

## **The situation of unaccompanied minors in Romania in the course of Europe's refugee crisis**

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### **1 Introduction**

Europe's refugees' crisis reached its peak in 2015, when irregular migrants arrived in Italy, Greece and later Hungary (via the Western Balkan route) in unprecedented numbers (Bejan 2016). Most migrants, coming from the Middle East and Africa, disembarked on the shores of Italy and Greece, respectively in Augusta, Lampedusa, Porte Empedocle, Pozzalo, Taranto and Trapani, and the islands of Lesbos, Chios, Leros, Samos and Kos (European Commission 2015a). Spain and Malta were also destination countries but with very few entries (Dearden 2015). Later on, the Western Balkan route opened up as a transit point, en route for Hungary, when people could no longer claim asylum in Greece, due to long backlogs, a penniless asylum system (Greek Council for Refugees 2015) and limited reception capacities (European Commission 2015a). Greece could no longer abide the Dublin agreement of asylum rules and regulations, which stipulates that claims are to be realized in the entry Member State (European Commission 2015b). Passing from Greece to Macedonia towards Serbia, through Belgrade and Subotica, refugees entered Hungary mainly with the purpose of reaching Austria, Germany and other Northern States.

Apart from bordering Serbia in the West and aside from belonging to the Balkan region, Romania did not constitute a major transitory point of entry. In 2015, about 160,000 people reached northern Europe via the Balkan route (Kingsley 2015) and overall 400,000 transited through Hungary (Al Jazeera 2016), however only 913 persons claimed asylum in Romania, 12% more than in 2014 (Chiriac 2016). Romania is not seen as a final destination for settlement, due to limited economic opportunities and low wages. With a minimum wage set at 218 euros a month (Eurostat 2015), Romania represents, alongside Bulgaria, one of Europe's poorest nations, in terms of poverty risks, lack of financial resources and truncated purchasing power (Duvivier/Teodorescu 2016), despite a brittle economy that has outperformed any other country within the European Union (EU) for the last years – a 25% increase for the previous five years with a 5% predictive growth for 2017 (MacShane 2016). Overall, the Romanian population still struggles with a lack of work and adequate medical care, and faces difficulties in accessing general social services. The standard of living in Romania is below that of most other EU Member States (Duvivier/Teodorescu 2016). In the transition from communism to democratic capitalism, Romania surpassed a systemic ideological transformation, and the changeover to a market-state created a severe cultural trauma (Duvivier/Teodorescu 2016). The Romanian government privatized most of its public sectors and actively supported foreign investment. Coupled with a public mishandling of EU funds, the newly free-market capitalism, blended with post-communist driven consumerism

and individualism (Briggs/Dobre 2014) led to a state of substandard economical conditions and the disappearance of previously state-based, stable and secure jobs, including the closure of the former manufacturing sector (Duvivier/Teodorescu 2016). Although it joined the EU in 2007, Romania was, and continues to be, symbolically and politically positioned as a second-tier European state (Voinea 2007). Its EU membership did not translate in equal rights at the EU table. For instance, Romania, alongside Bulgaria, Croatia and Cyprus, is not part of the Schengen space (i.e. an area without internal border controls that facilitates the physical and economical movement within the Union) due to claims of loose “border controls” and corruption (Bejan 2015; Horvat/Žižek 2014); and many EU countries, including Austria, Belgium, France, Germany, Ireland, Italy, Luxembourg, Malta, and the Netherlands imposed transitional labor market curbs for Romanian workers (Vrânceanu 2015), despite such controls being forms of indirect, nationality-based discrimination (Voicu 2009). In turn, Romania is not yet perceived as a desirable country for immigration. In addition, due to its geographical location to the southeast of Hungary, it makes more sense for people to directly pass from Serbia to Hungary, at Subotica, rather than through Romania.

Only in the fall of 2016 have migrants attempted to cross through Romania from the Bulgarian border (Ziare 2016a) and from the Serbian border – due to the now impenetrably fenced perimeter with Hungary (Express 2016), which limited the number of refugees in transit to less than 18,000 in 2016 (Al Jazeera 2016). In September 2016, the border police detained seven people crossing from Serbia to Romania at Moravița – five from Egypt, one from Algeria and one from Pakistan; and two people from Iraq at Calafat – coming from Turkey with the aim of reaching UK as their final destination (Ziare 2016b). In October 2016, the border police detained 17 Syrian nationals (out of which six were children) crossing from Bulgaria and five others crossing from Serbia, who also had the intention of reaching other European states (Ziare 2016a). These itineraries are quite different from those of the 1990s, when former migration routes took Moscow as a departure point – either through Chisinau or Kyiv to Hungary (European Parliament 1999).

Refugees have also entered Romania through the EU relocation and resettlement quota schemes. Relocation and resettlement constitute two different forms for accessing asylum within Europe. Resettlement applies to the transfer of non-EU or stateless persons in need of international protection from outside the EU to a EU state. Relocation solely refers to the transfer of persons already located within a EU Member State (i.e. particularly from the burdened nations of Italy, Greece and Hungary) to another Member State (European Commission 2015c).

The European Commission committed itself to take in a total number of 20,000 people under a single European resettlement pledge (European Commission 2016a). Between July 2015 and April 2016, 5,677 people were transferred under the EU resettlement scheme to 15 EU states (European Commission 2016b). By 11 July 2016 the total number of transferred persons increased to 8,268. These people were transferred to 20 states: Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Liechtenstein, Latvia, Lithuania, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the UK (European Commission 2016c). The distribution key for Romania was set at a percentage of 3.29%, corresponding to 657 people out of the allocated 20,000 (European Commission 2016a). Recommendations for the countries of asylum and refugee groups are decided by the National Committee for Refugee Resettlement, starting from the resettlement needs outlined by the United Nations High Commissioner for Refugees (UNCHR), from Romania's foreign policy and from EU's resettled priorities (International Catholic Migration Commission

2013). Under the EU resettlement plan, Romania put forward about 80 pledges, so far with zero resettled numbers in terms of actual arrivals (European Commission 2016a). Within previous years, Romania resettled refugees on two occasions. In 2010, it accommodated 38 Burmese refugees coming from Malaysia (International Catholic Migration Commission 2013) and in 2013, forty Iraqi refugees coming from Turkey (22 adults and 18 children) (General Inspectorate for Immigration 2014). Romania did not resettle any people in 2011 and 2012, due to logistic challenges encountered by those who entered in 2010: a lack of interpreters, an inability to address pressing health care needs, insufficient financial assistance and limited in-kind donations; also the reasons why most refugees requested resettlement to other European countries, particularly the Nordic states (International Catholic Migration Commission 2013).

The relocation plan was initially proposed by the European Commission in the spring of 2015, with the intended goal of transferring 40,000 people from Italy and Greece during the next two years to other European states (European Commission 2015c). However, due to the increased wave of irregular arrivals, the European Commission set a new goal of 120,000 people by the fall of 2015: 15,600 from Italy, 50,400 from Greece and 54,000 from Hungary (European Commission 2015d) and proposed a new commitment of 160,000 to be reached by September 2017 (European Commission 2016c). Hungary requested to be excluded from the relocation mechanism. The quota was to be equally distributed across all 28 Member States on four weighted indicators: GDP (40%), size of the population (40%), unemployment rates (10%) and past number of asylum seekers applications (10%) (European Commission 2015c). UK, Ireland and Denmark were the only countries to not abide to the proposed relocation agreement. UK (prior Brexit) and Ireland have had an opt-in right in the plan under the Lisbon Treaty, meaning they were not bound to participate in the relocation scheme, unless they chose to do so. Denmark exercised an opt-out right, meaning the country was not bound at all by any of the European Commission rules on migration (European Commission 2015a).

