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Romania: Documents issued to foreigners

The following note describes documents issued to foreigners in Romania.

The note includes a description of some of the residence permits in Romania and which documents that serve as proof of legal stay in Romania.

The note is primarily based on interviews conducted in Bucharest in September 2021.

The issuing authority

The Migration Directorate within the General Inspectorate for Immigration (GII) handles cases about admission, right to stay, combatting illegal stay, returns and issues documents to foreigners.¹

Asylum regime

In 2006, Law 122 was introduced regarding foreign citizens seeking protection in Romania. There can be granted two forms of protection: subsidiary protection or refugee status. There are two kinds of asylum seekers: those who apply for the first time, and those who previously were denied asylum and applies for reopening of their case.²

Documents issued to asylum seekers

The GII issues two types of cards to asylum seekers. One for asylum seekers seeking asylum for the first time and one for those who apply for reopening of their asylum case. The documents are issued in one of six regional centres.³

Current version of the cards issued to asylum seekers

The current versions of the two cards contain no security elements.⁴

¹ General Inspectorate for Immigration, Bucharest, September 2021.

² General Inspectorate for Immigration, Bucharest, September 2021.

³ General Inspectorate for Immigration, Bucharest, September 2021.

⁴ General Inspectorate for Immigration, Bucharest, September 2021.

The cards are issued according to Law 122 on Asylum in Romania from May 2006, article 17, 8. An asylum seeker has the right to be issued a temporary identification document, and the validity is extendable at local branches. There are cases where such a temporary identification document cannot be issued, e.g.:

- Aliens who have applied for asylum at a border crossing check point, as long as access to the territory has not been granted through a decision of the Romanian Immigration Office;
- Aliens in public custody for reasons of national security and public order who are applying for asylum, as long as this measure is maintained;⁵
- If the person tries to escape the Dublin procedure.⁶

The cards are issued in one of the six regional centres where the person has filed his/her application for asylum. GII takes the applicants' fingerprint, photograph and enters the biometric data into the database for management of foreign nationals. The facial image is placed on the card.⁷

Current version of the temporary ID card issued to asylum seekers

There are two different temporary ID cards, one that is issued to asylum seekers, and one that is issued to foreigners seeking renewed asylum.

The current version of the card issued to asylum seekers is a laminated large card. The header says "Ministry of Administration and Integration" (that is the former name of the responsible ministry).⁸

⁵ Law no 122/2006 on asylum in Romania.

⁶ General Inspectorate for Immigration, Bucharest, September 2021.

⁷ General Inspectorate for Immigration, Bucharest, September 2021.

⁸ General Inspectorate for Immigration, Bucharest, September 2021.



Image 1: Front of a temporary ID card issued to asylum seekers (NIDC reference material).

Valabil până la:	Valabil până la:	Valabil până la:	Valabil până la:
Valabil până la:	Valabil până la:	Valabil până la:	Valabil până la:

Alte mențiuni:

Image 2: Back of a temporary ID card issued to asylum seekers (NIDC reference material).

Asylum seekers do not have a CNP number while their case is being processed. Instead of the CNP number, the card will state the number of the file related to the application case. In the upper right corner it is stated whether or not the person has declared his identity (if he has not presented an ID-document with picture) or proved his identity (when there has been a proof of his ID). The card also states country of origin and date of birth (declared or proved). If these dates are changed, he will be issued a new card. It will also state the person's address in Romania (asylum centre or other address). If the address is changed the asylum seeker will be issued a new card. On the back of the card are boxes for validity period. When all boxes are filled, a new document will be issued. On the new card, it

is not possible to tell whether it is the first card issued to the applicant. Date of entry is not stated on the card. After the ruling on the claim for asylum, the person will have 15 days to leave Romania and the document is then cancelled in the system.⁹

There is another card issued to foreigners seeking access to a renewed asylum procedure. There has to be new information relevant to the case if the person is to be allowed a renewed asylum procedure. If a person is granted renewed access, they receive the normal procedure card again.¹⁰



Image 3: Front of a temporary ID card issued to foreigners seeking access to a renewed asylum procedure (NIDC reference material).

⁹ General Inspectorate for Immigration, Bucharest, September 2021.

¹⁰ General Inspectorate for Immigration, Bucharest, September 2021.

