

UNIUNEA EUROPEANĂ



Proiect finanțat de Uniunea Europeană

MINISTERUL AFACERILOR INTERNE



DIRECȚIA FONDURI EXTERNE NERAMBURSABILE

MINISTERUL AFACERILOR INTERNE



INSPECTORATUL GENERAL PENTRU IMIGRĂRI



SIM - CIS

Integrated Services for
Migrants
Intercultural and Solidary
Communities

FOREIGN CITIZENS' ACCESS
TO RIGHTS AND SERVICES IN
ROMANIA

ENG RTT



FOREIGN CITIZENS' ACCESS TO RIGHTS AND SERVICES IN ROMANIA

This material contains useful information for persons who do not have the citizenship of: Romania; a European Union Member State; a state of the European Economic Area (EEA); or the Swiss Confederation.

By reading this brochure you can learn:

1. Information about entering and staying in Romania.
2. Rights and responsibilities.
3. Information about labour market access. in Romania.
4. Information about the social health insurance system.
5. Information about the education system in Romania.
6. The system of social insurance and social care in Romania.
7. Other valuable informations.
8. Who can guide you – the contact information for the Regional Integration Centers available in Romania.

This brochure contains information that was current at the date of its publication - December 2021.

GENERAL INFORMATION

To make sure that your stay in Romania is legal and to learn about your rights and obligations you need to become familiar with a few general aspects of Romanian law applicable to foreign individuals located on Romanian territory, access to services available to you and other information of interest that may be useful during your stay in Romania.

1. ENTERING AND STAYING IN ROMANIA

Foreign individuals from third-countries can enter Romania if:

- They carry a valid travel document;
- They have received a visa to enter Romania or have a residence permit issued to them as per legal requirements, or any other authorization that affords its holder a right to transit Romania or stay on Romanian territory.

What types of visa does the Romanian state issue?

Romania grants the following types of visa:

a) Airport transit visa (symbol A):

Will allow you to enter the international area of airports and stay there until boarding your flight to your destination.

b) Transit visa (symbol B):

Allows entry on Romanian territory for transit purposes, for a duration that cannot exceed 5 days.

c) Short-stay visa (symbol C):

Allows entry and stay on Romanian territory for no longer than 90 days in an interval of 6 months after the date of

entry (or starting with the date of the first entry, in case of a multiple-entry visa). This type of visa is granted for activities such as: official missions, transport, private visit, tourism, engaging in cultural/scientific activities, medical treatment, etc.

The short-stay visa cannot be extended, which means you can only stay in Romania until expiry of the right of stay granted by the Romanian authorities. Also, with this visa you can go everywhere in Romania.

d) Long-stay visa (symbol D):

Allows entry and stay on Romanian territory for no longer than 90 days, to engage in the following activities: studies, employment, family reunion, secondment, economic activities, professional activities, commercial activities (investment), religious activities, scientific research activities, etc. Only this type of visa can extend the right of staying in Romania and obtain you a temporary stay permit.

The right of stay afforded by the D Visa can be extended, based on an extension application you need to submit at the General Inspectorate for Immigrations (IGI) from the region you live in. The application must be submitted personally, at least 30 days before expiry of the 90-day stay on Romanian territory. Based on your application you will be issued a stay permit. The validity of the permit will depend on the purpose of your stay in Romania.

 **Important to know!**

- Request form and support documents (scanned) for the extension of the residence permit in Romania can also be registered online at www.portaligi.mai.gov.ro. It is important that documents submitted online are those requested for the selected application type; otherwise the online request will be canceled and you will have to resume the registration process.

This service allows you to:

- o Check the status of your application online at any time;
- o Check the date and time you were scheduled to submit to the IGI Terminal Service Desk for submitting original documents and retrieving biometric data;

o Reduce the waiting time at the county Immigration offices to submit the documents for the extended stay in Romania.

The legal term for resolving the request starts from the date you submitted to the check-in desk for the registration of the application and the retrieval of the biometric data.

- Any change in your situation while staying in Romania must be notified to IGI in the county of your domicile/residence within 30 days of the date the change has occurred.
- Any change about the name, citizenship, residence, must be declared to the IGI in the county of your domicile/residence, and when you declare it, you must ask for a new identity document.
- Any change in your situation during your stay in Romania must be communicated to the General Inspectorate for Immigration in the county where you live / reside (eg change of name, birth of a child, marriage, dissolution of a marriage, death of a family member residing in Romania, change of citizenship, etc.) within 30 days from the date on which the change was made.
- You must notify IGI about the change of your border-crossing document (passport) or about the extension of its validity.
- You must submit your application for an extension of your stay in Romania at least 30 days before expiry of the period for which you have a valid residence permit.
- After completing your studies, you have the right to extend your stay in Romania for 6 months to obtain and approve study papers, search for a job and fulfill formalities for employment.
- In the case of foreign citizens coming to Romania for work purposes, the right of residence and work is regulated by the **single permit**, or the **EU Blue Card** for highly qualified workers.
- An uninterrupted stay in Romania in the last 5 years and a satisfactory level of Romanian gives you the right to stay in the long term (the period when you had a temporary stay permit for study is calculated at its half). You can apply for this right to the IGI territorial service in the county where you live to get a long-term residence permit. After you got the approval for **the long-term residence permit**, you have the obligation to present at the IGI in term of 30 days for receiving the long-term residence permit. This is valid for 10 years if you are a family member of a Romanian citizen and 5 years if your purpose in Romania is, for example, work, commercial activities, family reunification, etc.
- **The long-term residence permit** ensures equal treatment with the Romanian citizens, including freedom of association, affiliation and membership of trade unions or professional organizations.

