilot project of the European Commission aimed at streamlining asylum and return procedures, particularly at the Serbia-Romania border, which led to increased use of accelerated procedures - 556 cases were processed this way in 2024, with the highest numbers of applicants in these procedures coming from Nepal, Bangladesh, and Pakistan. The border procedure, similar in timelines and appeal process, applies to applications made at official crossing points. Those who are apprehended after an irregular border crossing are instead brought to reception centres on the territory, where their application may be processed either in a regular or accelerated procedure. Appeals follow a two-instance judicial review process through the Regional Court and County Tribunal, though these courts are not specialized in asylum matters. The first instance procedure is carried out by IGI-DAI, with support from the EUAA.

Temporary protection

While this is not the focus of the report, some information on the number of temporary protection beneficiaries and their treatment in the country is also worth noting. According to the Romanian Government,⁴⁴ from 24 February 2022 to 31 December 2024, 10,890,785 Ukrainian citizens entered the territory of Romania, of which: 4,750 people applied for asylum, 193 people obtained a form of international protection and 213,085 people benefited from temporary protection. According to the Ministry of Interior, 188,379 temporary protection documents have been issued until the end of 2024.⁴⁵

A dedicated task force within the Romanian People's Advocate Institution (the national Ombudsman's office) has monitored the registration and withdrawal of TP status, especially for those who move to other EU countries and must formally renounce their Romanian temporary protection in order to register elsewhere. Applications for temporary protection significantly outnumber asylum applications from Ukrainian nationals in the country. According to GII, there were issues related to the withdrawal of rights for temporary protection (TP) beneficiaries. Specifically, individuals who were registered as TP beneficiaries in Romania and subsequently moved to another Member State had to formally renounce their rights in Romania in order to be eligible for TP in the new country. This process is not automatic: unless a person actively requests deregistration (i.e., renounces their rights) in Romania, they remain listed in the Romanian system as TP beneficiaries. This means they retain the possibility to return and access rights in Romania at any time. The problem is that renunciation can only be done in person or through procedures that are not accessible from abroad, making it difficult or impossible for people to complete the process once they have left Romania. As a result, they were effectively blocked from accessing TP in the new Member State until they could arrange for de-registration in Romania.

Temporary protection beneficiaries from Ukraine are primarily hosted in rented private apartments or houses. Covering housing costs remains a significant challenge as underlined by the 2024 Socio-Economic Insights Survey (SEIS), and there is very limited availability of subsidized housing. Around 40% of temporary protection beneficiaries of working age are employed as per the sample of the 2024 Socio-Economic Insights Survey (SEIS) results.⁴⁹

Moreover, there have been barriers to asylum access for Ukrainian men lacking documents. NGOs report that some were initially turned away by immigration authorities and only allowed to apply for asylum following NGO intervention. Regarding the eventual phasing out of temporary protection, civil society actors foresee a transition toward work visas as the primary legal pathway, with asylum considered a last resort. However, particularly vulnerable beneficiaries, such as women with limited support networks, may face significant obstacles in either route due to socio-economic vulnerability or lack of access to legal employment.⁵⁰ A national post-TPD strategy has not yet been developed, as IGI-DAI emphasised the importance of an EU-wide approach to ensure consistency across Member States. As such, Romania's position on this issue will depend

^{44.} Cancelaria Prim-ministrului, Raport privind integrarea refugiaților ucraineni în România - 24.02.2022-31.12.2024, available here.

^{45.} Ministerul Afacerilor Interne, Prima zi a anului 2025, petrecută în siguranță de români. Efectivele MAI rămân mobilizate pentru protecția cetățenilor, 2 January 2025, available here

^{46.} Information provided by the People's Advocate Institution, online meeting, 1 April 2025.

^{47.} AIDA Temporary Protection Annex to the Country Report on 2024; Eurostat.

^{48.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{49.} UNHCR, Romania Socio-Economic Insights Survey (SEIS) 2024 - Final Report, 11 June 2025, available here.

^{50.} Information provided by Terre des Hommes, Bucharest, 17 March 2025.

on future decisions taken at EU level.51

2.2. Application of border, accelerated and Dublin procedures

Accelerated procedure

The Romanian Asylum Act establishes an accelerated procedure for handling manifestly unfounded asylum applications. This includes applications from individuals who, due to their activities or affiliation with a specific group, pose a threat to national security or public order in Romania, as well as applications from individuals arriving from safe countries of origin, ⁵² and manifestly unfounded applications. It should be noted that Romania does not have an official list of safe countries of origin. The accelerated procedure can be initiated during the regular process if the case officer identifies sufficient grounds for it.⁵³ A decision must be made within 3 days from the start of the accelerated procedure.⁵⁴ The situations of "manifestly unfounded" cases in the law are those where the person does not mention or substantiate any harm. If during the interview indicators of acceleration are identified, the accelerated procedure is used.

If a negative decision is issued in the accelerated procedure, it can be appealed within 7 days of receiving the decision. If the appeal is submitted within this timeframe, it automatically suspends the decision. The court's ruling on the appeal is considered final and cannot be contested.

According to IGI-DAI,⁵⁷ in 2024 a total of 556 asylum applications were analysed in an accelerated procedure.⁵⁸

As mentioned above, the concepts of "safe country" exist in law, but are not applied in practice as no lists were ever introduced, partially due to difficulties in establishing diplomatic relations with countries of origin. The only countries stated as "safe" in the law are EU Member States. GII indicated that in practice, most applications from certain nationalities (for example, India, Bangladesh, Nepal) are treated in the accelerated procedure, in IGI-DAI's view due to the fact that they mainly present economic grounds for their asylum applications and the available COI states that there are no ongoing conflicts in these countries. For these reasons, these applications are treated as manifestly unfounded. According to GII, the decision to accelerate the procedure is always taken on a case-by-case basis, based on an individual assessment. CNRR noted that applicants are generally only made aware that they have been channelled into the accelerated procedure once they receive the decision following their interview. It is at this stage that they are informed of their right to appeal - despite the fact that the procedure has significant implications for appeal timelines. Specifically, CNRR clarified that the deadline for appeal in the accelerated procedure is 7 days, and only one level of appeal is normally available, unless the first-instance judge exceptionally grants access to a second appeal.

Border procedure

The border procedure applies to asylum applications (both first-time and subsequent) submitted at a border-crossing point. The law stipulates a 3-day deadline for issuing a decision regarding the border procedure. 61 If the application is rejected, it can be appealed within 7 days from the date of notification. The court's decision in this case is final and cannot be overturned. 62

The maximum duration of the border procedure is of 20 days. If the deadline is not respected, the person must be granted access to the territory. Currently, the border procedure is only applied at border crossing points and mostly at airports. When an application for asylum is made to the border police at a border crossing point, the border police have 3 days to inform the GII (although in practice this is normally done immediately through a phone call). The border police have to inform CNRR (UNHCR's implementing partner providing free legal

- 51. Information provided by the General Inspectorate for Immigration Asylum and Integration Directorate, Bucharest, 18 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 52. Article 75(1) Asylum Act.
- 53. Article 78 Asylum Act.
- 54. Article 79 Asylum Act.
- 55. Article 80(1) Asylum Act.
- 56. Article 81(2) Asylum Act.
- 57. Information provided by IGI-DAI, 18 January 2024 ECRE/AIDA, Country Report on Romania Update on 2024.
- 58. ECRE/AIDA, Country Report on Romania Update on 2024.
- 59. Information provided by the General Inspectorate for Immigration Asylum and Integration Directorate, Bucharest, 18 March 2025
- 60. Information provided by CNNR, Bucharest, 17 March 2025.
- 61. Article 82 Asylum Act.
- 62. Article 86(2) Asylum Act.

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assistance to asylum seekers) of the presence of the person at the border, and the person of their right to legal assistance. The border police carry out a short initial interview, generally using a translation device. The information collected is then used to prepare a report to suspend the criminal file that is opened after an irregular crossing, but not for the asylum file. The asylum interview is then conducted as soon as possible. ⁶³

There could be two situations regarding asylum applications at the border and its proximity, for which the border police would have competence:

- (a) People asking for asylum at a border crossing point will undergo the border procedure and accommodated in dedicated rooms at the crossing points. Then, when their request is processed, there is a maximum period of 20 days for them to obtain an answer. If there is an appeal to a negative decision, the person will still stay at the border crossing point. There are some situations that are prioritized (e.g., vulnerable people or children) and transferred out of the border crossing points and provided access to the territory.
- (b) Individuals apprehended within 30 km of the border, inside Romanian territory, who express their intention to seek asylum will have their application registered and their data entered into the Eurodac system. They are then transferred to a reception centre within the territory, rather than being held in border crossing point facilities.

If more than 20 people arrive, they will be sent to different centres. When capacity at the border crossing points is full, there is the possibility to grant access to territory (either at the reception centre or at Arad public custody centre).⁶⁴

Only few cases of actual application of the border procedure have been registered in the past years (i.e., about 2-3 per year), as the procedure is only applied to persons who apply for asylum at a border crossing point and transit zones (in airports, for example), while it is not applicable to those who are apprehended after an irregular crossing of a green border.⁶⁵

Unaccompanied children are currently excluded from border and accelerated procedures, including in security-related cases. 66

JRS Romania highlighted to have detected a problematic practice at air borders, as all those arriving who do not fulfil Schengen entry conditions are directly put under criminal investigation, and lawyers are not granted access to the person or their file until a later stage in the procedure. ⁶⁷

Dublin procedure

As is the case for most countries at the external borders of the EU, Romania's Dublin system has significantly more applicants in the incoming procedure than in outgoing procedure.

The country has a high rate of acceptance of incoming requests, even if the actual number of transfers that are finally conducted remains low. According to GII, delays in responses to take-back requests—particularly from certain EU countries—remain a challenge. 88 In the outgoing procedure, in 2024 Romania sent 248 requests, of which 190 were accepted and 7 transfers were implemented, marking a 3.7% outgoing transfer rate; the country received 3,122 requests in the incoming procedure, of which 2,004 were accepted, and 161 transfers were conducted, marking an 8% incoming transfer rate. 89

Persons returned under Dublin to Romania are generally brought from the airport to regional reception centres. If the personal interview had already taken place prior to their departure, the asylum decision is issued; if not, the interview is conducted upon return. Romanian asylum law distinguishes between express and tacit

^{63.} Information provided by the General Inspectorate of the Border Police, Bucharest, 18 March 2025.