The relocation process was reported as challenging by the European Commission, as many Member States did not match the necessary efforts: lengthy times in responding to relocation requests and a lack of thorough implementation of the agreement (European Commission 2016d). The total number of relocations from Greece and Italy was 3,056 as reported on July 2016 (European Commission Press Release, 2016). Numbers, however, rose within the last months – up to 80,000 people were relocated by April 2017 from Italy and Greece (European Council 2017). Since the introduction of the quota plan, about 250 UAM were relocated; most of them from Greece (234) and few from Italy (16) (European Commission 2016d). Considered a priority by the EU Council, the relocation of UAM within Europe has proven to be a challenging process, due to the lack of a commonly shared procedure but also because many UAM tend to claim older age brackets to avoid separation from the current accompanying group (European Commission 2016e).

There are no records of UAM entering Romania via the relocation scheme. Romania committed to receive 4,200 relocations and to increase the numbers by 50 entries per month, to a cumulative share of 3.75% (European Commission 2016a). We do know however that the first refugees to arrive in Romania under the EU relocation agreement entered the country in February 2016 (from Italy). There were about 300 (Chiriac 2016), with no numbers reported on UAM. In a compilation of data and media reports on the situation of migrant children and UAM across the EU Member States, there is very little written on Romania, merely one paragraph, which states that, the identification mechanism of UAM and generally of

vulnerable persons remains in a pilot phase and this should be made congruent with the new legal amendments of the Asylum Law (European Commission 2016f).

Alongside Slovakia, Hungary and the Czech Republic, Romania had initially opposed the relocation agreement, yet a favorable vote was passed by the other Member States (Chiriac 2015). Former right-wing president Traian Băsescu, referred to the Cologne New Year's Eve attacks in Germany as a "proof that the Romanian government should join its Eastern European neighbors in opposing a quota system" (The Local 2016). Current president Klaus Iohannis stated his disagreement with the proposed mandatory quotas, yet he later indicated that the proposed number under the plan is manageable for Romania (Chiriac 2016) but due to limited reception capacities, the country can only accommodate 1,785 people (Chiriac 2015). The public opinion on the matter was unfavorable as well. Although a couple of years ago 47.3% of Romanians seemed to have a neutral image vis-à-vis immigrants while 33.3% fostered a positive outlook (Zelinka 2011), nowadays, the majority of Romanians do not believe the country should accept refugees (56%); only about a third (35%) agree with having some migrants settling in (Chiriac 2016). Such logic might derive from the differential (unequal) political positioning of many of the former Soviet Bloc states within the Union (resulting from the Cold War's East/West divide as an already structured and continually structuring condition within Europe, which inferiorly constructs the former socialist/communist states as culturally "backward" and underdeveloped). (Self)-perceived as unequal partners within the EU, the post-socialist states might not feel accountable to equally share the responsibility for relocation (Bejan 2016).

Although vehemently opposed, the plan is nowadays tacitly accepted. Moreover, aside from the relocation and resettlement schemes, entry numbers might increase in Romania, if the country became a transit point, a possible prospect now that the Serbian and Croatian borders are forcefully secured on the Hungarian side. In fact, Hungary plans to build a second wall to the existent 500 kilometers razor-wired one (Al Jazeera, 2016). Within a context of conceivably increasing entry numbers, it is of importance to explore and discuss the legal-juridical framework that outlines refugees' rights during the asylum seeking process and settlement periods, particularly for UAM, one of the most vulnerable groups of irregular migrants.

## 2 Basic data on unaccompanied minors in Romania

About 485 UAM applied for asylum in Romania (see Table 1) between 2008 and 2015 (Eurostat 2016).

Table 1: Summary of unaccompanied minors in Romania 2008- 2015

2008	2009	2010	2011	2012	2013	2014	2015
55	40	35	55	135	15	95	55

During this period, the vast majority of UAM were males (460 of 485). Applications from female minors started as of 2011, with an average of five claims per year.

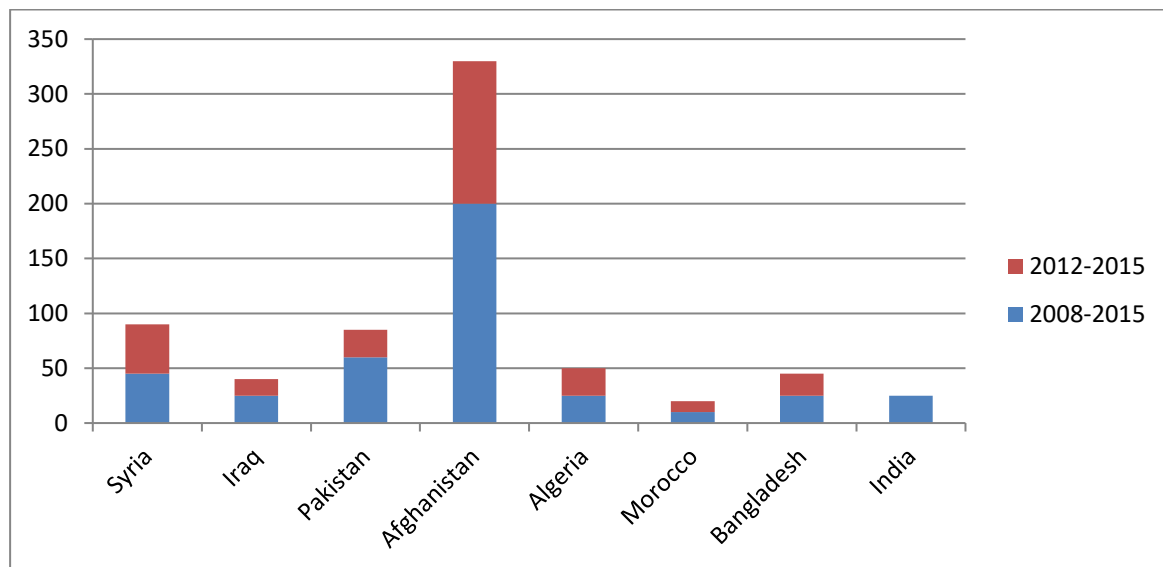
Table 2: Summary of unaccompanied minors in Romania 2008-2015 by gender

2008	2009	2010	2011	2012	2013	2014	2015
55	40	35	55	135	15	95	55
M: 55	M: 40	M: 35	M: 50	M: 130	M:10	M:90	M:50
F:0	F:0	F:0	F:5	F:5	F:5	F:5	F:5

There were no young minors under the age of fourteen applying for asylum before 2014. In 2014 there were ten claims while in 2015 there were five. Among asylum claims made by minors between 2008 and 2015, those by children under the age of 14 represented a small proportion (3%). The majority of asylum applicants were aged 16 and 17 (400 claims or 81%), and respectively 14 and 15 year olds (70 claims or 16%). The number of asylum claims per year ranged from 30 to 50 for 16 and 17 year olds prior to 2012, when they reached a peak (120 compared to 50 claims in 2011), only to dramatically fall in 2013 (ten claims) and then resume to a more consistent pattern with pre-2012 numbers (i.e. sixty-five claims in 2014 and 45 in 2015). The number of asylum claims for 14 and 15 year olds also jumped in 2012 (20 claims) compared to previous years when it ranged from five to ten. Claims from this age group peaked in 2014 (25 claims) and dropped back to five claims in 2015.