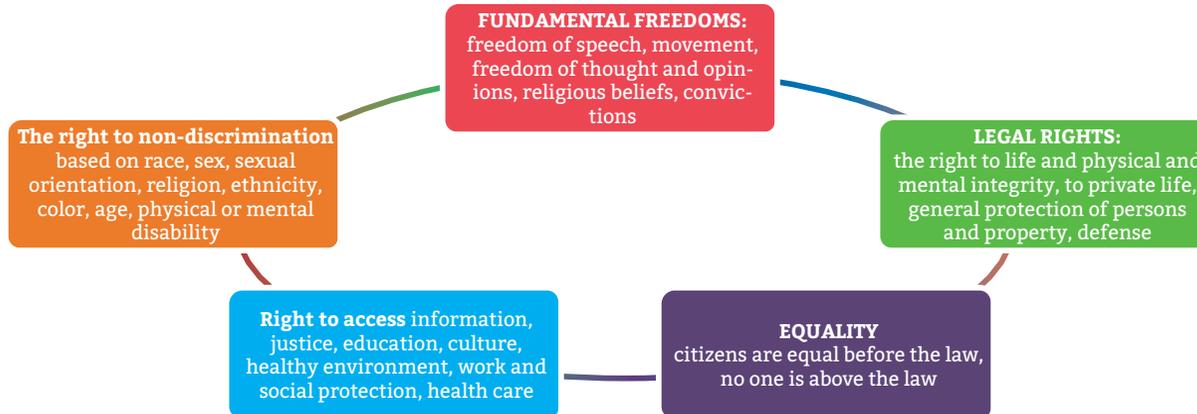
- You cannot let a third-party person have your original stay and/or travel documents.
- On request from a prosecutor or a court of law, foreign individuals who are victims of trafficking in human beings or migrant smuggling can receive a right of temporary stay on Romanian territory.

Relevant authorities

- The Romanian diplomatic missions and consular offices – for visa applications.
- The IGI of the Ministry of the Interior.

2. RIGHTS AND RESPONSABILITIES

As a foreigner legally residing in Romania, you have the same fundamental rights and responsibilities as those of Romanian citizens. The Romanian Constitution guarantees the following fundamental rights and freedoms:



Also, you have the right to:

- Move freely and settle your residence or domicile anywhere in Romania;
- Leave Romania temporarily and return to the country. If you want to leave Romania temporarily, you must inform yourself beforehand about the conditions you have to meet in order to enter another country (eg to have a valid travel document, to obtain the entry visa in the country etc.).
- Access to a job;
- Access to all forms of education;
- Access to all health related services and medical assistance;
- Access to social protection and accomodation;
- Access to justice;
- To reunite your family;
- To get Romanian citizenship.

The main obligations are:

- Compliance with the Romanian laws during your stay in Romania;
- Compliance with the scope for which you have been granted entry and residence in Romania;
- Payment of financial contributions (e.g. taxes)
- Respecting the rights and liberties of other people;
- To have an appropriate conduct;
- To avoid any conflicts and/or incidents;
- Renewing the residence documents in due time.

3. ACCESS TO THE LABOUR MARKET IN ROMANIA

Under what conditions can one have access to the labor market in Romania?

As a foreign citizen you have unrestricted access to the labor market in Romania if:

- you have a long-term permit to stay on Romanian territory.
- you have a temporary stay permit for family reunion and are a family member of a Romanian citizen.
- you have a temporary stay permit for studies (only with an individual labor contract for part-time work, no more than 4 hours a day).
- Romania has signed treaties with your state wherein labor-related aspects are regulated.
- you are engaged in teaching, scientific or other such specific activities, with a temporary character, in relevant entities accredited or provisionally-licensed in Romania.
- you are engaged in temporary activities requested by Ministries of the government or other entities of the central or local public administration or by autonomous administrative entities.
- you have been appointed in charge of a subsidiary, representation or branch, operating on Romanian territory, of a company whose head office is in another country, as demonstrated by documents required by applicable Romanian law.
- you have a temporary stay permit as issued to victims of a crime (e.g. trafficking in human beings or migrant smuggling).
- you previously had a stay permit in Romania for at least 3 years as a family member of a Romanian citizen and are now in one of the following situations:
 - your marriage has been pronounced terminated.
 - your partnership relationship has ended.
 - your Romanian-citizen sponsor has died.
 - you have come of age or have turned 21 years old, in the situation where you are a family member of a Romanian citizen.
- You have been awarded a form of protection in Romania.
- You are tolerated, in which case you have access to the labor market for the duration of your having tolerated status in Romania.