^{64.} Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara), Timișoara, 20 March 2025; Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara) at the Moravita Border Crossing Point, 21 March 2025.

^{65.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{66.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{67.} Information provided by JRS Romania, Bucharest, 17 March 2025.

^{68.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{69.} ECRE/AIDA, Country Report on Romania – Update on 2024.

withdrawals of asylum claims. In cases of tacit withdrawal (e.g., failure to attend interviews without justified reasons), the case is closed 30 days after the issuance of a report documenting the absence. If an asylum seeker has implicitly withdrawn their application by leaving Romania but returns within nine months, their initial procedure can be resumed. Otherwise, they are directed into a return procedure, though they have the possibility to submit a subsequent application.⁷⁰

Some challenges were highlighted regarding the situation of Dublin returnees and retuned beneficiaries of protection by national NGOs. Among these, organisations highlighted a recurring issue faced by beneficiaries of protection who had previously moved to other countries and later returned to Romania. Upon return, they often struggle to re-establish their residence status, particularly due to difficulties in securing housing contracts, which are necessary to regain residence permits.⁷¹

As mentioned above, if an individual returns to Romania within nine months of an implicit withdrawal decision, the previous procedure can continue. However, if more time has elapsed, the new claim is treated as a subsequent application. In this respect, Romanian legislation does not appear in line with Article 18(2) of the Dublin Regulation, which allows resumed access to the procedure without requiring a subsequent application.

2.3. National statuses and return procedures for former asylum seekers

The country does not, per se, provide for national forms of protection. However, non-returnable individuals can be granted 'tolerated status'. This status may be granted either at the individual's request or when GII determines that return is not feasible - such as in the case of unresolved identity documentation, high-risk countries of origin, or medical concerns. This is a temporary status that provides the right to remain on the territory and to access the labour market. Unaccompanied children with this status are placed in a General Directorate for Social Assistance and Child Protection (DGASPC) centre until the age of 18. According to JRS Romania, 120 individuals had received tolerated status in 2023. The status is issued for six months and renewable. No other national humanitarian protection statuses are foreseen under Romanian law.

The return procedure is managed by the General Inspectorate for Immigration (GII). Since May 2023, Romania has implemented a legislative amendment requiring that a return decision be issued simultaneously with a negative asylum decision at first instance. This change, rather than being driven by needs at the national level, given the relatively low number of asylum applications registered in the country. Rather, it seems primarily aimed at aligning with the European Commission's strategy to "streamline return procedures". As part of the EU Action Plan on the Western Balkans, Romania was selected to pilot this model. According to the European Commission, this approach improves return efficiency and reduces absconding and secondary movement.⁷³

However, civil society organizations have raised concerns about the legal complexity introduced by this amendment. Under the new framework, asylum seekers must now appeal the asylum rejection and the return decision through two separate legal procedures, handled by different courts. Asylum rejections are reviewed by the competent court of first instance, while return decisions fall under the jurisdiction of the Courts of Appeal. This process creates significant barriers to access to justice, especially for individuals without legal training or representation. Civil society actors note that most asylum seekers do not initially understand that they must file two appeals, with different legal bases, deadlines, and venues. Immediate legal counselling following the issuance of decisions is therefore critical to ensure applicants understand that the effects of the return decision are suspended while the asylum appeal is pending, but that the legal obligation to appeal the return decision remains. This system has also led to practical inconsistencies in judicial handling. Some courts choose to suspend proceedings on the return decision until the asylum process is completed, while others dismiss complaints against return decisions even before asylum cases are resolved. This has created paradoxical situations in which individuals are granted protection status through asylum appeals, while still facing a final, enforceable return order.

In 2024, IGI issued 2,894 voluntary return decisions, 1,599 escorted return decisions, and carried out the escorted removal of 1,095 people in an irregular situation in the country.⁷⁶

^{70.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{71.} Information provided by CNNR, Save the Children and JRS Romania, Bucharest, 17 March 2025

^{72.} Information provided by JRS Romania, Bucharest, 17 March 2025

^{73.} European Commission, Joint Pilot Project in Romania annex, Ref. Ares(2023)2001138-20/03/2023, March 2023, available here.

^{74.} Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025

^{75.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{76.} General Inspectorate for Immigration, ESTE 2.800 DE DECIZII DE RETURNARE VOLUNTARĂ ȘI APROXIMATIV 1.600 DE DECIZII DE RETURNARE SUB ESCORTĂ EMISE ÎN ANUL 2024, 20 March 2025, available here.

In the context of the visits to the Otopeni and Arad Public Custody Centres, it was indicated that a high number of detainees request to return voluntarily. Returns are managed by the General Inspectorate for Immigration in close cooperation with the International Organization for Migration (IOM) or Frontex. Requests for voluntary returns are submitted to a return office of GII's Migration Department, and if individuals lack documents, these are arranged by the Returns Unit within the Migration Department. Returnees remain in Otopeni or Arad until departure. AMIF funding is available for the AVR/AVRR program implemented by IOM. While IOM used to visit regularly, it now comes only upon request. The majority of third country nationals placed in both centres are leaving Romania as part of the European Return Programme implemented by Frontex. Return specialists are deployed by Frontex in both public custody centres, having as main task the return counselling and offering EU-RP programme. Under the Frontex-assisted return programme, different AVRR packages are available, depending on the type of counselling provided by the return specialist of on the type of return (voluntary of forced). The IOM's programme provides €100 in cash and travel tickets and may offer up to €1,000 upon arrival. It currently prioritizes vulnerable individuals and women.⁷⁷

Reflections on the implementation of the EU Pact on Migration and Asylum

The Asylum Procedures Regulation (APR) introduces significant changes to the handling of asylum applications. Unlike the Asylum Procedures Directive (APD), under which acceleration was optional, the APR makes it mandatory to apply accelerated procedures to certain categories of applicants. Specifically, ten categories are identified, including applicants from countries with a protection rate below 20%, those from designated safe countries of origin, and subsequent applicants. While accelerated procedures are already commonly applied in Romania to applicants from countries with low recognition rates, the new rules will result in a broader range of cases being subject to such procedures.

This shift will be further reinforced by the introduction of mandatory border procedures under the APR, which must be applied in certain cases where individuals are apprehended in proximity to the border. According to national civil society organisations, this is likely to require the establishment of integrated centres near border areas to ensure the availability of "adequate capacity" for the implementation of border procedures. These centres are also expected to include dedicated areas for screening. It is positive to note that, currently, the border procedure is applied only in limited circumstances in Romania. Although the APR will require its use in a greater number of cases, it remains important that its application is strictly limited to those situations where it is legally mandatory. Expanding the use of border procedures beyond what is required under the APR could undermine procedural safeguards and limit access to fair asylum procedures.

The Asylum and Migration Management Regulation (AMMR), in its part on responsibility rules, brings limited changes to the current Dublin system, without overhauling its core framework. However, a notable amendment in the context of the present discussion is the omission of Article 18(2) of the Dublin III Regulation. Under this provision, applications previously withdrawn due to the applicant leaving the procedure could be reopened or re-submitted without being treated as subsequent applications. Under the new framework, such cases will be considered subsequent applications by default, as outlined in Article 41 of the APR. This change has important procedural implications. Applicants who wish to re-enter the procedure will be required to meet a higher threshold by presenting "new elements" to justify a fresh in-merit examination. Otherwise, they risk receiving an immediate inadmissibility decision.

Recommendations

In this evolving context - where procedural rules may lead to an increase in cases channelled through special procedures with limited safeguards - it is essential that:

- » The determining authority is adequately staffed and receives comprehensive training on the new procedural framework;
- » All procedural safeguards, including the right to information and legal counselling, are effectively implemented;
- » The use of special procedures remains strictly limited to cases for which their application is explicitly required by law;
- » Proper assessments are carried out to identify risks of refoulement, and that individuals whose asylum claims are rejected can still access national forms of protection, where appropriate.

^{77.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025; Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025.

^{78.} Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025.

- Romanian determining authorities reflect on the implications of declaring that an application is implicitly withdrawn before making decisions on cases, and refrain to declare applications as implicitly withdrawn for applicants that have left the country to move to another Member State.
- Expand the cases in which national protection is granted and ensure access to rights for non-returnable persons.

2.4. Procedural guarantees

As mentioned above, most asylum applications in Romania are currently processed on the territory rather than at the borders, and the majority of asylum seekers are not subject to detention. Upon arrival at the reception centres, applicants undergo medical screening and fingerprinting, with reception centres equipped to facilitate these procedures. Information on the asylum procedure is generally provided by personnel from the General Inspectorate for Immigration (GII) or the EU Agency for Asylum (EUAA), and staff from the Romanian National Council for Refugees (CNRR) are present in all reception centres to offer legal aid.⁷⁹

Information provision

Flyers with information on the right to seek asylum are present at border crossing points. According to the Border Police, interpreters at the border are provided through a list of available interpreters for every language.⁸⁰

According to IGI-DAI, in all centres, information about rights and obligations is provided to asylum seekers both verbally and in writing at the time of their application and accommodation, with the support of available interpreters and through the distribution of translated leaflets or informative materials in the applicant's native language. Information is also displayed within the centres in several languages. Additionally, TV screens are installed at the public counters in each centre, broadcasting videos—including on rights and obligations—in multiple languages. IGI-DAI did not provide further details on the specific content or languages available.⁸¹

Some limitations regarding information provision however emerged; CNRR indicated that, while IGI-DAI staff make an overall presentation of the information to incoming asylum applicants, detailed information regarding rights and obligations of asylum seekers is mainly provided by CNRR staff⁸² and JRS Romania mentioned that information provided at the borders (both land and air borders) to persons who might wish to present an asylum application might be lacking. Additionally, some concerns were raised regarding the lack of tailored information addressed at unaccompanied children. To address this problem, CNRR created informative material for unaccompanied minors,⁸³ presenting the asylum procedure in an accessible language. It was translated in 6 languages. However, the organisation assesses that more tools of this kind would be necessary.⁸⁴ During the visit to the reception centres of Giurgiu and Timisoara, it was possible to observe that leaflets and flyers in various languages are displayed in common areas.⁸⁵

According to CNRR, asylum seekers receive a list of rights and obligations from IGI immediately upon applying for asylum. In addition to the information provided by IGI officers, CNRR counsellors distribute leaflets on the asylum procedure in multiple relevant languages. Informational videos about the asylum process are also shown in the Regional Centres. In practice, the main challenge in providing information to asylum seekers is the language barrier. According to the Border Police, interpreters at the border are provided through a list of available interpreters for every language. In UNHCR's view interpretation services are in some cases lacking, also due to the lack of available interpreters for certain languages.