Between 2008 and 2015, most UAM applying for asylum in Romania came from Afghanistan (200), Pakistan (60) and Syria (45), however Syrian children and youth only appear in records as of 2012 (Eurostat 2016). Afghanistan and Pakistan nationals are recorded to have applied for asylum almost each year since 2008, with some exceptions – no UAM from either country applied in 2013; none from Pakistan applied since 2013. Other countries of origin include Iraq, Algeria, India and Morocco. In reviewing the past four years (2012-2015), most UAM came from Afghanistan (130), followed by Syria (45), Pakistan (25) and Algeria (25) (Figure 1).

Figure 1. Historical pattern: Total numbers of unaccompanied children applying for asylum by top eight countries of nationality.



### 3 The legal framework and policy structure for unaccompanied minors

There are three main acts/laws outlining the entry and settlement of underage refugees in Romania: 1) The Geneva Convention of the United Nations (UN) on the Rights of the Child; 2) The 122 National Asylum Law adopted in Romania in 2006; and 3) Act 272 adopted in Romania in 2004 in accordance to the Geneva Convention.

The Geneva Convention specifically deals with refugees' statute, by specifying the general terms of granting asylum as well as the fundamental rights that applicants are entitled to claim (Drăghici/Iancu/Dascălu 2010). It was signed in 1951 and amended in 1967. Romania signed the Convention in 1991. The Convention stipulates two major principles that guide states responsibility in terms of minors' rights: treatment without discrimination and the best interest of the child (Drăghici/Iancu/Dascălu 2010; Duvivier/Teodorescu 2016).

The asylum process in Romania is guided by regulations contained within the National Asylum Law 122, which was adopted on May 4<sup>th</sup> 2006 (Parliament of Romania 2006). Asylum claims can be initiated by any foreigner already in Romania or located at its border, by expressing their will and need, either verbally or in writing, for protection from the Romanian state. The petition for refugee status needs to be filed with the Ministry of Interior and Administration. Claims are processed by the General Inspectorate for Immigration, a structure within the Ministry of Interior and Administration, although several competent authorities are designated to receive asylum applications: the Romanian Office for Immigration (and its territorial offices), the Romanian Border Police; the Romanian Police and structures within the National Administration for Penitentiaries within the Ministry of Justice (Parliament of Romania 2006). The applications submitted to the border control points are to be immediately forwarded, according to Article 82 of Law 122 to the Romanian Office for Immigration (ROI), which is to deliver a decision within three days of receipt (Parliament of Romania 2006). There are two procedural ways for claiming asylum: a regular process, whereas the request is analyzed by the General Inspectorate for Immigration; and a judicial procedure, which supplementary allows the option of contesting an initial negative decision through the court system (Trifu 2016). The procedures are to be applied without

discrimination on race, nationality, ethnicity, language, religion, social class, sex and sexual orientation, disability and health status (Parliament of Romania 2006).

Article 75 of Law 122 outlines a fast track procedure for the allegedly unfounded asylum applications – those originating from so-called safe countries or those deemed a danger for the national safety and public order in Romania (Parliament of Romania 2006). Safe countries of origin are established by ROI in consultation with the Ministry of Foreign Affairs (Parliament of Romania, 2006), based on several general principles, such as: the number of asylum claims originating from the country; and general evidence of fundamental human rights, democratic principles, political pluralism, free elections and democratic institutions (Parliament of Romania 2006). As a rule, EU Member States are considered safe countries.

In case of a negative response, the asylum seeker needs to leave the country within 15 days, unless the applicant can provide new proofs to support her claim (and restart a new asylum seeking procedure). According to Article 54 of Law 122, the rejection decision needs to be communicated in writing to the applicant by postal correspondence (Parliament of Romania 2006). The decision can be appealed under Article 55 within ten days from receiving proof of notification. If not, the options are limited to illegally passing the borders to other EU countries, or returning to the country of origin (Trifu 2016). If the asylum claim is accepted, the refugee acquires the protection of the Romanian state. On paper, the same rights and obligations are given to all refugees (and UAM) as to Romanian citizens and Romanian children (Trifu 2016). An amount of 540 RON per month (equivalent to 120 Euros) is provided as financial assistance for a period of six months, which can be prolonged for another three months. Successful asylum seekers can also access partially paid housing for a period of six months, on the condition that they participate in the state supported integration programs (Trifu 2016). Asylum claims can be withdrawn at any time, either verbally during the hearing process, or in written form. According to Article 68 of Law 122, the court acknowledges the withdrawal, which can be appealed within five days after the decision (Parliament of Romania 2006).

During the asylum claiming process, the applicant has the right to request residency in a state supported regional center for asylum seekers. Residents in the reception centers have the right to an allowance of 108 RON per month to cover food and clothing (Trifu 2016). Medical assistance is provided only in emergency cases, and access to the labor market only one year after the start of the asylum claiming procedure (Trifu 2016). Asylum seekers are not held criminally responsible for their entry and their illegal stay in Romania (Trifu 2016).

In 2014, the majority of people requesting asylum were coming from Syria (40%), Afghanistan (18%), Iraq (14%) and Iran (4%) (Trifu 2016). The acceptance rate for asylum claims averaged 40% for those within the first instance. Most claimants were between 18 and 34 years old (53%). Those who were between one and 13 years old represented only about 14, 9% (Trifu 2016).

UAM fall within the spectrum of vulnerable refugee categories, amongst single-parent families, pregnant women, victims of human trafficking and persons with disabilities. According to Article 2 from Law 122, an UAM is defined as a minor, alien or stateless person, who has arrived in Romania unaccompanied by either parents or a legal representative, or who is left unaccompanied after arriving in Romania and who expresses her will to be granted protection from the Romanian state (Parliament of Romania 2006). In short, an underage minor is someone who is below the age of 18 and who arrives in Romania

without a legal representative or without an adult caretaker (Mihuț 2007). Law 122 also states that the administrative phase for UAM asylum requests can last no longer than a maximum of two months (Inspectoratul General pentru Imigrări 2016; Parliament of Romania 2006). Yet Article 57 outlines that asylum applications for UAM cannot be resolved by an accelerated procedure, and Article 84, that UAM cannot submit asylum claims at the border control points. They are granted access to the territory, hence access to the ordinary procedure (Parliament of Romania 2006).