! Important to know!

- If you want to get employed in Romania, the documents necessary for obtaining the visa for work purposes include the employment notice as a copy. This is a document that the Romanian employer receives from the territorial office of IGI in the county in which he has his registered office after he has made the decision to hire you.
- The application for an employment permit must be filed by the employer on your behalf.
- The employment permit is not transferrable. This means you cannot use the same permit to get a different job or to work for a different employer from the one with whom you have your original labor contract in Romania.
- The single employment permit is valid for 1 year, and can be extended for successive periods of one year each, for as long as you are under contract with your employer.
- In case your labor contract expires before the end of the period for which your residence permit is valid, you have 90 days to find a new job. If you find a new employer, the person will be under an obligation to get you a new employment permit, and afterwards you can sign a new labor contract with them, after which you will need to go to the IGI to get an extension of your residence permit. If you cannot find a job within the 90 days mentioned above you will have to leave Romanian territory, unless you are entitled to unemployment benefit.

There is no need for an employment notice, if:

There are free labor treaties concluded between Romania and your home country

You are performing teaching, scientific and artistic activities on the basis of bilateral agreements or orders of the ministers of education and culture

Perform temporary activities in ministries or central / local public administration or you have been appointed head of a subsidiary / branch in Romania of a foreign company

You have the right to stay in Romania on a long-term basis or a temporary residence permit for family reunification as a family member of a Romanian citizen

You are in Romania for your studies (in this case you can be hired for up to 4 hours / day)

You already have a full-time employment contract and enter into a new part-time contract of up to 4 hours a day

Relevant authorities

- The IGI of the Ministry of the Interior – issues the employment permit.
- The Territorial Labor Inspectorates – provide oversight in labor relations and health & safety.

4. SYSTEM OF SOCIAL HEALTH INSURANCE

Who is insured in the Romanian Social Health Insurance system?

Insured in the Romanian Social Health Insurance system are foreign citizens and stateless persons who:

- have applied for and received an extension of their temporary residence or are domiciled in Romania.
- provide evidence of their contribution to the national health fund.

How can I be insured under the national health fund?

- If you don't have an income
 - o You can pay monthly, for a period of up to 12 consecutive months (230 RON/month or 2.760 RON/year). If you don't pay in every month, you will need to pay penalties.
 - o When you need medical services under the public health system. In this case, the amount that needs to be paid is 1.380 RON (230 RON x 6 months).

- If you are employed
 - o Your employer will pay your monthly contribution, along with other social insurance contributions (i.e. unemployment benefits, pension)

Can I be insured without contributing to the national health fund?

You can be insured even without contribution to the national health fund in Romania if:

- You are under 18, are a pupil or a University student, age 26 or below all of which result in the fact that you are not deriving any income from work activities.
- If you are a young person up to 26 years of age who has exited from the child protection system and are not deriving any income from work activities or are not receiving social benefit.
- If you are a husband, wife, or parents without any personal income but supported by a person who is already insured in the Romanian medical system.
- If you are a person who has a disability and is not deriving any income from work activities, under certain conditions.
- If you have a medical condition that is listed in the national health programs as devised by the Ministry of Health, and not deriving any income from work activities.
- If you are a pregnant woman or in the postnatal period, without any personal income or deriving income that is below the Romanian lowest pre-tax salary at national level (2.300 RON in January 2021).

What are my rights as an insured person?

As a person insured under the Romanian Social Health Insurance system you have the right to:

- Freely select your provider of medical services, as well as the health insurance office you wish to enlist with.

- Freely enlist with a family physician (a GP). If your selected family physician has their practice in a different locality from the one you live in, it will be your responsibility to cover the expenses with transportation when visiting the physician.
- Change the selected physician, but only after at least 6 months since enlisting with that person.

What am I entitled to as an insured person?



As a person insured under the Romanian Social Health Insurance system you are entitled to:

- The basic services package, without any discrimination, as under the law.
 - Reimbursement of all expenses incurred during a stay in hospital for the payment of medication, medical materials and para-clinical investigations that you are entitled to without having to demonstrate a personal contribution, in the terms and conditions of the framework contract.
 - Preventive and pro-health medical assistance services, including for early detection of medical conditions.
 - Medical services in outpatient facilities as well as in hospitals that are under contract with social health insurance offices.
- Emergency medical services.
 - Some dental assistance services.
 - Physio-therapy and recovery treatment.
 - Medical devices.
 - Medical care provided at home.
 - Vacation time and social health insurance benefit as under the law.
 - Confidentiality of the information you provide, especially as regards diagnostic and treatment.
 - Prophylactic medical exams in the circumstances established in the framework contract.
 - Information about medical treatment.

Important to know!

If you have not paid for the mandatory health insurance you can receive a free package of medical services that is established under the framework contract: medical/surgical emergencies, medical conditions that have an epidemic potential, monitoring the evolution of pregnancy and post-natal women, family planning services.

Any hospital has an obligation to provide first aid and emergency medical assistance to any person that goes there, if that person is in a critical state of health.