^{79.} Information provided by staff of the Giurgiu Regional Centre for Asylum Seekers, Giurgiu, 18 March 2025; Information provided by staff of the Timişoara Regional Centre for Asylum Seekers, Giurgiu, 20 March 2025.

^{80.} Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara) at the Moravita Border Crossing Point, 21 March 2025.

^{81.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{82.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{83.} CNRR, Broşură pentru minori neînsoțiți și separați. Procedura de azil. Drepturi și obligații. Reunificarea familiei, available here.

^{84.} Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{85.} Information provided by staff of the Giurgiu Regional Centre for Asylum Seekers, Giurgiu, 18 March 2025; Information provided by staff of the Timişoara Regional Centre for Asylum Seekers, Giurgiu, 20 March 2025.

^{86.} ECRE/AIDA, Country Report on Romania - Update on 2024.

^{87.} Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara) at the Moravita Border Crossing Point, 21 March 2025

^{88.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

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Legal aid and appeals

At the border, asylum seekers can access legal assistance through a list of lawyers who offer services for free, but according to the Border Police few applicants request it. The border police inform individuals of their right to appeal upon issuing rejection decisions.⁸⁹

Asylum seekers have access to free legal counselling at first instance, primarily through NGOs such as the Romanian National Council for Refugees (CNRR), supported by AMIF and UNHCR funding. Legal counselling is provided on-site in all six regional reception centers. However, legal representation during the administrative phase is uncommon.⁹⁰

Legal assistance in appeals is more structured, though still limited. CNRR works with court-appointed and private lawyers. Yet the quality of ex officio legal aid remains uneven. Applicants frequently report that appointed lawyers do not meet them before hearings or fail to file appeals on time. Ex officio lawyers often lack motivation or training in asylum law, due to low fees and limited opportunities.⁹¹

Court access is also challenging. Asylum seekers struggle with bureaucracy, short deadlines, and inaccessible information, which makes them heavily dependent on NGOs for legal guidance. Many miss hearings due to delayed or unreceived court notifications, and their absence is often interpreted by judges as irresponsibility. Accessing case files is difficult due to language barriers, and lack of awareness or resources frequently prevents them from securing legal representation. While communication of rejection decisions includes translated information about appeal options and deadlines, effective navigation of the system remains challenging. Appeals go directly to the courts, as there is no administrative appeal route. The Regional Court (Judecătoria – Civil Section) handles the first judicial review. A single, non-specialised judge presides over each case. Although UNHCR and CNRR organized seminars for judges in 2024, participation was limited. Judges are reportedly reluctant to attend training if IGI personnel are present, and civil society continues to advocate for more specialised judicial capacity. A separate training program for lawyers is planned for 2025, as NGO legal counsellors are not permitted to represent asylum seekers in higher-instance proceedings. 92

Quality of the asylum determination process

As previously noted, only a limited number of asylum applications are processed at the border. Consequently, the visit focused primarily on understanding how asylum procedures are implemented on the territory, with particular attention to procedural guarantees. During visits to the reception centres in Timișoara and Giurgiu, detailed information was provided on the steps followed from the moment asylum seekers arrive at the centres. Upon arrival, applicants undergo medical checks—including screenings aimed at identifying potential vulnerabilities—and, where necessary, fingerprinting. Their asylum applications are then registered. At this stage, information on the asylum procedure, as well as applicants' rights and obligations, is delivered by GII or EUAA personnel.

The time between registration of an asylum application and the first interview ('preliminary interview') conducted is generally very short, with most interviews taking place upon registration. This interview aims at obtaining information regarding the identity, clarifications, nationality, and why the person is applying for asylum. Then the case file is taken up by IGI case officers, who will conduct an asylum interview examining the asylum claim in depth. The decision as to whether the application should be treated in an ordinary or accelerated procedure can be made at any moment in time after the registration of the claim, by the GII case officer. Information is provided again at this stage, including on the possibility to request support from a lawyer, NGO or UNHCR, who can assist in the interview. Even where EUAA case workers may be supporting GII with conducting interviews on their behalf and drafting their conclusions following the interview, the GII case officer will always be responsible for drafting and for communicating the final decision to the asylum seeker. An appeal against a negative decision can be presented within 10 days in the regular procedure or 7 in the accelerated procedure.

According to the most recent report on UNHCR's and its partner CNRR's protection monitoring activities with

^{89.} Information provided by the Timişoara Territorial Inspectorate of the Border Police (ITPF Timişoara) at the Moravita Border Crossing Point, 21 March 2025.

^{90.} ECRE/AIDA, Country Report on Romania - Update on 2024.

^{91.} Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025.

^{92.} ECRE/AIDA, Country Report on Romania - Update on 2024.

^{93.} Information provided by staff of the Giurgiu Regional Centre for Asylum Seekers, Giurgiu, 18 March 2025; Information provided by staff of the Timişoara Regional Centre for Asylum Seekers, Giurgiu, 20 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.

asylum-seekers, refugees, and other persons who have arrived in Romania during July-December 2024, when questioned about the prior notice received regarding the date and time of their main status determination interview, "52 per cent of the 188 respondents that answered the question indicated having been informed one day in advance, 24 per cent reported being notified two days in advance, 11 per cent more than three days in advance, whereas 10 per cent stated that they had been informed on the same day. Ninety-one per cent of the 140 respondents that responded to a question about the possibility of being assisted during the interview reported that they were informed prior to the interview about the possibility of being assisted by an NGO, a UNHCR representative or a lawyer during the interview, whereas 9 per cent declared they were not informed. In line with the provisions of the Asylum Law No. 122/2006 and the Methodological Norms for its implementation, asylum seekers must be informed of all their rights, including the possibility to be counselled and assisted by a representative of non-governmental organizations and/or UNHCR at any phase of the procedure. Only 3 per cent, amounting to four respondents, stated that they requested and benefitted from assistance from an NGO representative."

CNRR noted that the role of legal counsellors during the asylum procedure is to ensure that the process is carried out in accordance with the law. Legal counselling includes explaining the asylum procedure, rights and obligations, and other relevant information to applicants. During counselling sessions, asylum seekers are advised to provide all relevant details of their situation, as these are essential for preparing a possible appeal. Legal counsellors do not assess the merits of the claim. Although legal assistance is available in all six reception centres present in the country and applicants are informed of their right to be assisted during the interview, CNRR reported that in many cases asylum seekers only approach them after receiving a negative decision. This late contact is problematic, as legal assistance prior to the interview is crucial for helping applicants understand the procedure and present their case effectively. Additionally, CNRR reported having encountered cases in which applicants claimed that interpreters did not translate accurately during the interview, leading to misrepresented facts in the transcript and, ultimately, in the decision. While the law requires that the decision officer reads the entire interview transcript at the end of the interview and corrects any errors or misunderstandings before the applicant signs, this safeguard does not always appear to function effectively in practice. After a negative decision, asylum seekers commonly seek CNRR's support in filing an appeal. Additional evidence may be submitted both during the administrative phase (within the 30 days GII has to issue a decision) and during the judicial phase. In the administrative phase, GII is responsible for translating documents. In the judicial phase, if an applicant cannot cover translation costs, CNRR can offer support through AMIF-funded projects.95

Some concerns thus emerge regarding the clarity of information provided to asylum seekers prior to their status determination interview—particularly concerning the importance of seeking legal assistance and the quality of interpretation during the interview. While it is positive that overall asylum processing times in Romania are relatively short, contributing to a swift procedure, a significant contraction of the initial phase may undermine key procedural safeguards. In particular, it may limit applicants' ability to fully understand the process, access legal aid in time, and effectively prepare to present their claim.

In terms of quality of status determination procedures and decisions, UNHCR mentioned that IGI - DAI has a quality assurance mechanism, including a quality assurance mechanism that is applied together with UNHCR. ⁹⁶ IGI – DAI indicated to have a Country of Origin Information team. There are 3 coordinators at the level of the asylum and integration directorate, and 1 COI researcher in each regional centre (working for IGI). The IGI–DAI COI unit primarily provides country of origin information (COI) to IGI personnel, but also to asylum seekers' lawyers, legal counsellors, and courts in times when gaps in AMIF funding covering support on COI research occurred. ⁹⁷

The most frequently granted form of protection in 2024 was subsidiary protection, with the primary beneficiaries being Sudanese citizens, followed by Syrians and Palestinians. Refugee status was granted in fewer cases, mainly to applicants from Palestine, Pakistan, Uganda, Cameroon, and Syria. It can be noted that the recognition rate for Syrian refugees is lower (around 50%) than in other EU Member States (considering that Syrians enjoyed a 91% overall recognition rate EU-wide in 2024). The recognition rate for Somali nationals is instead higher than in other EU Member States, according to UNHCR, which also noted that among the

^{94.} UNHCR, Romania Socio-Economic Insights Survey (SEIS) 2024 - Final Report, 11 June 2025, available here.

^{95.} Information provided by CNNR, Bucharest, 17 March 2025.

^{96.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{97.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{98.} ECRE/AIDA, Country Report on Romania – Update on 2024; Eurostat.