Similarly with adult applicants, UAM who entered Romania become asylum claimants from the moment of officially expressing a written or spoken will to do so in front of state authorities (Inspectoratul General pentru Imigrări 2016). If a parent or legal guardian does not accompany the child, the child needs to be represented during the claim process by the General Directorate for Social Services and Child Protection. According to Article 39 of Law 122, if a minor is at least 14 years of age, she can submit the application in person. If not, the application needs to be submitted by means of a legal representative (Parliament of Romania 2016). The asylum process is usually suspended until a legal representative is named. The Directorate assigns a worker with legal and social service background and at least an undergraduate education, to represent the child. If the person cannot represent the child in good faith, the National Refugee Office has to ask the Directorate for a replacement worker (Drăghici/Iancu/Dascălu 2010). The bureaucrat who initially registers the claim is the one to solicit the legal representative. Those about to turn 18 within fifteen days from the registration date will be exempt from the solicitation (Inspectoratul General pentru Imigrări 2016). If the child declares that it is younger than 14 and there are doubts, a medical check-up will be conducted to determine the minor's age; if the child (or the legal representative) refuses the medical-legal evaluation and there is no evidence available to determine the young person's age, the minor will be considered 18 years old when submitting the claim (Salvați Copii 2008a). If asylum seekers declare that they are underage and there are no doubts, they will be considered underage (Mihuț 2007). In cases where medical expertise is needed, the consent of the underage applicant is sought out (Mihuț 2007). ROI needs to inform the legal representative and the UAM seeking asylum (in a language she understands) about the possibility of a medical examination to establish age. The follow up report on the examination needs to contain details regarding the methods used and the effects of a possible refusal of the examination (Parliament of Romania 2006).

The asylum procedure requires the completion of an interview where claimants are to present their reasons for soliciting protection. Article 47 of Law 122 stipulates protective measures in regards to interviewing children asylum applicants; the interview needs to be conducted in the presence of the legal representative who also prepares the applicant for the hearing (Drăghici/Iancu/Dascălu 2010; Mihuț 2007). During the interview, authorities are obliged to consider minors' level(s) of physical and intellectual development and their maturity in responding (Inspectoratul General pentru Imigrări 2016).

During the asylum claiming process children are lodged by a housing service provided by the Directorate. UAM below 16, who lack financial means, will be housed at centers that belong to the National Refugee Office (Drăghici/Iancu/Dascălu 2010) within the regional area where the claim was initially registered (Salvați Copii 2008a). Minors have the right to be lodged within these centers until they turn 18. However, UAM might also reside with adult relatives, a host family, or with the person taking care of the child when leaving the origin country (Parliament of Romania 2006).



In case of a rejected claim, minors can stay at the resident centers until the end of the 15 days period (Inspectoratul General pentru Imigrări 2016). In the name of family reunification, the child may be repatriated to the parents' country of residence or to the country where other family members reside, on the condition that the interest of the child needs to be respected at all times (Duvivier/Teodorescu 2016). In such instances, the "best interest of the child" might work to the disadvantage of the child and might have discriminatory effects, since the right to family life might contradict the right to protection of the child. As children, UAM have the right to protection, however, as undocumented migrants, the principle of "best interest" might work against them, as in being forced to return to their country of origin. This situation is in fact not much different from that of other European states (Duvivier/Teodorescu 2016). Although a forced return is theoretically possible, in practice, such repatriations are not actually implemented (Duvivier/Teodorescu 2016). In case of appeals, complaints for UAM are submitted by their legal representatives, unless they reach the age of 16, in which case they are to submit all appeals in their own name (Parliament of Romania 2006). A complaint should include the name and residence of the applicant, a presentation of the factual and judicial reasons that ground the complaint, and the indication of (new) evidence to support the claim. If the appeal gets registered after the legal term, the applicant may request to suspend the returning decision. This decision has to be processed in seven days (under Article 69) and the applicant has the right to be on the territory of Romania during this time (Parliament of Romania 2006).

Under Article 17 from Law 122, UAM have the right to free schooling and the right to benefit from the same treatment offered to all Romanian children in front of the law, including the right of practicing their religion (Parliament of Romania 2006; Salvați Copii 2008a).

Underage children are also to be registered under an integration program. The General Inspectorate for Immigration conjointly coordinates these programs with local non-governmental organization (NGO). The programs usually begin at the reception centers (International Catholic Migration Commission 2013). The integration services offered under the integration program each child enters, include a free language course (for children residing outside the reception centers these courses are provided by school inspectorates) and cultural orientation courses (with a total duration of thirty-nine hours) on Romanian geography, history, the constitution, as well as Romanian culture and values (International Catholic Migration Commission 2013). Article 18 under Law 122 outlines the access to education for underage asylum applicants. UAM can benefit of an introductory/preparatory Romanian language course to facilitate entry in the national educational system, usually within three months after the submission of the claim (Parliament of Romania 2006). The course is organized by the Ministry of Education and Research in collaboration with the Romanian Office for Immigration. Upon completion, an evaluation board administered by the Ministry of Education and Research is set to examine the language level of the applicant and will decide on the appropriate academic level and school year the child should be enrolled in (Parliament of Romania 2016). Refugee children also have the right to appropriate medical care depending on special needs (Drăghici/Iancu/Dascălu 2010).

Each underage claimant, including UAM, will have a personal file, will be photographed and have their fingerprints taken (except for those under 14 years of age). The fingerprints are physically archived by the Romanian Office for Immigration Bureau, physically stocked within the National Refugee Office card index and electronically stored within the Automated Fingerprint Identification Systems – a national database (Parliament of Romania 2006) and within its European counterpart – the European Automated Fingerprint Identification System

(Eurodac) (Mihuț 2007). Eurodac is the European Union's system of asylum policy assistance. It stores data related to asylum claims for each of the Member States: the place and date of the asylum request, claimants' fingerprints, their sex, as well as the reference number used by the origin state (Mihuț 2007), in order to avoid the issue of filing multiple claims (Moraga/Rapoport 2015). Claimants' medical check(s) are also annexed at their personal files. After registration with the General Inspectorate of Migration, UAM will be issued a temporary identity document (Salvați Copii 2008a). Those granted asylum have to be taken into custody by the regional (county level) or municipal child welfare services (Inspectoratul General pentru Imigrări 2016).

There are several general working principles in protecting underage asylum claimants. Congruent with contemporary social policy understandings that see the child as a subject with rights on her own (Duvivier/Teodorescu 2016), the "child" is considered an autonomous being, meaning the child has the right to freely express its opinion in regards to herself, a freedom that refugee children should equally possess with Romanian children (Drăghici/Iancu/Dascălu 2010). More so, the superior interest of the child needs to be fully respected, in cases of family (re)unification but also in terms of listening and trusting the child's opinion, and that of the legal guardian, in activities related to the child's overall development (Mihuț 2007; Salvați Copii 2008a). The procedure for family reunification in the case of UAM is outlined under Article 72 of Law 122. It is initiated by ROI, with the agreement of the legal representative and the UAM, whose opinions need to be considered at all times, particularly in regards to identifying family members (Parliament of Romania 2006). According to Article 135, family members are reunited if they express their wish to do so. In this case, ROI will cooperate with similar institutions from any respective Member State. Persons who are considered family members include: spouses, unmarried children of the beneficiary, or her spouse – including adopted children and those born outside the marriage (Parliament of Romania 2006).

Law 271, adopted in 2004, also refers to child protection and the development of children's rights (Salvați Copii 2008a). It underlines that refugee children requesting asylum have the right to protection and humanitarian assistance (Drăghici/Iancu/Dascălu 2010). It also assumes public responsibility for the protection of the child in terms of respecting and guaranteeing the claimant's rights. It outlines child protection guidelines in various situations including the circumstances in which refugee children are deprived of parental protection (Drăghici/Iancu/Dascălu 2010).

#### **4 Care arrangements**

The Asylum Law 122 outlines several types of care arrangements for UAM in Romania, including integration and educational care, residential care, medical care, psychological support and counseling programs.