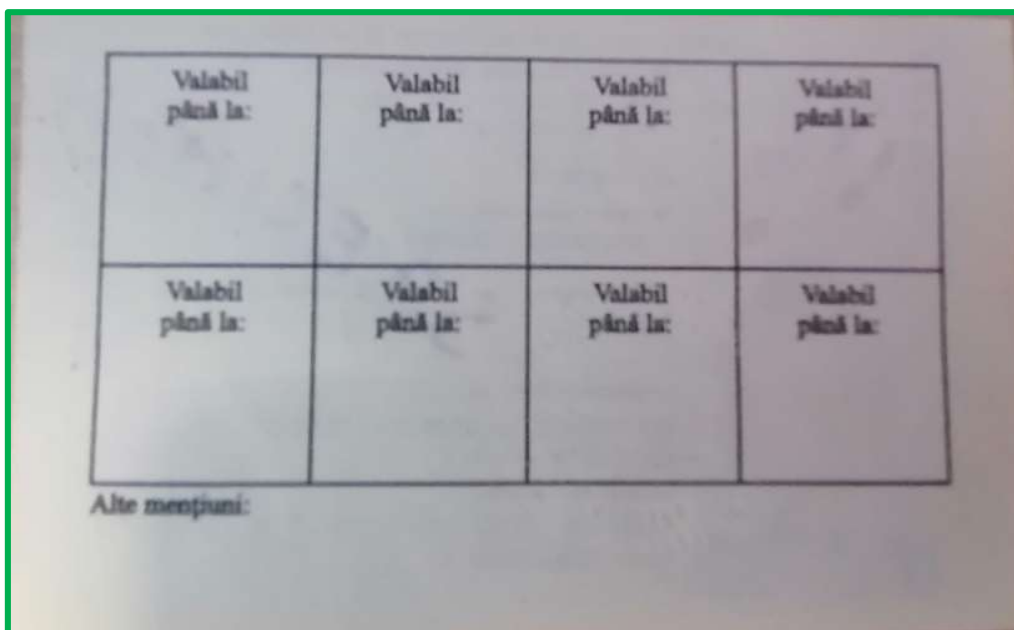


Image 4: Back of a temporary ID card issued to foreigners seeking access to a renewed asylum procedure (NIDC reference material).

New version of temporary ID cards issued to asylum seekers

In 2021, a new card should be introduced. As of September 2021, the GII are deciding on the final format. All data will be visible through a barcode. The card does not state whether the identity is declared or proven. This is stated only in the barcode. The asylum file number is also only stated in the barcode. There will only be one version of the new card and it will be free of charge. The serial number can be verified through the GII system.¹¹

¹¹ General Inspectorate for Immigration, Bucharest, September 2021.



Image 5: Front of the temporary format of the new version of temporary ID cards issued to asylum seekers (NIDC reference material).