^{99.} Eurostat, migr_asydcfsta, available here.

authorities there is a good understanding and sensitivity to the matter of female genital mutilation. 100

Reflections on the implementation of the EU Pact on Migration and Asylum

Looking ahead to the implementation of the EU Pact on Migration and Asylum, reinforced procedural guarantees will be essential, particularly in light of the foreseen increased use of border and accelerated procedures. This will require a stronger focus on timely and tailored information provision, as well as access to quality legal counselling from the outset of the procedure. Existing challenges risk undermining these guarantees: applicants are often provided with very limited time to receive information and seek legal assistance before crucial procedural steps. Interpretation services remain inconsistent in quality, which directly affects the applicant's ability to understand and participate in the process. Additionally, information tailored to specific groups, particularly unaccompanied minors (UAMs), is lacking, leading to gaps in protection and procedural fairness.

The necessity to ensure sufficient safeguards are in place is highlighted also in Pact provisions. Article 8 APR provides that applicants shall be informed "in a language which they understand or are reasonably supposed to understand" of their rights and obligations throughout the procedure. There are new references to information on the consequences of not complying with obligations "particularly as regards explicit or implicit withdrawal" and on the rights to free legal counselling and to legal assistance and representation. The Article also specifies that the information must be provided as soon as possible and at the latest during registration. As an additional safeguard for the applicant, they "shall be given the opportunity to confirm" that they have received the information, and the confirmation has to be documented in the applicant's file. Article 15 APR indicates that asylum applicants may request "free legal counselling" for the administrative stage and "free legal assistance and representation in the appeals procedure". The state has to inform the applicant as soon as possible and at latest during registration of the right to request free legal counselling or free legal assistance and representation. Given the complexity of EU asylum law - and notably the provisions of the APR itself - the process is weighted against the applicant in the absence of legal assistance. Asylum applicants find themselves by definition in a disadvantaged position in the asylum process as they are unfamiliar with the legal framework and in most cases do not speak the language in which the procedure is conducted. It will be important to ensure that counselling is provided independently - thus not by the determining authority - and it should be interpreted as the provision of legal advice and guidance by a lawyer on procedural and substantive issues related to an asylum application during the administrative procedure, including assistance with the lodging of the application, support during the preparation for the first-instance interview and guidance on any legal issues arising throughout the procedure. 101

The quality of decisions at first instance appears to remain uneven. In the appeals phase, deficiencies are reported in the quality of legal representation, along with limited specialised training for judges dealing with asylum matters. As the implementation of the Pact moves forward, ECRE anticipates a rise in litigation, with more cases likely to be brought before the courts. In this context, it is essential that both legal representatives and judges are adequately trained and prepared to address the increasingly complex legal issues that will arise under the new legislative framework.

Recommendations

- Romanian authorities should ensure that asylum applicants are granted sufficient time at the start of the procedure to understand their rights and obligations, seek legal counselling, and prepare their case. Particular attention should be paid to the timely provision of information before key procedural steps, including the personal interview.
- » Legal counselling must be provided by independent actors, not by the determining authority, and should be understood in line with Article 15 of the APR as encompassing legal advice on both procedural and substantive aspects of the asylum application from the earliest stages of the procedure. Free legal assistance and representation should be expanded to cover the administrative procedure, as permitted under Article 14(1) APR, to promote both procedural fairness and efficiency.
- » Interpretation services should be improved to ensure consistent quality across all stages of the procedure. Information must be delivered in a language the applicant understands or is reasonably expected to understand, as required by Article 8 APR.
- » COI used in decision-making must reflect guidance from EUAA, UNHCR and other authoritative sources.

^{100.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{101.} ECRE legal note on legal counselling.

- » Specialised training on EU asylum law, including the new provisions of the Pact, should be made available to lawyers, judges, and staff of the General Inspectorate for Immigration. This is particularly important in light of the expected increase in litigation due to the complexity of the new legal framework.
- » Adequate funding must be allocated to support the provision of free legal counselling and assistance throughout the asylum procedure, including interpretation and translation where necessary.

3. Vulnerable applicants

Romania has formal procedures in place for identifying and assisting vulnerable applicants within the asylum system. An initial screening is often conducted by the border police, followed by an individual vulnerability assessment by specialists from the General Inspectorate for Immigration (IGI). This may involve cooperation with NGOs, UNHCR, and other competent authorities.¹⁰²

Romanian law provides that the assessment of who belongs to a category of vulnerable people is done after an asylum application has been lodged, as soon as possible, by IGI specialists, based on an individual assessment. In order to carry out the individual assessment and take appropriate measures to ensure the rights and guarantees provided by this law, the competent authorities shall provide special support at the request of IGI.¹⁰³

The Asylum Decree completes this provision by stating that the specialised personnel of IGI cooperates with UNHCR and relevant NGOs to identify asylum seekers who may be included in the category of vulnerable persons referred to in Article 5^1(2) of the Act. In order to assess the vulnerability of asylum seekers, specialists within IGI, in cooperation, where appropriate, with experts from other institutions and authorities competent in the field, make an assessment of the special needs of foreigners. Staff of national authorities receive trainings on vulnerability from the EUAA.

Various concerns were raised regarding the treatment of children in the asylum procedure.

Concerning age assessment, for the moment only medical evaluations are conducted, but results of such checks are approximate (±2 years). According to IGI-DAI, it is currently the decision of the case officer whether to continue with an age assessment or apply the minority presumption.¹⁰⁷ This has led to inconsistencies, particularly when minors misstate their age to remain with accompanying adults. While the presumption of minority is generally applied by IGI's asylum unit, it is applied less consistently by the migration department - particularly in detention settings. Unaccompanied minors are occasionally misclassified or face delays in access to child-specific protections.¹⁰⁸ UNHCR mentioned that, in the future, it will be important for the age assessment to be changed for a multifunctional, holistic approach.¹⁰⁹

Legal representatives appointed for unaccompanied minors are often lack training, and many children -accompanied or not - struggle to access appropriate education or tailored support. Although there is formal coordination between the border police and the Child Protection Authority, timely guardian appointment and interpretation services remain inconsistent. UNHCR flagged numerous gaps in ensuring the best interests of the child, 110 and civil society organisations mentioned there is a lack of educational opportunities in some centres for unaccompanied minors. 111 UNHCR, that has had meetings with UNICEF and the EUAA to discuss a common approach to Best Interest Determination trainings. 112

Progress has been made in anti-trafficking efforts, especially through inter-agency cooperation and training with international partners, as the topic has been a key area of work for Romanian authorities in recent years. Romanian authorities have been trained on preventing human trafficking, and it is a very central focus of Romanian authorities. There is also a national strategy against human trafficking.

- 102. ECRE/AIDA, Country Report on Romania Update on 2024.
- 103. Article 5^1(3) Asylum Act.
- 104. Article 5(1) Asylum Decree.
- 105. Article 5(2) Asylum Decree.
- 106. ECRE/AIDA, Country Report on Romania Update on 2024.
- 107. Information provided by the General Inspectorate for Immigration Asylum and Integration Directorate, Bucharest, 18 March 2025.
- 108. Information provided by Save the Children, Bucharest, 17 March 2025.
- 109. Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 110. Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 111. Information provided by Save the Children, Terre des Hommes, JRS Romania, Bucharest, 17 March 2025.
- 112. Information provided by UNHCR Romania, Bucharest, 19 March 2025.

According to UNHCR, the GII Migration department is working with labour and anti-trafficking authorities to stop labour exploitation. In 2024, UNHCR supported a training to the border police and asylum authorities on anti-trafficking. Nonetheless, referrals of presumed trafficking victims by border police remain rare, and structural identification challenges persist. With Romania's entry into the Schengen area and the removal of internal border checks with Bulgaria, there are growing concerns that trafficking and smuggling will become harder to detect—making stronger identification and referral mechanisms all the more essential.

Reflections on the implementation of the EU Pact on Migration and Asylum

CEAS instruments recognise that there are applicants who are in need of special conditions or guarantees in order to benefit from the rights and comply with the obligations provided for in the CEAS. This requires from Member States to focus on the individual circumstances of the applicant including specific vulnerabilities but not limited to vulnerabilities. The Pact seeks to make a clearer distinction between the needs of individuals and their characterisation (or not) as vulnerable applicants. Thus, a vulnerable applicant is not necessarily an applicant in need of special procedural guarantees or special reception conditions. However, Article 24 of the 2024 recast of the Reception Conditions Directive states that certain applicants are more likely to have special reception needs and sets out a non-exhaustive list of examples.

In the new system introduced by the Pact, an initial vulnerability assessment will be conducted in the context of the screening process by screening authorities, which as seen in the case of Romania, will likely be the border police. According to GII, Romania already has national procedures in place for identifying vulnerable cases to properly identify and channel vulnerable applicants in the asylum procedure. Therefore, with the implementation of the Pact, only a re-assessment of the national procedure will need to be done. UNHCR is not aware of any specific guidelines on vulnerability checks to be conducted by the border police, as these are normally carried out once the applicant has been transferred to a reception centre.

Specific adaptations will also be necessary to manage cases of unaccompanied children. Age assessments, which are currently conducted only from a medical point of view, 116 will have to be readapted based on the new APR requirement (Article 25) that an age assessment is conducted by multi-disciplinary teams. Additionally, the role of the representative for unaccompanied children is fundamental in ensuring the protection of children's rights throughout the asylum process. Article 26 of the Reception Conditions Directive establishes that Member States are required to provide the necessary representation of the unaccompanied child applying for international protection to ensure that his or her needs are duly met. The representative has to be appointed as soon as possible and no later than 15 days from the making of the application. Member States are also required to ensure that children will not be left without representation at any point. In this context, Member States must ensure that a person provisionally acting as a representative is designated, until a representative is appointed. Already from the screening process, if a representative has not yet been appointed, the child will have to be accompanied and assisted in a child-friendly and age-appropriate manner by a person trained to safeguard their best interests and general wellbeing. 118 It will be thus be key that national authorities in charge of child protection are sufficiently trained on how to address the needs of unaccompanied migrant children, and that guardianship services are sufficiently staffed and prepared to respect these obligations.

Recommendations

- » Romanian authorities should ensure that vulnerability assessments conducted during the screening phase are carried out using standardised tools and procedures, and that proper training is provided to the officers involved.
- » Clear national guidelines on the identification of vulnerable applicants at the border should be developed and implemented.
- » Child protection measures must be reinforced, with particular attention to ensuring that unaccompanied children are never left without representation. A qualified representative must be appointed within 15 days of the application, and provisionally assigned support should be guaranteed from the moment of identification, including during the screening process.
- » Age assessments should no longer rely solely on medical evaluations. In accordance with Article 25

^{113.} U.S. Department of State, 2024 Trafficking in Persons Report: Romania, available here.