Generally, RIO oversees and funds six residential regional centers for asylum seekers in Bucharest and five other cities close to border crossings into Hungary, Ukraine, Moldova, and Bulgaria: in Șomcuta Mare, Rădăuți, Galați, Timișoara and Giurgiu. These have a total capacity of about 1,000 places (Agerpress 2015) and also host UAM. The work of these centers is not limited to processing applications. They also offer medical care, temporary residence, and distribute financial assistance to applicants in need. They act as a one-window in the refugees' interaction with the Romanian state. They ensure that applicants are informed of their rights and responsibilities under the Romanian law, assist them with temporary ID processing, as well as with other necessary services, such as employment assistance

(Agerpress 2015). There are medical offices within any of these centers, where applicants are generally examined for their health status and screened for signs of torture or inhumane treatment. Basic necessities are provided to all applicants who reside at the centers. Medical care and access to education are provided while asylum-seeking procedures are underway.

Declaratively, the Romanian state offers additional protection to UAM by granting an exemption to the integration programs, which all other refugees are entitled to attend for six to 12 months, until they are no longer classified as vulnerable individuals (Agerpress 2015).

In terms of educational access, UAM have the same rights as Romanian nationals. Yet there is very little information on how this clause translates into practice, and very little information available regarding the profiles of UAM, to enable a full comparison with their same-age peers born in Romania. For example, there is no reliable statistical data on the level of education, which UAM were able to complete before arriving in Romania. The same applies to the extent of their health or mental health implications resulting from their situation as refugees escaping conflict. However, we can provide the reader with two case examples to generally illustrate the situation of UAM in Romania.

One of these cases was described by *Salvați Copii* (i.e. *Save the Children*), a local NGO that supports families and children in accessing the educational system by registering children for kindergarten and school, by paying appropriate tuition as needed, and by providing them with clothing and school supplies (Dogioiu 2015). A case of an UAM referred to by *Salvați Copii* as a positive example, was that of Ravi, an unaccompanied 17 year old from Sri Lanka, who arrived in Romania in 2008, having left due to an outbreak of armed conflict in his country (Dogioiu 2015). He no longer had contact with his parents. Ravi accessed art therapy services, which helped him alleviate his separation stress. He became a volunteer with *Salvați Copii* and after seven years in Romania, he graduated from high school and is now gainfully employed.

Another case is that of Mohamad, an Iraqi teenager who arrived in Romania unaccompanied in 2014 when he was 15 years old. Mohamad witnessed both of his parents die and left the country because of the ongoing conflict. He was shot in the legs. A surgery was performed in poor conditions at a hospital in Iraq. Mohamad received support from the Jesuit Refugee Services (JRS), another NGO, which fundraised to pay for an operation in a private hospital in Romania. Mohamad recovered successfully and continues to live in a foster home (Ilias 2016).

Yet lacks in service provisions are subsequently noted. Interviewed as part of a report to the UN Committee on the Rights of Children, children and youth living in regional hosting centers identified several unmet needs, including lack of opportunities for recreational and educational activities and for regular daily programs, limited access to the internet, lack of financial aid and limited support for locating family members (Salvați Copii 2008b). According to the same report, children and youth also expressed a desire to participate in creative and recreation activities that would foster a connection to their home (i.e. dancing classes). The need for supplementary child and youth friendly physical space(s) in these regional centers was additionally noted. In their report on Romania (2013), the Jesuit Refugee Service Europe (JRSE) indicated that none of the open centers had a psychologist on site, and that the accommodation facilities were not adapted to the specific needs of pregnant women or children (i.e. centers lacking children's rooms; lack of provision in terms of special needs services) (Ilias 2016). Although it does not specifically refer to UAM, a similar report cited

insufficient access by asylum seekers generally to “recreational activities, language classes, vocational training, cultural orientation and psychological and medical assistance (especially for victims of trauma and torture)” within the regional centers, despite several funded projects under the European Refugee Fund -granted specifically to address some of these inadequacies within service provision (UNHCR 2012).

In practice, there are no particular procedural delineations in terms of service provision between adult refugees and UAM. Anecdotal evidence suggests that a number of NGO work closely with the processing centers to provide support services, deliver language classes, assist with accommodation searches and raise awareness in the community with respect to the refugees' situation, while also working to mitigate the strong existing cultural barriers between the locals and the refugees attempting to integrate. They host movie nights, organize cultural and intercultural events, and liaise with international organizations (Agerpress 2015). They organize formal and informal gatherings and conferences between service providers, where common issues are discussed, in attempting to share best practices and increase their impact in terms of the care provided and in terms of fostering strong relations between the state (municipalities) and local, neighborhood based communities.

In 2015, as Romania was preparing for the arrival of the first Syrian refugees, *Child Pact*, a regional organization bringing together 600 NGO from ten countries, called on the Romanian government to allocate sufficient funding to ensure adequate protection of children's rights throughout the refugee crisis and to pay special attention to the living standards of the most vulnerable refugees, including UAM (ChildPact 2015).

## 5 Research overview

The research on the topic of children refugees in Romania is scarce. Most data are circumstantial, coming from newspaper accounts. Some grey literature is also produced by local NGO (i.e. *Salvați Copii*). The refugee crisis is a recent phenomenon and did not affect Romania as much as other Balkan states, hence there is not a lot of attention in the academic community on this particular country, and very little research was conducted on the topic of UAM in Romania. Eurostat and other EU agencies summarily present UAM data, with little accompanying analysis. There are no reports available on the particular services offered by the Romanian state to UAM, the effectiveness of these services or the outcomes for the recipients. The lack of academic interest on this particular topic may be attributed to the relatively small number of UAM in Romania. However, anecdotal evidence from news articles, public statements and social media groups, shows that the main service providers for refugees and UAM in Romania are NGO and members of the civil society, oftentimes working with little or no funding from the state.

## 6 Discussion

The influx of refugees' entries that affected other parts of Europe did not have a strong impact on Romania. Romania is not the country of choice for most asylum seekers, as shown by the low numbers of claims in comparison to those in Western European nations. However, extending from anecdotal evidence, it may be a chosen destination for some refugees who formerly completed post-secondary education in Romania. Prior to 1989, the Romanian Communist state attracted foreign students as they brought valuable currency in exchange for tuition fees; the low living cost in Romania alongside the quality of education also played a role (Maier 2016). Yet for UAM, the factors involved in the decision to pursue an asylum claim in Romania, including parental direction, are unknown.

Residing in a country of emigration, socially constructed as such after the end of the communist regime in 1989, it could be that Romanians seem more inclined to leave than to welcome others to settle in. Immigration is experienced as a new process and Romania is lacking a well-thought, comprehensive system of receiving and settling refugees. Within the last years, there were very few entries in Romania through the Western Balkan route, no resettled numbers of people through the EU resettlement schemes, very few numbers of relocated persons, few asylum claims, few UAM, overall an unclear legislative framework to guide the asylum claiming process, and limited guidelines in terms of service provision for this population.

