

ROMANIA

ARRIVALS

1. Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years

Table 1:

Source: National Office for Refugees

Month	2002	2003	Variation +/- (%)
January	114	67	-41.2
February	83	45	-45.7
March	52	97	+86.5
April	94	151	+60.6
May	127	83	+34.6
June	66	105	+59.1
July	116	51	-56.0
August	79	81	-2.0
September	57	45	-21.1
October	81	64	-21.0
November	56	54	-3.6
December	75	42	-44
TOTAL	1,000	885	-11.5

2. Breakdown according to the country of origin/nationality, with percentage variation

Table 2:

Source: National Office for Refugees

Country	2002	2003	Variation +/- (%)
Iraq	350	247	-29.4
China	89	164	+84.3
India	127	155	+22.0
Somalia	34	62	+82.4
Iran	41	49	+19.5
Turkey	38	27	-29.0
Pakistan	31	21	-32.3
Afghanistan	33	16	-51.5
Palestine	23	13	-43.5
Democratic Republic of Congo	14	13	-7.1
Jordan	11	12	+9.1
Syria	25	11	-56.0
Egypt	7	9	+28.6
Lebanon	5	9	+80.0
Serbia and Montenegro	1	9	+800.0
South Africa	-	7	-
Ethiopia	-	6	-
Liberia	2	6	+200.0
Sudan	45	6	-86.7

Bangladesh	65	5	-92.3
Moldova	6	4	-33.3
Nigeria	10	1	-90.0
Georgia	7	0	-100.0
TOTAL	1,000	885	-11.5

3. Persons arriving under family reunification procedure

2 (2002: 5)

One Iraqi family followed the reunification procedure and the wife and child came to Romania.

4. Refugees arriving as part of a resettlement programme

Romania does not operate any resettlement programmes.

5. Unaccompanied minors

21 (2002: 53)

Table 3:

Source: National Office for Refugees

Country	2002	2003	Variation +/- (%)
Somalia	5	14	+180
Iraq	8	4	-50.0
Afghanistan	11	2	-81.9
India	12	1	+91.7
Bangladesh	15	-	-100.0
Sudan	2	-	-100.0
TOTAL	53	21	-60.4

RECOGNITION RATES

6. The statuses accorded at first instance and appeal stages as an absolute number and as a percentage of total decisions

Table 3:

Source: National Office for Refugees

Statuses	2002		2003	
	First instance Number	%	First instance * Number	%
No status awarded	952	94.9	654	87.2
Convention status	36	3.6	69	9.2
Humanitarian protection	15	1.5	27	3.6
TOTAL	1,003	100	750	100

* There were also 95 statuses awarded at the appeal stage in 2003. This figure refers to both Convention status and to Humanitarian Protection status since information on each individual category was not available.

7. Refugee recognition rates (1951 Geneva Convention) according to country of origin, at first instance and appeal stages

Table 4:

Source: National Office for Refugees

Country of origin	2002		2003	
	First instance Number	Appeal Number	First instance Number	Appeal Number
Iraq	19	17	42	44
Iran	2	3	6	11
Congo	-	-	6	7
Somalia	4	7	5	4
Turkey	1	1	3	3
Lebanon	-	3	2	-
Serbia and Montenegro	3	3	-	1
Jordan	-	-	1	1
Russian Federation	-	-	1	-
Sudan	2	8	1	5
Syria	0	3	1	4
Yemen	-	-	1	-
Afghanistan	-	3	-	3
Cameroon	-	-	-	1
Cuba	-	-	-	1
Guinea	-	-	-	1
India	-	-	-	1
Kenya	-	-	-	1
Nigeria	-	-	-	1
Pakistan	-	-	-	1
Palestine	1	1	-	3
Sierra Leone	-	3	-	2
Egypt	-	2	-	-
Tunisia	1	1	-	-
Israel	1	-	-	-
Rwanda	-	1	-	-
Liberia	-	1	-	-
TOTAL	36	60	69	95

RETURNS, REMOVALS, DETENTION AND DISMISSED CLAIMS

8. Persons returned on 'safe third country' grounds

Except for some cases in the past, the principle of a 'safe third country' is still not applied in practice in Romania.

9. Persons returned on 'safe country of origin' grounds

No figures available.