Qualified first aid and emergency medical assistance shall be granted without any discrimination related to, but not limited to: income, sex, age, ethnicity, religion, citizenship or political preference, irrespective of whether the patient has medical insurance or not.

You can get insurance in the national health system as well as in the private system.

Relevant authorities

- The County Health Insurance Office of the county where you have taken domicile.

5. THE EDUCATION SYSTEM IN ROMANIA

If you are a legal resident in Romania you have unrestricted access to schooling and educational activities performed in the country.

If you have secured a **long-term residence permit** you receive **equal treatment in the same conditions as Romanian citizens** concerning access to all forms and levels of education and vocational training, including scholarships. You can also get equivalence for your education and recognition of your certificates and degrees, vocational certificates and professional certifications, in compliance with applicable regulations.

The public system is free, and the language of instruction in public schools is Romanian. There are also educational institutions in which the teaching language is different from Romanian (eg German, Hungarian, Ukrainian, Bulgarian, etc.), respectively the languages of national minorities in Romania.

5.1. How is the Romanian education system organized?

Under the Education Law the general mandatory education in Romania is 10 grades and includes primary, secondary and high-school education.

The obligation to attend education in the first 10 grades, in school, ceases at the age of 18.

The levels of education given in Romania in Romanian-tuition schools:



The national pre-university system comprises the following levels:

- 1 • Early education (0-6 years), which includes:
 - o Ante - preschool level (0-3 years) - nursery
 - o Preschool level (3-6 years), where there are three levels - youngest group, middle group and oldest group;
 - 2 • Primary education, which includes:
 - o The preparatory classes (grade 0) (6 year old)
 - o Grades I-IV (7 – 11 years old).
 - 3 • Secondary education, which includes:
 - o Lower secondary education: grades V-VIII;
 - o Higher secondary education, or high-school: grades IX-XII, along one of the following lines: theoretical, vocational or technological;
- ~
- Vocational education - has a duration of 3 years and can be followed by those who have passed the VIIIth grade. After finishing it, a qualification in the field (eg mechanic, electrician, etc.) is obtained;
 - ~
 - Tertiary non-university education - has a duration of between 1 and 3 years and provides a professional qualification in fields such as: computer science, agriculture, health, economics, tourism, etc.



The national higher education - is organised in universities (of state and private accredited), academies, or schools of superior studies, and the system has 3 levels of university studies:

- Bachelor's degree studies – 3 or 4 years in length;
- Master's degree studies – 1 or 2 years in length;
- Doctoral degree studies – 3 years in length.

Typically the university year starts on the first working day of October and has two semesters.

! Important to know!

- To enroll in university, you need the original study diploma certifying that you have completed high school in your country of origin. In Romania, universities enjoy academic autonomy. So they can impose different admission conditions;
- Regardless of this, it is very important to know Romanian well in order to be able to attend classes and achieve the desired results. Universities organize the preparatory and intensive one-year Romanian language course for foreign students.
- If you have obtained the right to stay in Romania, you can benefit, upon request, free of charge, from cultural accommodation and counseling sessions, as well as, for a fee, from Romanian language courses, organized by the school inspectorates.

5.2. Can I have my certificates recognized in Romania if I received them in another country?



To work or study in Romania, employers and schools will want to see what education and qualifications you have obtained in your home country. Because your country of origin is outside of the EU space (a system of automatic recognition of diplomas and qualifications was approved in this area), all study papers and diplomas obtained should be equated so that they can be used in Romania

In order to begin this procedure, the diplomas must have been issued by an accredited institution on the territory of that state and must be legalized or apostilled, as the case may be.

To do so, you should contact the National Center for Recognition and Equivalence of Diplomas (CNRED, <http://www.cnred.edu.ro>) with attributions in the recognition of foreign diplomas obtained in other countries.

5.3. What is the procedure for my education documents to be recognized by the Romanian state?

For recognition of the high-school certificates or university and postgraduate certificates, as well as professional qualification certificates you need to submit an application and your documents at CNRED. The dossier is to be filed at the Registration Office of the Ministry of Education; they can also be sent by mail, at the address of the Ministry of National Education, for CNRED.

The National Center for Recognition and Equivalence of Diplomas will accept certificates or documents attesting studies when they are notarized and the result of an education system similar to that in Romania. When the education system that produced such documents is very different the holder of the documents will have to follow the steps required by CNRED (equivalence exams, skill tests, etc.).

Important to know!

- Diplomas and certificates of full and partial education are automatically recognized if they are obtained from accredited educational institutions in the EU and the EEA educational institutions;
- Diplomas and certificates of studies obtained in third countries are recognized only if the structure of the third country's studies is the same as in Romania, and there is an agreement between the two countries on the mutual recognition of diplomas. Automatic recognition is a simplified procedure.
- If your residence permit is for a family member for issues related to:
 - o recognition / equivalence or the continuation of pre-university studies (grades I - XII) you will go to the County School Inspectorate;
 - o recognition / equivalence studies for higher education you will address to CNRED.
- The National Center for Recognition and Equivalence of Diplomas (CNRED) reviews only documents issued by accredited educational institutions in your country. If you know a job, but you do not have a qualification, you can ask for a skills assesment. At <http://www.anc.edu.ro/>, you can find the list of centers across the country that are doing competence assessment.