Several hypotheses can be brought forward to understand why Romania seems unwilling to fully invest within state sustained schemes of supporting migration and to assist Europe with the refugee crisis: a) The concept of the “welfare” state and its entanglement with the civil society, in terms of sharing responsibility for societal issues, is new. As a former communist country, Romania was devoid of the third sector – the backbone in assisting with social issues in Western democracies. Within a nationalized industry and nationalized social service provision, the former Communist state was not intervening to regulate the effects of the market; the state was the one fully controlling the market and bound to equalize its effects. Hence, the Romanian institutional system does not have the ideological culture of dealing with a welfare state approach that intervenes by concomitantly funding and deregulating responsibility to the non-profit sector (and with the start of neoliberalism and the dismantling of the welfare state in the West, much more responsibility is nowadays placed on the Third Sector). However, the transition to democratic capitalism has shaped Romania in adopting Western regulative principles in terms of social services. It is perhaps just a matter of time until the country will match its social service provision with the level(s) of its European counterparts. b) Romania does not see itself as an equal partner in the EU; hence, it might not consider itself as bound to equally share responsibility in terms of the refugee crisis. This is not to infer that Romania (its situation can similarly apply to the neighboring former Soviet Bloc countries), devoids itself of any obligations on the matter (in fact official political statements have shown some commitments to the relocation scheme), however, it is more about not seeing its obligations as being at par with those of other EU Member States. This hypothesis of difference, as in a structurally and ideologically framed different positioning that Eastern Bloc countries occupy vis-à-vis EU Western Member States, consequentially reminiscent of a Soviet subjectivity, itself relationally and comparatively juxtaposed to the West (and culturally framed by what the West projected onto the East) is now inwardly self-projected and inferiorly internalized by Romania(ns), creating a (national), colonial consciousness which leads people to see themselves as those solely oppressed by Western Europe, having to leave Romania and make it into the West (Bejan 2016). The self-perceived inferiorization coupled with the country's objective conditions of lower wages, corporate hegemonic control and mass exodus of Romanians working abroad, have cemented ideas that Romanians are second-class European citizens, poor, without having enough to provide for themselves, let alone being able to help the others. Of course this is a dangerous logic, since it implies that someone with little has nothing to share, subsequently diminishing principles of solidarity and communality, and leading to a (fascist), nationalist rhetoric. c) Romania and the former post-socialist countries are more racist than their Western counterparts, as media had oftentimes implied. This hypothesis does not hold enough weight. There is very little research to systematically assess and compare the levels of xenophobia and racism between the Eastern and Western parts of Europe. In fact, intolerance in Western Europe seems to be at par with the East, or even higher. In asking people if they want to live next door with others

from a different race, France scores negatively higher than Hungary and Romania, while numbers for Poland, Ukraine and the Czech Republic seem at par with those of Italy and Finland (Horn 2015). d) The extreme right is on the rise in the region. This is again a doubtful hypothesis. The political right is not much stronger in the East (i.e. Croatian Democratic Union (HDZ), Estonia's conservative Reform Party, Hungary's Fidesz, the Citizens for European Development of Bulgaria (GERB), Poland's Law and Justice) versus the West (Belgium's New Flemish Alliance, Germany's alliance of Christian Democratic Union (CDU) and Christian Social Union, Ireland's Fine Gael, Netherlands' People's Party for Freedom and Democracy, Austrian People's Party, the Portugal Ahead - formed by the Social Democratic Party (PSD) and the Christian, nationalist and conservative People's Party (CDS-PP), Spain's People's Party Partido Popular or Finland's Centre Party). Extreme right is on the rise in all Europe, both the East and the West. e) Romania's reaction vis-à-vis the EU's relocation program in particular and generally vis-à-vis the refugee crisis might be connected with its ongoing parliamentary changes, partisan elections and ideological orientations. According to recent data from the European Council (2017), Romania ended up pledging 1,942 numbers by May 2017, relocating 45 people from Italy and 523 from Greece, despite its initial reluctance to the plan. What has changed, however, is the parliamentary success of the Social Democratic Party (PSD) following the 2016 elections, a party that overall won on a set of progressive reforms. The rise in the number of pledges could be associated with partisan change. Just like everywhere else in the world, leftist oriented politics are more inclined to support refugees' related issues. For instance, the neighboring countries dominated by strong right-wing fractions pledged fewer numbers in the relocation scheme. Bulgaria only pledged 500 numbers and relocated 29 people, while Poland only pledged 100 numbers and did not relocate any people (European Council 2017). Of note, this line of thought implies an associative and not a causal link.

Out of the outlined hypotheses, we believe that *a*, *b*, and *e* could be framed as explanatory for Romania's institutional dealings with the refugee crisis. The other two are mainly Orientalizing, once again, the post-socialist countries, constructing them as more xenophobic, backwards and racist than their Western, "civilized" counterparts, despite having no empirically research studies to infer such tendencies, hence drawing the conclusions from newspaper hyper- mediated accounts.

However, the total number of UAM present in Romania might be understated, as there is evidence of existent cases besides the recorded claims. According to Gabriela Alexandrescu, the Executive Director of *Salvați Copiii*, over 320 children received services from this organization in 2014 (Dogioiu 2015). Although it is unclear how many of these were UAM, there is reason to believe that the actual number of UAM in Romania is higher than the ninety-five asylum claims that were filed within the same year.

In terms of existent legal processes, several aspects need interrogation:

First, although detailed guidelines of claiming asylum are outlined in Law 122, we do not know what happens with those UAM who do not access the asylum procedure.

Second, in the case of a rejected claim, the time period of 15 days, which is allowed for applicants to gather new evidence and to present new factual and judicial reasons grounding their claim, is too short. Bureaucratic processes for producing paperwork are usually lengthy and it is far-fetched to assume that people in a new country, with no control of the language and no knowledge on the legal procedures, and with little resources available to track down

previous evidence, will be able to do so. Most likely, their options are limited to illegally pass the borders to other EU countries, or to be returned by force in their countries of origin. In the case of UAM, such options would in fact contradict the clause outlined in Article Eight of Law 122, which stipulates that all decisions regarding minors need to consider the higher interest of the child (Parliament of Romania 2006). In fact, rejecting any claim may fall contradictory to the interest of the child, considering the claimant initiated the protection request from an *a priori* conjecture that asylum is in her best interest. We are not aware of any cases of forced returns in Romania, as following the rejection of UAM asylum claims.

Third, although the family reunification principle guiding the UAM legislation in Romania has as its core the purpose of the higher interest of the child, it is unclear how such interest is decided upon and/or determined. Under administrative pretexts, the examination of asylum applications can easily pass as a discretionary process, dependent on individual workers' level of awareness and individual empathy on the matter. More so, although minors' intellectual development and maturity level need to be considered in the process, this depends once again on workers' discretionary assessment.

Fourth, as it relates to accessing the educational system, the course of action is unclear within the cases in which an UAM's language level is considered unsatisfactory by the evaluating panel. There are no legal references to outline such instances.

Fifth, although asylum claimants have the right to a free interpreter, the lack of available interpreters in Romania and elsewhere was formerly documented (International Catholic Migration Commission 2013) and has to also be taken into account in cases pertaining to UAM.

Sixth, the asylum granting process is a discretionary process, hence it is important that individual workers are aware of the complexity of the situation, are well trained in the legal framework and well aware of children's needs. Yet the legal-juridical framework contains no information in relation to a standardized level of training of those processing asylum applications or of the legal representatives. Consequentially, there is no system in place to assess if a respective UAM's opinion is considered during the interview in a non-tokenistic way. Although this is a stipulated clause, there are no identifiable ways of monitoring the interview process.

Seventh, although the rights to adequate medical assistance and other assistance based on needs are legislatively outlined, the reality in Romania is that vulnerable populations, including UAM, do not have access to adequate medical care nor the financial resources to purchase the necessary treatments/prescriptions for their medical needs. Many of these services are not provided by the state but by members of the civil society and local NGO (Ilias 2016). Without adequate treatment, UAM might develop chronic conditions, which could irreversibly impact their ulterior health and mental health.

