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National Program
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ASYLUM PROCEDURE in ROMANIA

INFORMATIVE LEAFLET – 2020



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ENGLEZA

WHAT IS THE ASYLUM PROCEDURE IN ROMANIA



The refugee status is granted upon request to the alien who, because of a well-grounded fear of being persecuted on account of his/her race, religion, nationality, political opinion or membership to a particular social group, is outside his/her homeland and who cannot or, because to this fear, does not want the protection of his/her country.

- I. After filing the application for international protection, your photograph and fingerprints will be taken for the record. Your fingerprints will be entered in the EURODAC system. You will receive a temporary identity document issued by your name.
- II. You have the right to be assisted, upon request, by a legal counsellor (NGO)/an UNHCR representative, counting from the moment when your application is filed until a decision is made in the matter. **THIS ASSISTANCE IS FREE!** You also have the right to be assisted by a lawyer of your choice (in which case you will have to pay the lawyer's fees yourself).
- III. You will be scheduled by IGI for a preliminary interview and an interview to determine your need for protection. It is important for you

to participate to the two interviews and to answer honestly all the questions!

- IV. IGI will notify you about the decision made on your asylum application. If you do not agree with the decision made by IGI, you have the right to file a **COMPLAINT** (which you will submit to IGI or to the competent court): within 10 days counting from the date when you were served the decision (ordinary procedure) or within 7 days counting from the date when the decision is communicated to you (accelerated procedure / procedure conducted at the border).
- V. The competent court that will hear your complaint (the first instance court) will notify you on the date when you must attend the court hearing (**NOTIFICATION WHICH WILL BE SENT TO**

THE RESIDENTIAL ADDRESS YOU HAVE DECLARED!).

- VI. You are entitled to free legal assistance so as to benefit from defence, assistance which may be provided by: - a legal adviser (CNRR) or a lawyer appointed by the court ex officio. At the same time, you can be assisted by a lawyer of your own choice (in which case you will have to pay the lawyer's fees yourself).
- VII. If your complaint is rejected by the court in ordinary procedure, you'll have the right to lodge an **APPEAL** (which is to be filed with IGI or with the court that rendered the decision challenged by your appeal) within 5 days counting from the date when the said decision was given, and then you will have to motivate your appeal 10 days as of the date when you have been

communicated the court decision. The court that will hear your appeal (county court/municipal court) will give a final decision.

- VIII. If your complaint is rejected by the court of first instance, which thus maintains the decision by which your application for asylum was rejected in accelerated procedure / procedure conducted at the border, the judgment of the court of first instance is final.
- IX. In case of a final decision by which your application for asylum is rejected in ordinary procedure, you will have the obligation to leave Romania within 15 days. If you receive a negative decision to your application analyzed in accelerated procedure / procedure conducted at the border, you have the obligation to leave the country as soon as the asylum procedure are completed.