Can I receive a scholarship in Romania?

Scholarships offered by the Romanian state are awarded for foreign citizens at three levels of studies: bachelor's, master's and doctorate.

The tuition language is Romanian, and the primary domains are: political and administrative science, education science, Romanian culture and civilization, journalism, technical studies, oil and gas, agricultural sciences, veterinarian medicine, architecture, arts, music.

What the scholarship does for you is:

- cover the school tuition fees;
- cover the accommodation fees, within the limit of places available in the student dorms.
- provide a financial aid in the equivalent in RON of 65 € per month for bachelor's degree students, 75 € per month for master's degree students and 85 € per month for doctor's degree students.

Important to know!

- You can apply for a scholarship only through the agency of the Romanian diplomatic missions, which will also take care of the transmission of the documents so as to have the applications evaluated and the results communicated.
- Accepted candidates will receive a letter of acceptance for studies. The long-stay visa in Romania for studies is only issued on the basis of that letter of acceptance and submission of the following documents: certificate from your criminal records service or another document of equal legal value; medical insurance for the entire validity duration of the visa; agreement from your parents or legal guardian for your stay and studies in Romania, if you are underage.
- Following entry in Romania the next steps will be taken to enroll you in the preparatory year, where you will learn the Romanian language (if necessary) and obtaining your residence permit in Romania for the purpose of taking studies.

Relevant authorities

- The County School Inspectorates in the county where you have taken residence in Romania.
- National Center for the Recognition and Equivalence of Certificates.
- Romania's diplomatic missions to other countries.
- The IGI, through its Service/Office in the area of your residence.

6. THE SYSTEM OF SOCIAL INSURANCE AND SOCIAL CARE IN ROMANIA

What does the social insurance system include?

In Romania the social security system includes:

A. The social insurance system made up of the public pensions system as well as other social benefits such as: unemployment benefit, insurance for labor accidents and medical conditions or other forms that temporarily preclude an ability to work, social health insurance.

B. The social assistance system.

A. The social insurance system is made up of the public pensions system as well as other social insurance rights such as:

1. Unemployment benefit – these are a form of social protection that can be enjoyed by all job-seekers, including foreign citizens or stateless persons, which:

- i. have been employed or have earned income in Romania;
- ii. have the right to work on Romanian territory, according to the law.

2. Insurance for labor accidents and medical conditions or other forms that temporarily preclude an ability to work - If you are under a full-time labor contract with a Romanian employer you are entitled to insurance for labor accidents and work-related medical conditions. Thus you can receive medical leave and social health insurance benefit for the prevention of medical conditions and recovery of labor capacity following labor accidents or work-related medical conditions.

3. Pensions - are the most important social insurance benefit awarded in the public system. There are 5 types of pension in Romania: pension at the age limit, disablement pension, survivor pension, early retirement pension and partial early retirement pension (Law #263/2010 on the Uniform Public Pensions System). You are entitled to pension if you

have contributed to the public pensions system in Romania.

Relevant authorities:

Territorial Pensions Offices in the area where you reside.

4. Maternity leave is a form of medical leave that is issued by the family physician, on the basis of a medical letter written by the specialist physician.

5. Family Medical Leave for the care/raising of a child

The family medical leave starts immediately at the end of the maternity leave. It can span up to 2 years or, if the child has a disability, up to 3 years. The recipient of the family medical leave can be: one of the child's biological parents; the person who adopts a child; the person who takes a child in foster care; the child's legal guardian.

You can apply for family medical leave if you meet the following conditions simultaneously:

- You are foreign citizens or a stateless person.
- You have your legal domicile or residence in Romania.
- You live together with the child/children for whom you are requesting this right and you are directly in charge of raising and caring for the child/children.
- You have been receiving income for the 12 months that preceded the birth of the child.

Applications for child-raising benefit are to be filed with the Mayor's Office of the commune, town, city where you have your domicile or residence, or with your County Agency for Social Disbursements and Inspection.

B. The social assistance system

The social assistance system includes several types of aid, financial and/or in kind, that you can receive as a foreigner with their domicile or residence in Romania or as a stateless person.

The social assistance system offers the same type of benefits to foreign citizens and Romanian citizens.

The social assistance measures include benefits for:

- preventing and combating poverty.
- support for a family's child/children.
- support for persons with special needs.

What are the main types of aid you can receive?

a) Social benefit (guaranteed minimum income)

The guaranteed minimum income is a monthly financial payment. The amount of that monthly payment is:

- 142 RON for a person who is single.
- 255 RON for a family of 2 persons.
- 357 RON for a family of 3 persons.
- 442 RON for a family of 4 persons.
- 527 RON for a family of 5 persons.

and an additional 37 RON for each family member beyond 5.