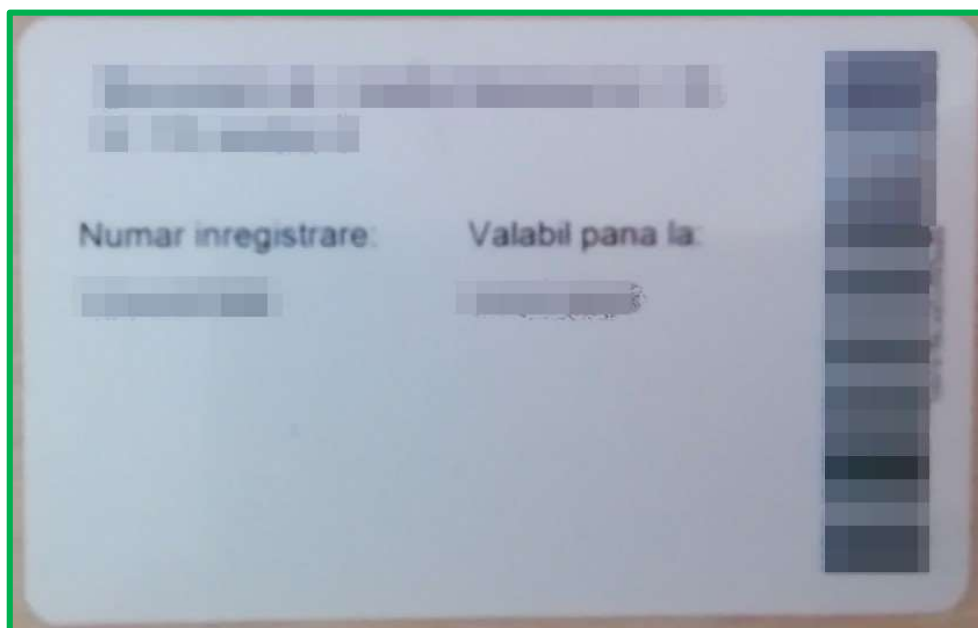


Image 6: Back of the temporary format of the new version of temporary ID cards issued to asylum seekers (NIDC reference material)

Validity of residence cards

When a person is granted asylum, he receives a residence card and a CNP number. For refugee status, the residence card is valid for three years – after that a new document is issued. For subsidiary protection, the residence card is valid for two years – after that a new document is issued. If the person is abroad, he/she can go to a Romanian consulate. The Ministry of Foreign Affairs will ask the GII for the said person's residence status and whether the person is allowed to return to

Romania. If everything is OK, the consulate can inform him to go to a local branch in Romania in order to renew his document.¹²

Residence permits for EU citizens and their family members

There are two categories of residence permits: one for EU citizens and one for their non-EU family members.¹³

CNP number for foreigners

The foreigner receives a CNP number, and this number is comprised of 13 digits that is never changed. The CNP number is generated automatically when the foreigner is issued the document. The CNP number is generated in the same logic as the CNP number for Romanian nationals except the first digit.¹⁴

The CNP number issued to foreign nationals in Romania also serves the purpose of identifying an individual.¹⁵

For foreigners who acquire Romanian citizenship, the first two of the last six digits will refer to the civil status office that transcribed the person's records.¹⁶

Registration certificate issued to EU citizens

EU citizens can apply for temporary stay after 90 days in Romania. The registration certificate is issued on the same day as the application is submitted. The required documents are: passports or ID documents (originals) that states the citizenship, proof of means of support (the person has to have an address in Romania, but no proof is required).

¹² General Inspectorate for Immigration, Bucharest, September 2021.

¹³ General Inspectorate for Immigration, Bucharest, September 2021.

¹⁴ General Inspectorate for Immigration, Bucharest, September 2021.

¹⁵ Directorate for Persons Record and Database Management, Bucharest, September 2021.

¹⁶ Directorate for Persons Record and Database Management, Bucharest, September 2021.



Image 7: Specimen of the registration certificate issued to EU citizens in A5 size paper. It is personalized by the GII, and the blank document is printed by the national printing house (NIDC reference material)

Documents issued to third country national family members to an EU citizen

Third country national family members to an EU citizen can have two types of documents: residence card or permanent residence card.

As prescribed by EU regulation 2017/1954, the GII expect to change the documents issued to family members of EU citizens. According to GII, the issuance of new residence cards will begin in 2021. The old version of documents to family members of EU citizens has the same size as the old version of the Romanian ID card. The old version will not be invalid, but they will not be issued anymore after the issuance of the new version has begun.¹⁷

Documents issued to EU/EEA citizens with permanent residency in Romania

After five years of legal stay in Romania an EU/EEA citizen/or a member of his/her family can apply for permanent residency and have a permanent residence card issued. After 2 August 2021 it will be mandatory with the new card that lives up to EU regulation 2019/1157 that prescribes the security features and biometric data of the card. The GII will gradually exchange the old cards. The current model will not become invalid, but it will be exchanged, when a person needs to renew his/her residence card.¹⁸

Residence permits related to work, studies, etc.

¹⁷ General Inspectorate for Immigration, Bucharest, September 2021.

¹⁸ General Inspectorate for Immigration, Bucharest, September 2021.