10. Number of applications determined inadmissible

44 cases (5.47% of the total number of applications), processed under an accelerated procedure, were declared inadmissible during 2003.

11. Number of asylum seekers denied entry to the territory

No figures available.

12. Number of asylum seekers detained, the maximum length of and grounds for detention

No figures available.

13. Deportations of rejected asylum seekers

No figures available.

14. Details of assisted return programmes, and numbers of those returned

There were none in 2003.

15. Number of asylum seekers sent back to the Member State responsible for examining the asylum application under the Dublin Convention

Romania is not party to the Dublin Convention.

SPECIFIC REFUGEE GROUPS

16. Developments regarding refugee groups of particular concern

Iraqis

The Romanian authorities did not apply the concept of 'temporary protection' in Iraqi cases. The procedure in these cases was officially suspended between March and June 2003.

LEGAL AND PROCEDURAL DEVELOPMENTS

17. New legislation passed

The Aliens Law approving Decree No. 194/2002 states that public custody ends *de jure* if the foreign national's return is forbidden by law (Art. 89), or he/she has submitted an application for a form of protection in Romania.

Regulations were adopted on the conditions of foreign nationals in custody and accommodated in the Ministry of Administration and Interior's centres; norms on equipping these centres were also adopted.

Romania ratified Protocol No. 13 of the Convention on Human Rights and Fundamental Freedoms (ECHR) concerning the abolition of the death penalty in all circumstances.

Romania ratified the Memorandum of Understanding with the International Organization for Migration (IOM) regarding cooperation in the field of humanitarian-assisted voluntary repatriation.

According to changes in Citizenship Law, Romanian citizenship may now be acquired after eight years of residence on Romanian territory, or five years of residence from the date of marriage if a foreign national is married to a Romanian citizen.

18. Changes in refugee determination procedure, appeal or deportation procedures

There were no changes in refugee determination, appeal or deportation procedures in 2003.

19. Important case-law relating to the qualification for refugee status and other forms of protection

No information provided.

20. Developments in the use of the exclusion clauses of the 1951 Geneva Convention in the context of the national security debate

No information provided.

21. Developments regarding readmission and cooperation agreements

Readmission agreements with Norway, Latvia, Portugal, UK and Lebanon were approved by the Parliament in 2003. Romania concluded readmission agreements with all the 15 EU Member States.

THE SOCIAL DIMENSION

22. Changes in the reception system

There were no changes in the reception system in 2003.

23. Changes in the social welfare policy relevant to refugees

The Law on Social Services adopted in 2003 stipulates that all persons must be assisted, without discrimination, including refugees and those with humanitarian status.

The Labour Code adopted in February 2003 initially stipulated that refugees are exempt from the requirement to hold a work permit in order to be employed. At the end of 2003, the Government approved a draft law removing the requirement to hold a work permit for all foreign nationals that were granted a form of protection in Romania.

24. Changes in policy relating to refugee integration

There were no changes in policy relating to refugee integration. A draft law on refugee integration was debated in 2003 and is expected to be approved in 2004.

25. Changes in family reunion policy

There were no changes in family reunion policy in 2003. The existing procedure allows family reunification only for refugees and not for those granted humanitarian status.

OTHER POLICY DEVELOPMENTS

26. Developments in resettlement policy

There were no developments in resettlement policy in 2003.

27. Developments in return policy

Romania continued to return rejected asylum seekers to their countries of origin following verification with the embassies of their countries of origin.

However, except eight Iraqi diplomats expelled at the beginning of the war in Iraq for national security reasons, no return of any Iraqi to his/her country of origin was carried out during 2003 because of the situation in that country.

28. Developments in border control measures

The Romanian National Council for Refugees has developed and implemented in co-operation with UNHCR a shared border-monitoring project. This project carries out border-monitoring missions at all major borders. During these missions, training is delivered to the border police on asylum and access to Romanian territory, as well as on the principle of *non-refoulement* of asylum applicants.

29. Other developments in refugee policy

There were no further developments in refugee policy in 2003.

POLITICAL CONTEXT

30. Government in power during 2003

The political situation was stable over this period. There were no elections and the Social Democratic Party (PSD) continued to rule.

31. Governmental policy vis-à-vis EU developments

Negotiations on Chapter 24 (Justice and Home Affairs) continued during 2003.