^{114.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{115.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{116.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{117.} Article 26 Reception Conditions Directive and Article 23(2)(b) Asylum Procedure Regulation

^{118.} Article 13(3) of the Screening Regulation.

- APR, they must be conducted by multi-disciplinary teams using a holistic and child-sensitive approach.
- Suardianship services should be adequately staffed, trained, and resourced to meet their obligations under Article 26 of the Reception Conditions Directive, ensuring continuous support and oversight of unaccompanied minors throughout the asylum procedure.
- » National authorities, including the Border Police and child protection institutions, should receive specialised training on safeguarding the rights of unaccompanied children and applicants with special needs, including identifying potential victims of trafficking, including in the context of labour trafficking and exploitation.

CHAPTER II: CHAPTER II: RECEPTION AND DETENTION CONDITIONS

1. Reception conditions

Asylum seekers who do not have means of subsistence are entitled to reception conditions from the moment they have expressed their intention to apply for asylum until the completion of the asylum procedure and the expiry of their right to stay in Romania. Most asylum seekers are accommodated in Regional Centres for Accommodation and Procedures for Asylum Seekers, managed by IGI-DAI. The management of reception is decentralised, with reception centres in all regions. Asylum seekers may also request to stay in private accommodation at their own expenses, but the majority is hosted in reception centres. Reception conditions consist of accommodation, financial allowances for food and clothing and pocket money. Beneficiaries of international protection who participate in integration programmes and have no financial means are also allowed to stay in the Regional Centres, subject to availability of places. They may stay in the centres for 12 months with the possibility of extension for another 6 months in case of well-founded reasons, with the approval of IGI-DAI, without exceeding the implementation period of the integration programme. Vulnerable categories can be accommodated until it is established that the condition of vulnerability ended. After this period, the rental fees may be covered by NGOs through dedicated projects.¹¹⁹

There are 6 reception centres in the country. Until 2023, the total accommodation capacity across these facilities was 1,100 places, with an additional expansion potential of 262 places. According to the IGI 2024 report, the accommodation capacity for asylum seekers has been significantly increased, particularly in the regional centres of Galaţi and Rădăuţi. With support from the European Union Agency for Asylum (EUAA) and external funding, a total of 540 new places were added in 2024: 240 at the Centre for Accommodation of Foreigners in Public Custody in Arad and 300 in reception centres in 71 modular housing containers which were installed in the regional centres of Maramureş, Rădăuţi, and Galaţi to improve reception infrastructure and prevent overcrowding. Since 2009, the country also hosts an Emergency Transit Center (ETC) run by UNHCR. The centre is located in Timisoara, and initially it was located in the same facility (in separated spaces) as the Timisoara Reception centre. Since December 2020, the centre moved to a separate facility. The centre is dedicated to hosting refugees in urgent need of evacuation from their first asylum countries due to life-threatening conditions, for a maximum period of 6 months, during which they are resettled to third countries, and operates separately from the Romanian reception system.

Considering the limited number of asylum seekers present in the country in the past year, overcrowding is not a current issue of the Romanian reception system, as its centres are operating well below their maximum capacity.

The Romanian People's Advocate, through its National Preventive Mechanism (NPM), carries out regular monitoring visits based on an Annual Visiting Plan to various types of facilities under the responsibility of the General Inspectorate for Immigration. These include Regional Centres for Procedures and Accommodation of Asylum Seekers, Accommodation Centres for Foreigners Taken into Public Custody, and transit centres. The NPM also monitors screening rooms within the territorial structures of the Border Police, such as those located at border crossing points used to accommodate asylum applicants subject to the asylum procedure. These visits are conducted in line with Law no. 35/1997, and findings are reflected in annual reports, which include specific recommendations on areas requiring improvement. While it appears that efforts are made to address recommendations and improve existing conditions, various challenges appear to emerge regarding the conditions of reception centres, such as hygienic conditions, state of the facilities, lack of activities or suitable spaces – especially outdoors spaces - to carry them out.

NGOs are present in reception centres providing various services (MHPSS, medical, activities for children, legal counselling), but access has to be approved by the migration authority. Cash assistance is available to

^{119.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{120.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{121.} According to the Assessment of the activity of the general inspectorate for immigration in the year 2024 of the General Inspectorate for Immigration (IGI), published in April 2025, summarising its operations during 2024, available here.

^{122.} IOM, Emergency Transit Center Opens in Romania, 11 March 2009, available here; Information provided by UNHCR Romania at the Timisoara Emergency Transit Centre, Timisoara, 20 March 2025.

^{123.} Information provided by the People's Advocate Institution, online meeting, 1 April 2025; People's Advocate institution – Office of the Ombudsman, CENTRE PENTRU MIGRANȚI 2024, available here.

^{124.} ECRE/AIDA, Country Report on Romania – Update on 2024; Information provided by Save the Children and Terre des Hommes, Bucharest, 17 March 2025; Information provided by staff of the Giurgiu Regional Centre for Asylum Seekers, Giurgiu, 18 March 2025; Information provided by staff of the Timişoara Regional Centre for Asylum Seekers, Giurgiu, 20 March 2025.

asylum seekers depending on their financial situation, but there is usually some delay between the moment of arrival and the moment that people receive cash assistance. This is especially the case when larger numbers of asylum seekers arrive, and it takes some time to process their requests. NGOs are usually trying to bridge this gap through ad hoc interventions, in coordination with the centre management, and the centre management may also have organized to receive specific donations to support with the provision of food. There have been major gaps in the provision of 'installation packages' (e.g. clothing, bath necessities – items often necessary upon arrival) in 2024 due to delays in the publication of calls for AMIF projects. In addition, no NGO interested in and able to provide this service was found, requiring the re-advertisement of the call.¹²⁵

According to JRS Romania, the authorities have secured funding from Norway to renovate reception centres and works appear to be underway. 126 Upon visiting the Giurgiu reception facility, it was confirmed that refurbishment of the centre should be realised within the year.

The visits to the reception centres at Giurgiu and Timişoara illustrated varying levels of capacity and service provision. Both centres are currently operating below their full capacity. The Giurgiu reception centre, with a capacity of 100 (plus 70 emergency spaces), accommodates only single men and has seen a 60% drop in occupancy since the previous year. At the time of the visit, the Timişoara reception housed 130 individuals out of a possible 250, a significant reduction from its period of overcapacity in past years, particularly in the years 2015-2016 and in 2022-2023, during which the number of arrivals had surged significantly. The majority of residents are now single men aged 20 - 40, with very few families or children staying for long durations. Both centres are open facilities with curfews and consequences for non-compliance, including potential reduction of reception conditions or expulsion from the centre.

Integration services and other support activities are primarily facilitated by NGOs through projects funded under the Asylum, Migration and Integration Fund (AMIF). In Giurgiu, residents have access to Romanian language courses and employment-related activities and are encouraged to engage in local cultural events. At the Timişoara reception centre, NGOs such as CNRR, AIDRom, ICAR, and Save the Children provide a range of services including legal aid, medical care, psychosocial support, as well as recreational and educational activities. While both centres benefit from strong cooperation with civil society organisations, infrastructure challenges remain. In Timişoara, outdoor sports and play areas are currently unusable, although reconstruction efforts are underway. In Giurgiu, the facilities appeared visibly deteriorated and insufficiently equipped to meet the needs of persons with reduced mobility. However, according to the centre's management, a refurbishment project is planned for 2025–2026, which is expected to address these issues, including the overall condition of the facilities, the availability of suitable spaces, and outdoor areas for activities.¹²⁷

Applicants with special reception needs

An applicant with special reception needs is a vulnerable person according to Article 5^1 of the Asylum Act, who needs special guarantees to enjoy their rights and fulfil their obligations under the law. 128 Article 5^1(2) lists the following categories of vulnerable persons: children, unaccompanied children, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons suffering from serious illnesses, people with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, or persons in other special circumstances.

The law does not prescribe actual mechanisms or methods for the identification of vulnerable persons. The Asylum law only states that specialised personnel of IGI-DAI cooperate with UNHCR and relevant NGOs to identify asylum seekers who may fall within in the category of vulnerable persons. IGI has a standard operating procedures (SOP) applied by all reception centres and staff interacting with asylum seekers from the moment of their arrival and during the whole asylum procedure. In order to assess the vulnerability of asylum seekers, specialists within IGI-DAI, where appropriate together with experts from other institutions and authorities competent in the field, assess the special needs of foreigners. Depending on the specific need of each asylum seeker identified as vulnerable person, IGI-DAI notifies and cooperates with authorities and specialised agencies in order to provide necessary assistance. IGI-DAI may collaborate with NGOs to assist asylum seekers identified as vulnerable.¹²⁹

^{125.} Information provided by Save the Children, Bucharest, 17 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{126.} Information provided by JRS Romania, Bucharest, 17 March 2025.

^{127.} Information provided by staff of the Giurgiu Regional Centre for Asylum Seekers, Giurgiu, 18 March 2025.

^{128.} Article 2(1)(b^2) Asylum Act.

^{129.} Article 5(1)-(4) Asylum Decree.

Unaccompanied children below the age of 16 are accommodated in a centre managed by the General Directorate for Social Assistance and Child Protection (DGASPC) or an authorised private body. 130

Additionally, two reception centres are available for victims of gender-based violence. 131

In the Regional Reception centres, families with children and women are accommodated in dedicated rooms. According to GII, as a rule, no families are accommodated in Giurgiu, while mostly families are accommodated in Bucharest, as the structure is more equipped for this purpose, for example as the rooms are smaller and with separate bathrooms. The reception centre in Giurgiu will start a big process of reorganizing spaces to ensure the rooms are more liveable, for example by limiting the maximum number of persons per room to 6.132

Reflections on the implementation of the EU Pact on Migration and Asylum

Under the EU Pact on Migration and Asylum, Member States are required to significantly expand border-processing capacity, in line with Article 47 of the APR. This includes ensuring reception and operational infrastructure to accommodate the "adequate capacity" for conducting border screening and accelerated procedures. For Romania, this means scaling capacity to ensure an adequate capacity for 851 places in the border procedure at any given moment.¹³³ As the calculation is based on migration statistics of a period between 2021 and 2024, this does not adequately represent the current situation in terms of how many asylum seekers would likely be subject to border procedures, as the number would be significantly lower if based on more recent figures.