Relevant authorities:

Applications for social benefit are to be filed with the Mayor's Office of the commune, town, city where you have your domicile or residence. Payment of the benefit will be made by the County Agency for Social Disbursements and Inspection, after a social background investigation.

b) Aid for the heating bill

This aid is provided to low-income families and single persons during the cold season (1 November – 31 March) to cover the full amount or part of the amount needed for heating in their home.

The aid for the heating bill is granted only for the domicile/residence home and only for one primary heating system.

The right to receive aid for the heating bill is granted:

- on the basis of the form “Application – statement of responsibility” and evidentiary documents that must all be filed no later than 15 October. Applications filed during the cold season will nevertheless also be accepted.
- is calculated starting in the month of November.

Relevant authorities:

Mayor’s Office / County Special Assistance and Child Protection Department of the place of your domicile.

c) Family support benefit

This type of benefit is granted to low-income families that are raising and providing care for children under 18. The goal of this benefit is to add to the income of those families so as to ensure better conditions for the raising, caring for and educating the children.

Recipients of the benefit can be:

- a family made up of husband, wife and children in their care and who live together.
- a family made up of a single person and children in their care and who live together.
- an unmarried man and woman with their own and each other’s children, who live and have a household together.

Relevant authorities:

- The Mayor’s Office of the locality of your domicile – that is where you need to file your application and support documents. It will be the Mayor’s decision to grant family support benefit after a social background investigation is performed.
- The County Agency for Social Disbursements and Inspection that is relevant for your place of domicile – pays the monthly family support benefit.

d) State benefit for children

The state benefit for children is a form of state protection, which is non-taxable and cannot be seized and forfeited. The state benefit for children is granted to:

- all children – Romanian citizens, foreign citizens or stateless, who live in Romania.

- all aged between 0 and 18.
- young persons who have turned 18, if they are enrolled in high-school or a vocational school, until completion of their studies, on condition they are not relegated to repeating a school year.

At this moment the amount of state benefit for children is:

- 427 RON/month for children up to 2 years old.
- 214 RON/month for children over 2 years up to 18 years old.

Relevant authorities:

Applications for state benefit for children are to be filed with the Mayor's Office of the commune, town, city where you have your domicile or residence, or with your County Agency for Social Disbursements and Inspection.

e) Other forms of benefits: foster care benefit and benefit for persons with disabilities (e.g. monthly food allowance for persons with HIV/AIDS, monthly benefit for persons with a high or serious form of disability, the monthly stipend for a companion paid to persons with sight disabilities, monthly food benefit for children with a handicap of the HIV/AIDS type).



7. OTHER USEFUL INFORMATION

The Constitution of Romania as well as other legal instruments have special stipulations concerning **equal treatment for foreign and Romanian citizens as well as a series of rights and liberties** as regards:

- A. Family (marriage, having children, divorce).
- B. Access to justice.

A. FAMILY

7.1. Marriage in Romania



Marriage in Romania is concluded between a man and a woman based on their personal freely-expressed consent. A marriage can be performed if the future spouses are 18 years of age.

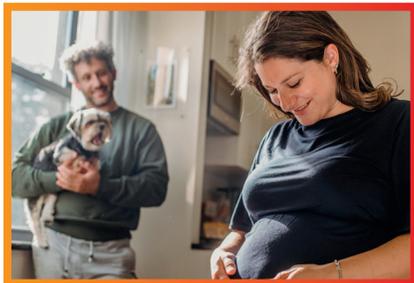
Foreign citizens or stateless persons who intend to get married in Romania should:

- Go to the civil marriage service in whose jurisdiction they live and register their Marriage Statement, accompanied by a number of documents which will constitute together the marriage certificate file; they file will also include a certificate that the person is not married in their country of origin, issued by the relevant authorities.
- have a legal residence permit at the date of registering their Marriage statement and at the date the marriage is performed.

The marriage must be reported to the immigrations service/office in whose jurisdiction the person lives, within 30 days of having become married. The person should also file a copy of the marriage certificate.

If the marriage was performed in the country of origin of the foreign citizen, the certificate must be registered in Romania within 6 months of the date it was issued.

7.2 Reporting and recording the birth of a child



Reporting a birth is performed in the maternity hospital within 3 days from the actual birth, and a certificate confirming the birth will be issued by the hospital where the child was born. In case the birth takes place at home, that certificate will be issued by the territorial medical facility. The certificate confirming the birth is issued to the child's mother.

Recording the birth is performed at the local Mayor's Office and the latter will issue the birth certificate. The legal deadline for recording a birth with the Mayor's Office is within 14 days of the date of birth. Failure to record inside that deadline will be punished by a fine.

If the recording takes place more than one year since the date of birth, the birth certificate will be written on the basis of a final irrevocable court order.

! Important to know!

- If one of the parents is a Romanian citizen the child will be a Romanian citizen.
- If one of the parents is a foreign citizen the child's birth must also be registered with the consular office representing their interests in Romania, and which will also issue a national birth certificate.
- If the birth took place abroad and the certificate was not obtained from the Romanian diplomatic mission/consular office in that country or from the relevant local authority, the birth certificate will be issued in Romania by the Population Records Service or, as the case may be, Mayor's Office official that have jurisdiction at the place of domicile of the child's parents.