Lastly, there is no data available in English or Romanian that describes how the recipients experience care arrangements in Romania or what are the outcomes for UAM seeking asylum once they leave care. Due to the fragmented care provision, such data would be very difficult to collect without an integrative data collection platform coordinated between NGO, processing centers and community organizations supporting asylum applications. One possible explanation for the lack of outcomes reporting is that there is no evidence that funding for care and integration of services is linked to recording the outcomes for

beneficiaries. Another possible explanation is the relatively small number of UAM within the Romanian refugee support system, who might reach adulthood while their asylum applications are being processed. While there is no official guideline that prescribes the age at which an UAM ceases to be considered a minor and has to leave any sort of specific care arrangements, it is safe to assume that special protection and care ceases when UAM turn 18, the age of adulthood in Romania. This assumption is backed by the fact that 18 is the cut-off age for Romanian children in the state supported social assistance care system in the country.

In terms of social work practice, implications can be particularly teased out at the macro and mezzo level. At the macro level, evidence-based research on the topic is needed to thoroughly inform policy changes, respectively changes to the asylum law which are creating oppressive situations for UAM and generally for asylum claimants (i.e. such as the 15 day rule; the medical examination to determine minors' age – a subjective, discretionary assessment; or the fingerprints "requirements"). Social workers could advocate through their professional bodies to materialize such changes. The idea of social work as a profession has been historically tied with the development of the Western welfare state (Christie 2002; Graham/Swift/Delaney 2008). However, within the former Soviet Bloc, social work is a fairly new occupation, since during the Communist times, social services were organized and provided directly by the state. The Welfare State, in the Western, traditional sense of the word, did not exist as a concept nor as an entity within the former Soviet Bloc. Instead of taking it for granted that welfare provision is a regular structure to answer the follow-up problems of a liberal market society, social services in Romania were considered to be an exception from the rule of social equality in a communist society, and therefore not in need of "professionalization." Hence, we assume that there is little guidance and a lack of advocacy to advance significant policy changes. More so, it is important that social workers do not fall within the typical Anglo-Saxon pattern of service provision, where asylum seekers and refugees are managed in the same way that welfare recipients are, boxed in on the margins of citizenship, receiving a minimum of specialized services, yet without efforts to systemically change society to further accommodate people's needs (Christie 2002).

At the mezzo, community level, it is important that an integrative framework of service provision gets developed and implemented. Stakeholders from various non-profit organizations, such as the *National Romanian Council for Refugees (CNRR)*, the *Romanian Forum for Refugees and Migrants – ARCA*, the *Organization of Refugee Women from Romania*, *UNHCR Romania*, and *Salvați Copii*, should coordinate service provision and better integrate the already existent services for UAM, since the state as a whole lacks the necessary experience in managing the current refugee situation (Duvivier/Teodorescu 2016). Children have a variety of needs to be attended to, different from those of adults, including the need for continual emotional support as they go through crucial developmental stages, despite the fact that refugee children have most likely developed mature survival experiences due to their conjectural situations. Hence, communication and coordination efforts between service providers in terms of holistically satisfying care arrangements, from housing to health, mental health and education, are necessary.

## References

**Agerpress** (2015, August 28). Immigration: How asylum seekers are received in Romania. Agerpress.ro. Retrieved November 2016, from: <http://www.agerpres.ro/english/2015/08/28/immigration-how-asylum-seekers-are-received-in-romania-14-58-02>.



**Al Jazeera** (2016). Hungary to build second border fence to stop refugees. Al Jazeera. Retrieved November 2016, from: <http://www.aljazeera.com/news/2016/08/hungary-build-border-fence-stop-refugees-160826084509375.html>.

**Bejan, R.** (2016). The 'East/West' divide and Europe's relocation system for asylum seekers. *Journal of Social Policy/Ревија за социјална политика*, 9(12), 9-40.

**Bejan, R.** (2015). Why Europe's plan on sharing migrant quotas is not good enough. *rabble.ca*. Retrieved February 2016, from: <http://rabble.ca/blogs/bloggers/views-expressed/2015/05/why-europes-plan-on-sharing-migrant-quotas-not-good-enough> on January 2nd 2016.

**Briggs, D., & Dobre, D.** (2014). *Culture and Immigration in Context: An Ethnography of Romanian Migrant Workers in London*. Palgrave Macmillan.

**ChildPact** (2015, September 29). Romania: The protection of refugee children. (2015). ChildPact. Retrieved November 2016, from: <http://www.childpact.org/2015/09/29/romania-the-protection-of-refugee-children/>.

**Chiriac, M.** (2016, January 19). Wary Romanians await first refugees from EU quota. *Balkan Insight*. Retrieved November 2016, from: <http://www.balkaninsight.com/en/article/romania-under-increasing-pressure-from-refugees-01-18-2016>.

**Chiriac, M.** (2015, September 24). Romania changes heart on EU refugee quota. *Balkan Insight*. Retrieved November, from: <http://www.balkaninsight.com/en/article/romania-supports-now-eu-refugee-decision-09-23-2015>.

**Christie, A.** (2002). Responses of the social work profession to unaccompanied children seeking asylum in the Republic of Ireland. *European Journal of Social Work*, 5(2), 187-198.

**Dearden, L.** (2015, September 2). Six charts and a map that show where Europe's refugees are coming from – and the perilous journeys they are taking. *The Independent*. Retrieved November 2016, from: <http://www.independent.co.uk/news/world/europe/refugee-crisis-six-charts-that-show-where-refugees-are-coming-from-where-they-are-going-and-how-they-10482415.html>

**Dogioiu, I.** (2015). Drama copiilor fugari: 'Tot ce-mi doresc e să fiu lângă familia mea și să merg la școală'! Câți refugiați sunt în România? *Ziare.com*. Retrieved November, from: <http://m.ziare.com/invazie-imigranti/drama-copiilor-fugari-tot-ce-mi-doresc-e-sa-fiu-langa-familia-mea-si-sa-merg-la-scoala-cati-refugiati-sunt-in-romania-interviu-1384865>

**Drăghici, A., Iancu, D., & Dascălu, A.** (2010). On the rights and liberties of child refugees in Romania. *AGORA. International Journal of Juridical Sciences*, viii.

**Duvivier, E. & Teodorescu, C.** (2016). European states in the face of the vulnerability of unaccompanied migrant children and adolescents. *Analele Științifice ale Universității Alexandru Ioan Cuza din Iași. Sociologie și Asistență Socială*, 9(1), 45-59.

**European Commission** (2016a, November 9). Annex to the communication from the Commission to the European Parliament, the European Council and the Council. European Commission. Brussels: Belgium.

**European Commission** (2016b, April 12). Press release. Relocation and Resettlement: EU Member States urgently need to deliver. European Commission. Strasbourg: France.

**European Commission** (2016c, July 13). Press Release: Relocation and resettlement: positive trends continue, but more efforts needed. European Commission. Brussels: Belgium.

**European Commission** (2016d, April 12). Report from the Commission to the European Parliament, the European Council and the Council. European Commission. Brussels: Belgium.

**European Commission** (2016e, March 16). Communication from the Commission to the European Parliament, the European Council and the Council. First report on relocation and resettlement. European Commission. Brussels: Belgium.