The GII also issues documents (residence permits) for legal stay to foreigners related to work, studies etc.¹⁹

Permanent resident card or residence card for study, work etc. is issued according to the type of legal stay. The type of residence card is the same and the content will state the type of legal stay.²⁰

Residence cards related to work

The card issued to third country nationals for work is valid up to one year (within this period the maximum validity is when the contract expires). The expiry date on the card is equal to the expiry of the legal stay in Romania.²¹

Highly skilled workers (Blue Card) can be granted up to three years residency. There are two types of employment contracts: one that is indefinite and one that is renewed annually. If a person is fired, he/she is allowed to stay for 90 days to find another job.²²

Normal procedure for work in Romania

The employer needs prior approval to bring an employee into Romania. The Romanian embassy in the country of residence issues a visa, the employer goes to the local GIA office with the contract, the employee's passport and proof of address in Romania.²³

Special rules for Moldovans, Ukrainians and Serbs

Citizens of Moldova, Ukraine and Serbia can work in Romania without having to go through the normal procedure. They do not need a prior approval for work, but are allowed to work for up to nine months in one year, however only based on a specific job offer. The validity on their permit corresponds with the date of expiry on the contract. These three nationalities can come into the EU on a long-term visa on biometric passports with an employment offer. The Romanian embassy in the country of origin issues a D-visa. The embassy requires an employment letter.²⁴

Residence cards related to studies

The study permit is valid until the person graduates.²⁵

Family reunification

The validity of the residence permit based on family reunification is the same as the period of the sponsor. If the sponsor leaves Romania, the permit for the family member is annulled. An individual can stay for six months after a sponsor's

¹⁹ General Inspectorate for Immigration, Bucharest, September 2021.

²⁰ General Inspectorate for Immigration, Bucharest, September 2021.

²¹ General Inspectorate for Immigration, Bucharest, September 2021.

²² General Inspectorate for Immigration, Bucharest, September 2021.

²³ General Inspectorate for Immigration, Bucharest, September 2021.

²⁴ General Inspectorate for Immigration, Bucharest, September 2021.

²⁵ General Inspectorate for Immigration, Bucharest, September 2021.

death or after a divorce to find other means of legal stay in Romania. If the couple is divorced, they need to notify the authorities. The GII checks the basis for residency once a year at the time of renewal of residency based on family reunification. The GII is notified of a death by the civil registry. The foreigner needs to notify the GII if divorced, otherwise the person will receive a penalty (a fine). You cannot have family reunification based on temporary permits under one year.

Long term residence permit for citizens of a non EU/EEA state

Citizens of a non EU/EEA state can apply for a long time residence permit after five years of legal stay in Romania.²⁶

There are few exceptions that can give access to long time residence permit sooner. For instance if a foreigner invests over 1 million Euros in Romania or if a foreigner has a company in Romania that employs over 100 workers. The long time residence permit is not issued to students. They need to change the purpose of their stay.²⁷

After five years of long term stay, the person can travel to the EU without a visa. There is a five or 10 years validity on the residence card. At the time of renewal of the residence card, the GII do check-ups. If the person has stayed outside of Romania for more than one year or out of the EU for six years, the GII withdraw the permit.²⁸

If a person has stayed for more than one year in another third country or more than six years in another EU country, the permit is withdrawn and the person loses his right to stay in Romania.²⁹

Passports to foreigners and refugees

Foreign citizens can apply for e-travel documents for foreigners and refugees. The fee is 50+ Euros. The passports have the same layout and security features as regular Romanian passports. Residence permit holders go to the six regional centres and file the application and to take photo and fingerprints. The application is validated and sent to the official printing house, who send back the passports. Both refugee status passports and subsidiary protection passports are valid for two years. Neither one can be extended. If the person is abroad, he can go to the consulate who checks whether the person is allowed to return and apply for a new passport. If the protection status is cancelled due to a criminal act, the GII will be notified and the document is cancelled.³⁰

²⁶ General Inspectorate for Immigration, Bucharest, September 2021.

²⁷ General Inspectorate for Immigration, Bucharest, September 2021.

²⁸ General Inspectorate for Immigration, Bucharest, September 2021.

²⁹ General Inspectorate for Immigration, Bucharest, September 2021.

³⁰ General Inspectorate for Immigration, Bucharest, September 2021.

References

Oral source

The General Inspectorate for Immigration (September 2021): Interviewed in Bucharest, Romania.

Written source

Parliament of Romania (May 2006): LAW no 122/2006 on asylum in Romania, <https://www.legislationline.org/download/id/990/file/c5a953d0a7629d4148788d41c8cf.pdf>, retrieved 21 October 2021.