In a recent Communication on the state of play on Pact implementation, the European Commission mentions that the EUAA developed a model that was presented to Member States, which would include the establishment of multi-purpose border centres where it would be possible to carry out the screening process, as well as border procedures and return border procedures.¹³⁴

When looking at the Romanian example, this approach presents several challenges: firstly, it does not appear efficient from the point of view of available resources, as new centres at the borders would have to be constructed while existing reception facilities – currently being refurbished - remain underutilised. Secondly, accessibility for NGOs and legal actors could be compromised if centres are situated in remote border zones, increasing commuting time and diminishing timely legal support.

Overall, it would be more cost-effective and operationally sound to repurpose existing reception centres located near the borders (which could still be considered to fulfil the 'proximity' element) rather than construct entirely new facilities. The resources saved from avoiding new construction could be more effectively invested in upgrading existing infrastructure, addressing deficiencies or enhancing critical services such as legal aid and social support provided by NGOs, thereby improving overall reception conditions in a more sustainable way. In case this solution was deemed impossible to realise, it will be key to ensure that border procedures are applied only to cases in which these are mandatory, ensuring that applicants with special reception needs are moved to centres on the territory if their needs cannot be met at the border, and that access to the territory is granted in case maximum deadlines screening and border procedures are not met.

Staffing and infrastructure gaps were noted by the Ombudsperson's team, especially for emergency preparedness, highlighting a critical need for training of reception staff and providing adequate housing facilities at the border. 135

Under the recast RCD, ¹³⁶ further attention is dedicated to the special reception needs of certain applicants. For example, female applicants in accommodation centres must have separate sanitary facilities and a safe place for themselves and their minor children. Derogation on reception condition requirements allowing for lower standards can be applied in exceptional circumstances and shall be as short as possible. In the Romanian context, this should be kept in mind in the planning and construction of any new reception centres. In existing

^{130.} Article 58(3) Asylum Decree, in conjunction with Article 78(1) Child Protection Act.

^{131.} ECRE/AIDA, Country Report on Romania - Update on 2024.

^{132.} Information provided by the General Inspectorate for Immigration – Asylum and Integration Directorate, Bucharest, 18 March 2025.

^{133.} COMMISSION IMPLEMENTING DECISION (EU) 2024/2150 of 5 August 2024 laying down rules for the application of Regulation (EU) 2024/1348 of the European Parliament and of the Council, as regards the adequate capacity of Member States and the maximum number of applications to be examined by a Member State in the border procedure per year, available here.

^{134.} European Commission, State of Play on the Implementation of the Pact on Migration and Asylum, available here, p.9.

^{135.} Information provided by the People's Advocate Institution, online meeting, 1 April 2025.

^{136.} Articles 18 and 20.

facilities, it is positive that separate rooms and bathrooms are available for women and children; however, it would also be beneficial to ensure that they have access to dedicated safe spaces within the centres.

Recommendations

- Romanian authorities should prioritise the repurposing of existing reception centres, rather than investing in the construction of new centres. This would allow for more cost-effective use of resources and better integration with existing services and legal support networks. At the same time, it is important to address outstanding gaps in these facilities such as improving overall living conditions, enhancing their infrastructure and increase support social and legal assistance.
- In cases where new multi-purpose border centres are established, it is essential to ensure unrestricted access for NGOs, legal counsellors, and monitoring bodies, including through infrastructure planning that considers location and travel times.
- Border procedures should be applied strictly within the limits set by the APR and not extended to cases where they are merely permissible. Applicants with special reception or procedural needs should be promptly transferred to appropriate facilities within the territory.
- Emergency and contingency planning should focus on strengthening the mainstream reception system rather than relying on temporary or substandard infrastructure. EUAA operational support and EU funding, including through the AMIF and BMVI, should be directed toward long-term capacity-building.
- » EU funds should be requested and allocated for the refurbishment of existing centres, improvement of living conditions, and creation of dedicated spaces for vulnerable groups, and particularly of safe spaces for women, in line with the recast Reception Conditions Directive.
- » Staff training across the asylum system should be intensified, particularly for border police and reception personnel, including modules on special reception needs, screening procedures, and protectionsensitive approaches.

2. Detention of asylum seekers

Overall, detention of asylum seekers is not widely used in Romania. Regional reception centres operate in an open regime; however, they may have certain places (e.g. specific rooms) where an asylum seeker could be held due to specific situations – for example, if they are considered to pose a threat to national security. Closed spaces for these purposes are present in the centres of Bucharest, Rădăuţi, Maramureş, Timişoara, and Galati. However, this solution is generally not adopted.

Asylum seekers who apply at a border crossing point can be held in the dedicated rooms at the crossing points, in spaces dedicated to carrying out border procedures. Romania also has an airport transit zone in Otopeni Airport in Bucharest, with a capacity of 22 places.

As mentioned in the previous chapter, only few asylum applications are processed in a border procedure in the country. Upon visiting the Moravita border crossing point, it was possible to observe that the border crossing facility is equipped with rooms and sanitary facilities. Medical assistance and food is provided directly at the border. The rooms appear suitable only for a short stay, given the limited space available and impossibility to access outdoor areas.¹³⁷

There are two public custody centres - Otopeni and Arad - destined to third country nationals subject to return procedures. Based on Romanian legislation, asylum seekers and EU nationals may be placed in public custody. Asylum procedures conducted within the centres are generally accelerated procedures, which are fully implemented on-site. Individuals present in the centres are typically apprehended for overstaying their visa or residence permits. Asylum applications of third country nationals are submitted after their placement the centres. Once the application is submitted, the entire first instance procedure is carried out within the centre.

Preliminary and personal interviews are conducted via videoconference, with interpreters joining remotely and a security guard present in the room. Legal assistance is accessible - lawyers can visit in person or communicate by phone, and NGOs like CNRR maintain a regular presence at Otopeni. In-person attendance at court is arranged for appeal hearings, unless public health restrictions apply. In Arad, accelerated procedures are

^{137.} Information provided by the Timișoara Territorial Inspectorate of the Border Police (ITPF Timișoara) at the Moravita Border Crossing Point, 21 March 2025.

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commonly applied in cases involving irregular entry followed by a return decision, after which the individual involved was detained. Where new information emerges suggesting grounds for international protection, cases may be referred to the Timisoara Reception Centre for further assessment. While the recognition rate remains low, it is typically higher for first-time applicants than for those lodging subsequent claims. Individuals granted tolerated status are released from custody, even if no alternative accommodation is available.¹³⁸

Dublin returnees are likely to be detained upon being transferred back to the country, as the authorities may deem them at high risk of absconding. 139

Detention ("public custody") is ordered in writing by an order, justified in law and in fact by the designated prosecutor within the Prosecutor's Office attached to the Court of Appeal of Bucharest, upon a motivated request by IGI.¹⁴⁰

In 2024, a total of approximately 1,043 foreign nationals were detained in the two public custody centres.¹⁴¹ Detention centres are funded both through national funds. Complementarily, NGOs provide support in the centres in the context of AMIF-funded projects.¹⁴²

At the end of March 2025, the occupancy in both centres was limited: the Otopeni Public Custody Centre currently held 43 people out of a capacity of 114, and Arad 24, down from previous years of higher occupancy. The average duration of detention in Arad has significantly decreased since the implementation of Frontex coordination systems, now ranging from 5 to 28 days for most cases.¹⁴³

Detainees have the possibility to submit complaints to the People's Advocate, but the mechanism is rarely used, likely because of concerns of the individuals that it could lead to challenges in their relation with the authorities.¹⁴⁴ Nevertheless, the Romanian People's Advocate conducts visits also to public custody centres, and presents specific recommendations on how to improve the centres' conditions.¹⁴⁵

Access to legal assistance in detention is more restricted than in reception centres. CNRR remains the primary NGO providing legal counselling, while JRS supports voluntary returns. In Otopeni, the availability of interpreters is limited and often replaced by Google Translate. Medical care is available in all centres, usually through visiting doctors or local hospital protocols. Psychosocial services exist but are under-resourced; Otopeni has one psychologist, and Arad has one psychologist with support from nurses and doctors. In Otopeni, recreational activities, such as crafts and debates, are occasionally offered, though conditions remain basic. The centre's facilities appear overall run-down, but the renovation of two wings of the centre are planned. Overall, the living conditions in the Arad Reception Centre appear to have considerably improved since December 2024, when a new building was finalised. Administrative offices and accommodation facilities have been relocated to this newer structure, which offers a more functional and organised space for both staff and residents. During the visit it was observed that the building is relatively modern and adequately equipped.

Vulnerability assessments are carried out in all centres, but the presence of vulnerabilities alone does not automatically lead to release. 147 If specialised medical attention is necessary, the person can be temporarily sent to an hospital. Both centres can host men, women, as well as families with children, in separate rooms. As a rule, unaccompanied children are not detained in Public Custody Centres. 148

^{138.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025; Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025.

^{139.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{140.} Article 19^14(1) Asylum Act; Article 101(2) Aliens Ordinance.

^{141.} Bucharest FM, "IGI: Over 440 Foreign Nationals Taken into Public Custody at Otopeni Center in 2024," March 6, 2025, available here

^{142.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025; Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025.

^{143.} Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025.

^{144.} Information provided by the People's Advocate Institution, online meeting, 1 April 2025.

^{145.} People's Advocate institution – Office of the Ombudsman, CENTRE PENTRU MIGRANȚI 2024, available here.

^{146.} General Inspectorate for Immigration, "Achievements and Results Obtained by the Police Officers of the Accommodation Center for Foreigners Taken into Public Custody Arad in the First 11 Months of This Year", 18 December 2024, available here; Information provided by JRS Romania, Timisoara and Arad, 21 March 2025.

^{147.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025; Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025; meeting with NGOs.

^{148.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025; Information provided by staff of the Arad Public Custody Centre, Arad, 21 March 2025.