**European Commission** (2016f, November 25). Compilation of data, situation and media reports on children in migration. European Commission. Brussels: Belgium.

**European Commission** (2015a, October 23). Communication from the Commission to the European Parliament, the European Council and the Council. Managing the refugee crisis: State of play of the implementation of the priority actions under the European Agenda on Migration. European Commission. Brussels: Belgium.

**European Commission** (2015b, September 22). Refugee Crisis. Q&A on emergency relocation. European Commission. Brussels: Belgium.

**European Commission** (2015c, May 27). European Commission makes progress on agenda on migration. European Commission. Brussels: Belgium.

**European Commission** (2015d, September 9). Refugee Crisis: European Commission takes decisive action. European Commission. Brussels: Belgium.

**European Council** (2017, May 7). State of Play. Member States' Support to Emergency Relocation Mechanism. European Council. Brussels: Belgium.

**European Parliament** (1999). Working Paper: Migration and asylum in Central and Eastern Europe. European Parliament. Brussels: Belgium.

**Eurostat** (2016). Asylum applicants considered to be unaccompanied minors by citizenship, age and sex (Annual data). Eurostat. Retrieved November 2016, from: <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>.

**Eurostat** (2015). Minimum Wages. Eurostat. Retrieved January 2016, from: <http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00155&plugin=1>.

**Express** (2016, September 20). New migrant route: Romania's 13,000 border guards scramble as refugees switch journey. Express. Retrieved November, from: <http://www.express.co.uk/news/world/723105/romania-migrants-migrant-crisis-balkan-route-border-guards>.

**General Inspectorate for Immigration** (2014). Forty Iraqi refugees evacuated from Turkey through the resettlement program. Press Release. Ministry of Interior Affairs General Inspectorate for Immigration. Bucharest: Romania.

**Graham, J. R., Swift, K., & Delaney, R.** (2008). Canadian Social Policy: An Introduction. Pearson Prentice Hall.

**Greek Council for Refugees** (2015, November). Country report: Greece. Greek Council for Refugees. Retrieved February 2016, from: <http://www.asylumineurope.org/reports/country/greece>.

**Horn, H.** (2015, October 16). Is Eastern Europe any more xenophobic than Western Europe? Investigating a stereotype of the refugee crisis. The Atlantic. Retrieved January 2016, from: <http://www.theatlantic.com/international/archive/2015/10/xenophobia-eastern-europe-refugees/410800/>.

**Horvat, S., & Žižek, S.** (2014). Ce vrea Europa? Uniunea si Necazurile cu Ea. Editura IDEA, Cluj: Romania.

**Ilias, G.** (2016). Romania: JRS helps Iraqi refugee find treatment and hope. Jesuit Refugee Service. Retrieved November 2016, from: [http://en.jrs.net/news\\_detail?TN=NEWS-20161024030944](http://en.jrs.net/news_detail?TN=NEWS-20161024030944).

**Inspectoratul General pentru Imigrări** (2016). Procedura de azil. Inspectoratul General pentru Imigrări. Retrieved November 2016, from: <http://igi.mai.gov.ro/detalii/pagina/ro/Categorii-vulnerabile/107>.

**International Catholic Migration Commission** (2013). Welcome to Europe! A comprehensive guide to resettlement. International Catholic Migration Commission Europe. Belgium.

- Kingsely, P.** (2015). Refugees face there potential changes to Balkan route to EU. The Guardian. Retrieved November 2016, from: <https://www.theguardian.com/world/2015/sep/14/refugees-face-three-potential-changes-to-balkan-route-to-eu>.
- Maier, V.** (2016). Foreign students enrolled in the medicine and pharmacy higher education in Romania (1975–1989). *Clujul Medical*, 89(2), 307–312.
- MacShane, D.** (2016, December 7). There is still hope for Europe – just look to Romania. The Independent. Retrieved December 2016, from: <http://www.independent.co.uk/voices/brexit-eu-europe-romania-elections-liviu-dragea-centre-left-social-democracy-hope-a7459501.html>.
- Mihuț, E. A.** (2007). Generalities regarding the underage persons regulations, by Law No. 122/2006 in reference with the right for asylum. *AGORA. International Journal of Juridical Sciences*, 188.
- Moraga, J. F. H., & Rapoport, H.** (2015). Tradable refugee-admission quotas and EU asylum policy. *CESifo Economic Studies*, 61(3-4), 638-672.
- Parliament of Romania** (2006). Law No. 122 on the asylum in Romania. Parliament of Romania. Bucharest: Romania.
- Salvați Copii** (2008a). Raport alternativ la cel de-al treilea și al patrulea raport periodic înaintat de România Comitetului ONU pentru Drepturile Copilului 2003-2007. Retrieved November 2016, from: [http://salvaticopiii.ro/upload/p000600010001\\_p0001000400010001\\_Raport\\_Alternativ\\_SCR\\_RO.pdf](http://salvaticopiii.ro/upload/p000600010001_p0001000400010001_Raport_Alternativ_SCR_RO.pdf).
- Salvați Copii** (Decembrie, 2008b). Aspecte privind drepturile copilului solicitant de azil. Salvați Copii. București: România.
- The Local** (2016, January 12). 'We told you so,' Eastern Europe tells Germany. The Local. Retrieved December 2016 from <https://www.thelocal.de/20160112/eastern-europe-feels-vindicated-after-cologne-attacks>.
- Trifu, D.** (2016). Refugiat în România - condiții și drepturi. *open politics.ro*. Retrieved November, from: <http://www.openpolitics.ro/refugiat-in-romania-conditii-si-drepturi/>.
- UNHCR** (July 2012). Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report. *Universal Periodical Review: Romania*. Retrieved November 2016, from: <http://www.refworld.org/docid/4ffd349f2.html>
- Voicu, A.** (2009). Immigration and integration policies in UK. *Romanian Journal of European Affairs*, 9(2).
- Voinea, R.** (2007). Geographically defined exhibitions: The Balkans, between Eastern Europe and the new Europe. *Third Text*, 21(2), 145-151.
- Vrânceanu, E. S.** (2015). Labour market and Romanian immigrants in the European Union. *Scientific Annals of "Alexandru Ioan Cuza" University of Iasi (New Series). Political Sciences*, 6(1).
- Zelinka, E.** (2011). Romania's migration fluxes, 2011. *Migration Education*. Retrieved November 2016, from: <http://www.migrationeducation.org/37.1.html?&rid=191&cHash=d3c03baacc1e3ae8f169144ea33a86ab>.
- Ziare.com** (2016, October 1a). Peste 20 de migranți, printre care 6 copii, au încercat să intre ilegal în România. Ce se întâmplă cu ei. *Ziare.com*. Retrieved December 2016, from: <http://www.ziare.com/invazie-imigranti/romania/peste-20-de-migranti-printre-care-6-copii-au-incercat-sa-intre-ilegal-in-romania-ce-se-intampla-cu-ei-1438311>.
- Ziare** (2016, September 19b). Vigilența maximă la granițele României: Migranți care încercau să intre pe jos sau ascunși printre calorifere, prinși de polițiști. *Ziare.com*. Retrieved December 2016, from: <http://www.ziare.com/invazie-imigranti/romania/vigilenta-maxima-la-granitele-romaniei-migranti-care-incercau-sa-intre-pe-jos-sau-ascunsi-printre-calorifere-prinsi-de-politisti-1436820>.

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