7.3. Divorce

In Romania marriage can be terminated by divorce in the following cases:

- mutual agreement, when both spouses file for divorce together.
- on request by one of the spouses when their state of health makes it impossible to continue with the marriage.
- on request by one of the spouses when the marriage cannot continue for justified reasons.

Divorce ends a marriage by a judicial or administrative procedure. The administrative procedure takes place before a Notary and can be used when both spouses agree to divorce.

Important to know!

- If the marriage was concluded in Romania it can be terminated by divorce, and the divorce decision must be communicated to both spouses. The date of termination is the day when the decision was returned by a court of law as definitive, or the day when the divorce certificate was issued by the Mayor's Office official or Notary public.
- A divorce and any other change in the situation of a foreign citizen living in Romania (e.g. marriage, birth of a child, death of a family member who is also a foreign citizen living in Romania, change of name, change of travel document) must be reported to the Immigrations service that issued them with the residence permit in their area of domicile.
- When a marriage between a foreign citizen and a Romanian citizen was concluded in a different country and subsequently recognized in Romania, termination of that marriage must first take place in the country where the marriage was concluded and will subsequently be recognized in Romania.
- When a marriage between a foreign citizen and a Romanian citizen was concluded in Romania and subsequently recognized in that citizen's country of origin, termination of that marriage must first take place in Romania and will subsequently be recognized in the citizen's country of origin.

7.4. Death

A Romanian citizen's death as well as that of a foreign citizen must be reported by their dependents/family members at the Mayor's Office, which will issue the death certificate and the burial authorization.

Choosing the place of the burial is the prerogative of the dependents, and transportation arrangements will take place with the cooperation of the Customs authority. If the burial is to take place in the country of origin it is important to contact that country's diplomatic mission to Romania for the formalities.

B. ACCESS TO JUSTICE

In Romania foreigners' access to justice is guaranteed under the Constitution as well as other legal instruments and international treaties, in the same conditions applicable to Romanian citizens.

Thus, as a foreign citizen you can file any legal action for the recognition of any legitimate right.

Important to know!

- Even if you are a foreign citizen you can be sued and you will be liable for the consequences of your actions/inactions if they violate the rights of other individuals or legal entities, or any public interest.
- The language of the court procedures is Romanian. Foreign citizens and stateless persons who do not speak Romanian at a level that enables them to follow the procedures are entitled to receive a court interpreter.

C. ACQUIRING ROMANIAN CITIZENSHIP

You can become a Romanian citizen if:

- You were born and are living in Romania, or were not born in Romania but have been living in Romania legally for at least 8 years, or have been married and living together with a Romanian citizen for at least 5 years since the date of marriage.
- You demonstrate loyalty to the Romanian state and are not, and have not been, supporting any actions against the Romanian state and national security.
- You are 18.
- You can support yourself in decent conditions in Romania.
- You have a proper conduct and have not been convicted of any crime in Romania or another country.
- You can speak the Romanian language and possess basic knowledge of the country's culture and civilization.
- You know the Constitution of Romania and the national anthem.

If you meet the above criteria, in order to acquire citizenship you need to file an application and support documents with the National Citizenship Authority (ANC). ANC will check your documents and, if the file is complete, will schedule you for an interview. During the interview they check your knowledge of the Romanian language (writing and reading), whether you possess the basic knowledge of Romanian culture and civilization that will make it easy for you to become integrated in society, and if you know the Romanian anthem and the contents of the Constitution of Romania. Following the interview a decision will be issued to grant or deny citizenship. If citizenship is granted you will be invited to a ceremony where you will take the oath of allegiance to Romania.

Important to know!

- When applying for Romanian citizenship you need to be aware that if you do not stay on Romanian territory for more than 6 months in a year that year will not count towards the calculation of the obligatory residence time in Romania.

Definitions and acronyms

- 1. Stateless** – a person who is not considered a citizen of any state according to that state’s law.
- 2. General Inspectorate for Immigrations** – a public agency with legal entity status and subordinated to the Ministry of the Interior. More details are available at <http://igi.mai.gov.ro/home/index/en/>.
- 3. Right of temporary stay** – a foreigner’s right to stay on Romanian territory for a specified length of time as stipulated by law.
- 4. Right of long-term stay** – a right extended to a foreign citizen by the relevant authorities to stay on Romanian territory for an indeterminate length of time, as under the law – Emergency Government Order (O.U.G.) #104 of 2002 as subsequently amended and supplemented;
- 5. Residence permit** – an identity document issued by the General Inspectorate for Immigrations to a foreigner whose right to stay in Romania is extended or who is granted a right of long-term stay, as the case may be;
- 6. Resident** – a foreigner who holds a temporary stay permit as under O.U.G. #194/200
- 7. Long-term resident** – a foreigner who holds a long-term stay permit as under O.U.G. #194/2002;
- 8. International Organization for Migration (IOM)** – an international inter-governmental body established in 1951 to promote proper management of migration and international cooperation in this domain and to provide humanitarian assistance to migrants. IOM is devoted to the principle that regular migration benefits both migrants and society.