Reflections on the implementation of the EU Pact on Migration and Asylum

With the upcoming implementation of the Pact on Migration and Asylum, Romanian authorities anticipate a broader set of responsibilities and the need to adapt both procedures and infrastructure to meet new EU requirements. Officials from the General Inspectorate for Immigration (GII) expressed confidence in the ability of existing staff to adjust to these changes;¹⁴⁹ however, significant concerns remain regarding the tight implementation timelines, the availability and accessibility of legal counselling services, and the logistical and operational challenges posed by the expansion of border and accelerated procedures.

Plans are underway to establish an additional public custody centre as well as a reintegration facility, which would provide support for returnees. However, the completion timeline remains uncertain, with initial estimates suggesting a timeframe of one to two years. In parallel, training programmes for staff are being planned to familiarise personnel with the new legal and procedural framework introduced by the Pact. Ensuring that these training activities are comprehensive, timely, and tailored to the specific roles of different actors - including border police, caseworkers, legal counsellors, and reception staff - will be essential to support a rights-compliant and effective implementation. ¹⁵⁰

Recommendations

- » Additional psychosocial personnel should be recruited and integrated into reception and custody facilities to provide targeted support to applicants, particularly those with trauma, mental health concerns, or heightened vulnerability. Meaningful activities should also be offered regularly to promote mental well-being and social inclusion.
- More interpreters should be available to guarantee consistent access to interpretation throughout all phases of the asylum procedure, including legal counselling sessions, interviews, and appeals, in a language the applicant understands or is reasonably expected to understand.
- In cases where videoconferencing is used for asylum interviews, authorities should ensure that the applicant is not placed in the same room as a state official or observer. Even if the official is not participating or does not understand the language, their presence may undermine the applicant's sense of safety and willingness to speak openly. Privacy and psychological comfort during interviews must be safeguarded.
- » Conditions at the Otopeni facility should be improved, particularly regarding infrastructure, cleanliness, privacy, and access to basic services.
- » If detention infrastructure is expanded, Romanian authorities should ensure that legal counselling, interpretation, and psychosocial support services are provided in line with required standards

^{150.} Information provided by staff of the Otopeni Public Custody Centre, Bucharest, 19 March 2025.

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CHAPTER III: ACCESS TO SOCIO-ECONOMIC RIGHTS FOR ASYLUM SEEKERS AND BENEFICIARIES OF PROTECTION

Access to the Labour Market

Asylum seekers in Romania are permitted to access the labour market after three months from lodging their application, provided that a decision on their claim has not been issued due to no fault of their own, or if they are in the appeal phase of the procedure. ¹⁵¹ However, this right remains difficult to access in practice, as significant structural and practical barriers persist.

The most commonly reported challenges include language barriers, particularly the lack of Romanian language proficiency, and the non-recognition of diplomas or professional experience, which relegates many to low-skilled or informal jobs. Additional obstacles such as administrative burdens, the temporary nature of identity documents, and limited awareness among employers further restrict access to formal employment. Many asylum seekers therefore face a high risk of labour exploitation, as they are pushed into precarious or informal employment arrangements.¹⁵²

Beneficiaries of international protection enjoy the same labour rights as Romanian citizens and do not require work permits. They are eligible to be employed, perform voluntary work, engage in independent economic activity, and benefit from public employment services. The National Employment Agency (ANOFM) does not collect disaggregated statistics on the employment of beneficiaries of protection. According to national NGOs however, the system remains insufficiently adapted to their needs.¹⁵³

Beneficiaries of protection encounter many of the same difficulties as asylum seekers, such as unrecognized qualifications, language barriers, and discrimination. Misinformation among employers — who often mistakenly believe that special permits are needed — compounds these issues. Additionally, many refugees lose eligibility for financial aid as soon as they enter formal employment, even if the position is temporary, which discourages legal employment and can lead to informal labour practices.¹⁵⁴

The socio-political environment also presents challenges. UNHCR notes that acts of xenophobia are of rare occurrence in Romania. However, national civil society organisations noted that xenophobic attitudes and persistent reluctance among employers to hire foreign nationals remain widespread challenges. Access to tailored support, including job counselling and interpretation, is mostly available through NGOs. CNRR and other civil society actors have taken an active role in facilitating job placements, organizing training, and mediating with potential employers.

Access to education

Both asylum-seeking and beneficiary children have the right to free education in Romania, under the same conditions as Romanian citizens. This includes access to pre-school, primary, and secondary education.¹⁵⁸

Asylum-seeking children are also required to attend Romanian language classes within three months of lodging their claim. However, legal entitlements often fail to translate into effective access due to systemic and practical barriers. For asylum seekers, obstacles include delayed enrolment, insufficient availability of places in schools and kindergartens, and a lack of properly trained staff. Language remains the central barrier to both enrolment and learning. In some cases, children arrive with substantial educational gaps, making it difficult to place them in appropriate grade levels.

For beneficiaries of protection, the situation is similarly constrained. Though children have formal access to all educational levels, a range of practical challenges persist. These include inconsistent application of legal

- 151. Article 17(1)(o) Asylum Act.
- 152. ECRE/AIDA, Country Report on Romania Update on 2024.
- 153. ECRE/AIDA, Country Report on Romania Update on 2024.
- 154. ECRE/AIDA, Country Report on Romania Update on 2024.
- 155. Information provided by UNHCR Romania, Bucharest, 19 March 2025.
- 156. ECRE/AIDA, Country Report on Romania Update on 2024.
- 157. Information provided by CNNR and JRS Romania, Bucharest, 17 March 2025, ECRE/AIDA, Country Report on Romania Update on 2024.
- 158. Article 17(1)(p) Asylum Act; Article 6(1) Asylum Decree.

provisions — particularly regarding the status of students enrolled as auditors — lack of standard data collection on educational outcomes, and limited adaptation of teaching methods for non-Romanian speakers. Audient students often lack access to basic resources such as textbooks or school meals, and they receive no additional support during exams, despite Romanian being their second language. They are expected to perform under the same conditions as native speakers, without consideration for their language limitations.

Romanian language courses for children are inconsistently structured, with some counties failing to respect age groupings, resulting in mixed-age classes that hinder effective learning. Teachers lack specialized training in Romanian as a second language, and no national standards or evaluation mechanisms exist to assess language acquisition. CNRR organised workshops on the socio-cultural backgrounds of refugee children to support teachers' capacity.

For adults, the Ministry of National Education, in collaboration with IGI-DAI and NGOs, organizes free Romanian language courses. These may be attended throughout the year and can continue into the following academic year. Upon completion, a certificate is issued attesting to language proficiency. However, the number of hours provided through the integration programme is limited (e.g. 60 hours), and classes are held during working hours, making them inaccessible for employed refugees.¹⁶⁰

Access to healthcare

Asylum seekers are entitled to access primary care, emergency services, and treatment for life-threatening chronic or acute conditions through the national health system. They are also eligible for participation in public health programmes targeting contagious diseases. These services may be delivered within Regional Centres or through authorized public healthcare facilities.¹⁶¹

Beneficiaries of international protection enjoy access to the public healthcare system under the same conditions as Romanian citizens. This includes both physical and mental health services, and in theory, entitles BIPs to national insurance benefits and treatment from public providers. However, in practice, systemic obstacles severely limit their ability to benefit from these rights.

Financial barriers, such as the need to pay insurance contributions, affect many unemployed or informally employed BIPs. Even insured individuals often face additional costs for tests or medications not covered by the system. The procedure to obtain a family doctor or specialist care is complex and time-consuming, while long waiting times and a lack of appointment availability further restrict access.

Language and cultural barriers also remain unresolved. Healthcare providers rarely speak foreign languages, and interpretation is generally not available through public institutions. Refugees often depend on NGOs such as CNRR to accompany them to medical appointments and assist with communication, documentation, and follow-ups.

Mental health is another critical area of need. Many asylum seekers and BIPs suffer from trauma or stress-related conditions but face limited access to psychological support. NGOs and state healthcare institutions are often underprepared to address these needs due to limited resources and staff training.¹⁶²

Finally, the decentralization of the administrative system creates regional disparities in access to healthcare and other services. Interpretation of legislation and administrative acts, practices and resource allocation vary considerably from one region to another, making access to services dependent on location. According to UNHCR, this applies equally to asylum seekers and BIPs and undermines the consistency of the national protection system.¹⁶³

Reflections on the implementation of the EU Pact on Migration and Asylum

There are a range of challenges for Romania to make sure that the socio-economic rights of asylum seeker and BIPs are realised. These challenges will remain and need to be addressed.

^{159.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{160.} Information provided by JRS Romania, Bucharest, 17 March 2025; Information provided by UNHCR Romania, Bucharest, 19 March 2025.

^{161.} Article 17 Asylum Act.

^{162.} ECRE/AIDA, Country Report on Romania – Update on 2024.

^{163.} Information provided by UNHCR Romania, Bucharest, 19 March 2025.

When looking at requirements under the EU Pact, Article 18 of the recast Reception Conditions Directive (RCD) is of particular relevance to the Romanian context. Under this provision, Member States will now be required to "ensure" or "facilitate" - depending on their national system - access to language courses, civic education, and vocational training, regardless of whether the applicant has access to the labour market. This provision aims to enhance applicants' ability to act independently, engage with public authorities, and improve their future employment prospects. It will be essential that Romanian authorities take steps to effectively implement these services and ensure that all applicants have equitable access, including those accommodated in remote areas or with specific vulnerabilities.

Recommendations

- » Romanian authorities should maintain early and unrestricted access to the labour market for asylum seekers and beneficiaries of international protection.
- The current financial assistance for beneficiaries of international protection should be revised to ensure that it provides a liveable standard of support, is indexed to inflation, and enables participation in integration activities such as language classes, job-seeking, and civic orientation.
- » Access to language courses should be significantly expanded. Authorities should ensure sustainable public funding for language support, particularly as private initiatives face funding constraints and may not continue.
- Healthcare access for asylum seekers and BIPs must be strengthened. While many challenges stem from broader weaknesses in the national healthcare system, systematic barriers to access for migrants should be identified and addressed, including through targeted outreach and support mechanisms.
- Public integration services should not depend disproportionately on civil society organisations. While partnerships with NGOs remain essential, the state must guarantee core services particularly in areas such as housing, healthcare, education, and social assistance through predictable and adequate public provision.

CONCLUSIONS & RECOMMENDATIONS

Romania's asylum system is currently functioning, with generally good cooperation between authorities and civil society, relatively short processing times, and an overall protection-oriented approach. However, some shortcomings emerged from the visit. Additionally, with the upcoming implementation of the EU Pact on Migration and Asylum, the anticipated increase in the use of special procedures and the expansion of border infrastructure raise both practical challenges and concerns about the potential impact on the rights of asylum applicants.

Ensuring that procedural safeguards are upheld across all types of asylum procedures will be key to the functioning of the reformed asylum system. Some of the challenges identified include insufficient time for applicants to access information and legal counselling prior to their interviews, inconsistent quality of interpretation; identification and referral mechanisms for vulnerable individuals would require strengthening, particularly during screening and in the context of border procedures. While Romania has a legal framework and institutional setup to support protection, greater investment in training, multidisciplinary screening teams, and independent legal counselling will be necessary to align practices with the new legal framework introduced by the EU Pact.

In the area of reception and detention, efforts should focus on strengthening the existing infrastructure and improving conditions in reception and detention facilities. Staff shortages, underfunded integration services, and limited access to language classes and healthcare all undermine the longer-term inclusion of asylum seekers and beneficiaries of international protection. Civil society continues to play a critical role in bridging protection gaps, but investment in public services and a more structured inclusion framework are essential to ensure that asylum seekers and beneficiaries of protection are able to integrate in the national context.

The implementation of the Pact is likely to put additional pressure on Romania's asylum system, in particular in terms of the requirements to adapt the national reception infrastructure, but it could also offer an opportunity to address existing gaps. To ensure that the transition to the new legal framework respects the rights of people in need of protection, it will be essential to establish clear monitoring mechanisms, involve independent actors in oversight, and allocate sufficient resources, including through targeted EU funding.

Based on the findings of this report, ECRE makes the following recommendations:

Access to the territory

Romanian authorities should establish multi-disciplinary teams at screening centres, including representatives from the asylum authority, medical and social services, and child protection experts, to support vulnerability identification and referral.

The Border Police, in collaboration with the EUAA, UNHCR and national NGOs, should continue and expand targeted training on vulnerability detection, access to asylum, and protection-sensitive border management.

The Romanian government should accelerate the establishment of the independent monitoring mechanism under the Screening Regulation. Sufficient resources should be allocated - particularly to the Ombudsman's Office - to enable effective and independent oversight.

Romanian authorities should use BMVI funds not only for equipment but also for protection-related measures, including development of vulnerability assessment tools and provision of legal assistance and interpretation services.

Asylum procedures

The determining authority is adequately staffed and receives comprehensive training on the new procedural framework;

All procedural safeguards, including the right to information and legal counselling, are effectively implemented:

The use of special procedures remains strictly limited to cases for which their application is explicitly

required by law;

Proper assessments are carried out to identify risks of refoulement, and that individuals whose asylum claims are rejected can still access national forms of protection, where appropriate.

Romanian determining authorities reflect on the implications of declaring that an application is implicitly withdrawn before making decisions on cases, and refrain to declare applications as implicitly withdrawn for applicants that have left the country to move to another Member State.

Expand the cases in which national protection is granted and ensure access to rights for non-returnable persons.

Romanian authorities should ensure that asylum applicants are granted sufficient time at the start of the procedure to understand their rights and obligations, seek legal counselling, and prepare their case. Particular attention should be paid to the timely provision of information before key procedural steps, including the personal interview.

Legal counselling must be provided by independent actors, not by the determining authority, and should be understood in line with Article 15 of the APR as encompassing legal advice on both procedural and substantive aspects of the asylum application from the earliest stages of the procedure. Free legal assistance and representation should be expanded to cover the administrative procedure, as permitted under Article 14(1) APR, to promote both procedural fairness and efficiency.

Interpretation services should be improved to ensure consistent quality across all stages of the procedure. Information must be delivered in a language the applicant understands or is reasonably expected to understand, as required by Article 8 APR.

COI used in decision-making must reflect guidance from EUAA, UNHCR and other authoritative sources.

Specialised training on EU asylum law, including the new provisions of the Pact, should be made available to lawyers, judges, and staff of the General Inspectorate for Immigration. This is particularly important in light of the expected increase in litigation due to the complexity of the new legal framework.

Adequate funding must be allocated to support the provision of free legal counselling and assistance throughout the asylum procedure, including interpretation and translation where necessary.

Romanian authorities should ensure that vulnerability assessments conducted during the screening phase are carried out using standardised tools and procedures, and that proper training is provided to the officers involved.

Clear national guidelines on the identification of vulnerable applicants at the border should be developed and implemented.

Child protection measures must be reinforced, with particular attention to ensuring that unaccompanied children are never left without representation. A qualified representative must be appointed within 15 days of the application, and provisionally assigned support should be guaranteed from the moment of identification, including during the screening process.

Age assessments should no longer rely solely on medical evaluations. In accordance with Article 25 APR, they must be conducted by multi-disciplinary teams using a holistic and child-sensitive approach.

Guardianship services should be adequately staffed, trained, and resourced to meet their obligations under Article 26 of the Reception Conditions Directive, ensuring continuous support and oversight of unaccompanied minors throughout the asylum procedure.

National authorities, including the Border Police and child protection institutions, should receive specialised training on safeguarding the rights of unaccompanied children and applicants with special needs, including identifying potential victims of trafficking, including in the context of labour trafficking and exploitation.

Romanian authorities should prioritise the repurposing of existing reception centres, rather than investing in the construction of new centres. This would allow for more cost-effective use of resources and better integration with existing services and legal support networks. At the same time, it is important to address outstanding gaps in these facilities - such as improving overall living conditions, enhancing their infrastructure and increase support social and legal assistance.

In cases where new multi-purpose border centres are established, it is essential to ensure unrestricted access for NGOs, legal counsellors, and monitoring bodies, including through infrastructure planning that considers location and travel times.

Border procedures should be applied strictly within the limits set by the APR and not extended to cases where they are merely permissible. Applicants with special reception or procedural needs should be promptly transferred to appropriate facilities within the territory.

Emergency and contingency planning should focus on strengthening the mainstream reception system rather than relying on temporary or substandard infrastructure. EUAA operational support and EU funding, including through the AMIF and BMVI, should be directed toward long-term capacity-building.

EU funds should be requested and allocated for the refurbishment of existing centres, improvement of living conditions, and creation of dedicated spaces for vulnerable groups, and particularly of safe spaces for women, in line with the recast Reception Conditions Directive.

Staff training across the asylum system should be intensified, particularly for border police and reception personnel, including modules on special reception needs, screening procedures, and protection-sensitive approaches.

Detention conditions

Additional psychosocial personnel should be recruited and integrated into reception and custody facilities to provide targeted support to applicants, particularly those with trauma, mental health concerns, or heightened vulnerability. Meaningful activities should also be offered regularly to promote mental well-being and social inclusion.

More interpreters should be available to guarantee consistent access to interpretation throughout all phases of the asylum procedure, including legal counselling sessions, interviews, and appeals, in a language the applicant understands or is reasonably expected to understand.

In cases where videoconferencing is used for asylum interviews, authorities should ensure that the applicant is not placed in the same room as a state official or observer. Even if the official is not participating or does not understand the language, their presence may undermine the applicant's sense of safety and willingness to speak openly. Privacy and psychological comfort during interviews must be safeguarded.

Conditions at the Otopeni facility should be improved, particularly regarding infrastructure, cleanliness, privacy, and access to basic services.

If detention infrastructure is expanded, Romanian authorities should ensure that legal counselling, interpretation, and psychosocial support services are provided in line with required standards

Access to socio-economic rights for asylum seekers and beneficiaries of protection

Romanian authorities should maintain early and unrestricted access to the labour market for asylum seekers and beneficiaries of international protection.

The current financial assistance for beneficiaries of international protection should be revised to ensure that it provides a liveable standard of support, is indexed to inflation, and enables participation in integration activities such as language classes, job-seeking, and civic orientation.

Access to language courses should be significantly expanded. Authorities should ensure sustainable public funding for language support, particularly as private initiatives face funding constraints and may not continue.

Healthcare access for asylum seekers and BIPs must be strengthened. While many challenges stem from broader weaknesses in the national healthcare system, systematic barriers to access for migrants should be identified and addressed, including through targeted outreach and support mechanisms.

Public integration services should not depend disproportionately on civil society organisations. While partnerships with NGOs remain essential, the state must guarantee core services - particularly in areas such as housing, healthcare, education, and social assistance - through predictable and adequate public provision.

The Asylum Information Database (AIDA)

ANNEX I – LIST OF INTERLOCUTORS

Organisation	Date	Location		
National authorities				
General Inspectorate for Immigration – Asylum and Integration Directorate	18 Mar 2025	Bucharest		
General Inspectorate of the Border Police	18 Mar 2025	Bucharest		
Timișoara Territorial Inspectorate of the Border Police (and Moravita Border Crossing Point)	20 and 21 Mar 2025	Timisoara and Moravita		
Romania's People's Advocate Institution	1 Apr 2025	Online		
Other stakeholders				
United Nations High Commissioner for Refugees (UNHCR)				
Romania Office	19 Mar 2025	Bucharest		
Emergency Transit Centre	20 Mar 2025	Timisoara		
Giurgiu Regional Centre for Asylum Seekers	18 Mar 2025	Giurgiu		
Otopeni Public Custody Centre	19 Mar 2025	Otopeni		
Timişoara Regional Centre for Asylum Seekers	20 Mar 2025	Timisoara		
Arad Public Custody Centre	21 Mar 2025	Arad		
Civil society organisations				
Jesuit Refugee Service (JRS) Romania	17 Mar 2025	Bucharest		
Save The Children Romania	17 Mar 2025	Bucharest		
International Justice Mission	17 Mar 2025	Bucharest		
Consiliul Național Român pentru Refugiați (CNRR)	17 Mar 2025	Bucharest		
Terre des Hommes	17 Mar 2025	Bucharest		



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