The International Organization for Migration has been operating since 1992 under:

- Decision #568/1992 to approve the Agreement between the Government of Romania and the International Organization for Migration on the organization’s legal status
- Law #123/1998 for Romania’s acceptance of the Constitution of the International Organization for Migration.

More information on this is available at www.oim.ro or www.iom.int.

- 9. Third-country nationals (RTT)** – a person who does not have Romanian citizenship or that of another European Union, European Economic Area or Swiss Confederation citizenship.

10. Public health assistance – support extended by the Romanian state to protect and promote the population’s health, and to prevent disease and improve quality of life.

11. Social health insurance – the primary system to finance health care in Romania and which provides access to a package of basic services to insured persons.

12. Being insured in the social health insurance system – being entitled to medical services in Romania on condition of paying the contribution to the Uniform National Fund for social health insurance.

13. Co-payment – a personal, additional contribution of the insured person so as to receive medical services from the basic service or medication package.

- the list of medical services for which co-payment is required, the amount of co-payment and the date of requiring co-payment are established under the framework contract and its implementation regulations.
- the domains for medical assistance for which co-payment is required as well as the lowest and the highest amount of co-payment for each category of medical service and facility are established under Government Decision.
- the amounts derived from co-payment constitute income of the medical service providers and are used to improve quality of those services.

14. Proof of being insured in the social health insurance system – avenues and documents to prove that a person is insured in the Romanian social health insurance system:

- national social health insurance card
- until such card is issued one can prove they are insured by using a certificate issued by the health insurance office they are enlisted with.

15. Framework contract – regulates the conditions under which assistance will be provided for:

- the basic services package and the minimal services package that insured persons are entitled to;
- the list of medical services, care services, home care, medication, medical devices and other services for the insured, as pertaining to the basic services package;
- compliance with the quality criteria for medical services provided under the services packages;
- allocation of resources and control of the costs in the social health insurance system so as to ensure the Fund’s

financial stability;

- the payment methods used in contracting the basic services package, how reimbursements are paid and what documents are necessary to that effect;
- home-care and rehabilitation services;
- the conditions to provide those services in the territory and a list of said services;
- the prescription and release of medication, medical materials and devices;
- the way the insured are kept informed;
- co-payment for certain medical services, as the case may be.

16. Basic services package – is granted to the insured persons and comprises: medical services, health-care services, medication, medical materials, medical devices and other services insured persons are entitled to and is established under Government Decision.

17. Minimal services package – is granted to persons who cannot provide proof they are insured and comprises: health-care services, medication and medical materials only for medical/surgical emergencies and diseases with endemic/epidemic potential; monitoring the evolution of pregnancy and post-partum; family planning services; prevention services and community medical assistance, se and is established under Government Decision.

Useful websites:

- **General Inspectorate for Immigrations (IGI)** – www.ori.mai.gov.ro
- **National Health Insurance Office (CNAS)** – <http://www.cnas.ro>
- **National Citizenship Authority** – <http://cetatenie.just.ro/>
- **National Center for the Recognition and Equivalence of Certificates (CNRED)**
<http://www.cnred.edu.ro>
- **Ministry of Foreign Affairs (MAE)** – <http://www.mae.ro/>
- **Ministry of National Education** – <http://www.edu.ro/>
- **Ministry of Labor and Social Justice** – <http://www.mmuncii.ro>



CONTACT DETAILS OF REGIONAL INTEGRATION CENTERS AND REGIONAL POINTS

Come to one of the Regional Integration Centers or Regional Points opened in Region 4 or access: <http://ladocluj.ro/>, <https://www.romaniaeacasa.ro/>.

Region 4 (for the following counties: Maramures, Satu Mare, Salaj, Cluj, Bistrita Nasaud, Mures, Harghita, Sibiu si Alba)

1. Regional Integration Center, Cluj Napoca (League for the Defense of Human Rights)

21 Decembrie 1989 nr. 108, ap. 23-24, Cluj

Phone: 0264-550.775

Email: lado.clujnapoca@gmail.com

2. Regional Integration Center, Baia Mare

Str.Lascar Pană nr. 3, Baia Mare

Phone: 0262-222.226

E-mail: anca.stanciu@assoc.ro

4. Regional Integration Point, Tg. Mureș

45, Revoluției Street, Târgu Mureș

Email: zsokab2017@gamil.com

3. Regional Integration Point, Sibiu

Phone: 0744-259.902

E-mail: silviucostin11@gmail.com

5. Regional Coordination Point, Șomcuta Mare

1A, Cetatii Street, Șomcuta Mare, Maramureș

Phone: 0754-342.294

Email: anca.stanciu@assoc.ro

National Programme –Asylum, Migration and Integration Fund

Project: SIM- CIS - Integrated Services for
Migrants - Intercultural and Solidary Communities
Contract no: AMIF 20.02.01.01 (4)

The League for Defense for Human Rights, Cluj Branch

Date of publishing: December 2021

The content of this material does not necessarily represent the official position of the EU.

If you have any complaints, please write to:

lado.clujnapoca@gmail.com

