Country Report Romania

by Anne Herm

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A. Key data sources and responsible institutions

According to the Law on the organisation and functioning of official statistics in Romania the National Institute of Statistics, *Institutul Naţional de Statistică* (INS), is the co-ordinating body for all the statistical activities of the public authorities and institutions included in the National Statistical System. The National Institute of Statistics is responsible on population censuses and annual population statistics including producing and publishing statistics on international migration.

The other national institutions involved in data collection on foreigners and/or immigrants in Romania are Ministry of Interior and Administrative Reform (MIRA), Ministry of Foreign Affairs (MFA), Ministry of Labour, Family and Equal Opportunities (MMSSF).

The Ministry of Interior and Administrative Reform has competencies on all immigration issues such like the entry, stay, working conditions and integration of immigrants. It is also responsible on asylum issues and combating of irregular migration, mostly on illegal border crossings, violations of border regulations, etc. The Ministry collects relevant data, analyses and provides forecasts on immigration. The main institutions under the Ministry dealing with questions of migration and citizenship and collecting relevant information are the Romanian Immigration Office, the Border Police, National Agency Against Trafficking in Human Beings and the General Directorate of Passports.

The institution which is currently competent for the issuance of the residence permits as well as of the work permits is the Romanian Immigration Office (RIO). The RIO or its territorial units extend the right of temporary stay to aliens who entered Romania on the basis of a long-stay visa, as well as to aliens who are exempt from the obligation of obtaining a long-stay visa under the conditions provided by law. The right to permanent stay is approved by the chief of the Romanian Immigration Office, on the proposal of a special commission. National Agency against Trafficking in Human Beings, coordinates and evaluates the activities on preventing trafficking in human beings and monitors the assistance granted to the victims of trafficking.

The system of visas is managed under the responsibility of the Minister of Foreign Affairs within a specific section named National Centre for Visas. The Ministry of Foreign Affairs also elaborates and implements the policy on the relations with Romanians all over the world. The purpose of all programmes conducted by the Ministry in this regard is to safeguard and promote ethnic, cultural, linguistic, and religious identity of all Romanians from neighbouring countries as well as to strengthen the links between Romania and its emigrant communities.

Currently there are two data collection systems that can provide statistical data on international migrations and migrants:
- The ‘Population Registration System’ recording information on permanent residents both nationals and foreigners;
- The ‘Integrated Information System for Migration Issues, Asylum and Visas Management’ recording information of foreigners.
The Ministry of Interior and Administration Reform maintains an up-to-date population registration system called “Evidenta Persoanelor” where Romanian nationals having permanent residence in Romania and foreigners holding a permanent residence permit are registered. For each individual a personal identification number is attributed. In order to cross the Romanian state border, citizens of a foreign state must obtain a visa, except citizens of EEA countries and other countries with which Romania have concluded bilateral (or multilateral) agreement on abolishing visas.

B. Historical evolution of the national data collection system/ data collection practices and policies on data collection

The legal status of aliens in Romania is presently regulated by Emergency Ordinance 194/2002, which has been modified various times since its adoption. In 2004, the Romanian Government adopted a National Strategy on Migration (Government Decision 616/2004). There are a number of legal acts issued or modified recently that deal with questions of migration. In 2007, the Romanian Immigration Office was established according to Emergency ordinance 55/2007 as the result of merging three authorities formerly dealing with immigration issues: the Authority for Aliens, the National Office for Refugees, and the Office for Labour Force Migration. Another recent Emergency ordinance 56/2007 deals with the employment of aliens, work authorization and the temporary transfer of working force. The legal definition of the term alien has recently changed. Before this change aliens were defined as persons without Romanian citizenship thus including two categories of aliens: EU citizens and non-EU citizens. According to the new official definition an alien is defined as a person who is not a Romanian citizen or a citizen of another EU or EEA Member State. Therefore, the legislation on aliens applies only to non-EU and non-EEA citizens (i.e. third country nationals).

Despite of such high importance of the migration topics, there seems to be no significant developments in availability of statistics in the area of migration.

Concerning the statistical data collection activities the National Institute of Statistics (INS) is joined with the European Union household and labour force surveys. According to national questionnaires available on Eurostat website the Household Labour Force survey includes starting from 2005 several questions indicating migration, including “Where did you live a year ago (country of residence)?”. In household structure, questions asked from every household member include country of origin, citizenship, number of years in Romania, (ethnic) nationality (Romanian, Hungarian, Gypsy, German, other), presence or absence in household (answers include being abroad, the reason and duration of stay abroad).

Starting from 2006 Romania participates in European Social Survey and the data are collected on citizenship (first and second) and country of birth. (However no questionnaires were available in English).
C. Coordination and linking

According to the Law on the organisation and functioning of official statistics in Romania the National Institute of Statistics (INS) is the co-ordinating body for all the statistical activities of the public authorities and institutions included in the National Statistical System. The National Institute of Statistics monitors, co-ordinates and technically assist the producers of official statistics, in order to ensure the unitary character of the methodologies, classifications, methods and techniques used for the collection, processing and dissemination of the official statistical data produced, in accordance with the annual national statistical programme and with the requirements of the European Statistical System. The National Institute of Statistics, member of the European Statistical System, and the National Bank of Romania, member of the European System of Central Banks, co-operate and co-ordinate their activities with a view to increasing efficiency, reducing the response burden on primary data providers, improving the quality of statistical data and disseminating them at national and international level. For the organisation and functioning of the National Statistical System and with a view to implementing and monitoring the Strategy of the National Statistical System and the national statistical programmes, the Committee of the National Statistical System (COMSTAT) is set up. The COMSTAT is the advisory body, made up of representatives of the producers of official statistics and its composition is established by Order of the president of the National Institute of Statistics.

D. Concepts and definitions

The last Population Census in 2002 covered all Romanian citizens with their legal residence in the country (whether or not at the reference moment of the Census they were in the country or temporarily abroad), as well as foreign citizens or stateless persons, who had their legal residence or had been in the country for more than one year.

As opposed to 1992, the population of 2002 did not include the Romanian nationals with their legal residence in Romania who left the country more than one year ago, but it included the foreign citizens or stateless who established their usual residence in Romania and who had been longer than one year on Romanian territory (uninterrupted period).

The usual residence is considered to be the address where the enumerated person spends most of his/her time, whether or not the residential visa for this address is registered on his/her identification card.

The place of birth represents the locality where the mother of the enumerated person had her legal residence at the date when the birth took place, and not the locality where the enumerated person was born.

The citizenship was defined as a particular legal bond between a person (citizen) and his/her State. For the persons who had double citizenship, the second citizenship was registered separately on the Census form. For the stateless persons, the
registration made on the form was “stateless”. The Census questionnaire for each person included the ethnicity (ethnic group) based on his/her free statement. The mother tongue represents the first language usually spoken (in early childhood) in the enumerated person’s family. The religion represents the belief or religious – spiritual option, registered according to the free statement of each person, whether or not this belief is expressed by affiliation to a community based on specific religious and spiritual dogmas.

Actually, the usual resident population as captured in the 2002 census is not used for annual updates of population. As the data on vital events and migrations are available only on permanent population the basic population figures from census represents also permanent population. This method ensures consistency between population stocks and population change data.

Legal resident population as it is defined in the population register based on permanent residence. The legal residence represents the address registered on the identification card. For the children under 14 years of age, not having yet the identification card, the legal residence of the child is considered to be that of the parents or that of the person who is taking care of him/her. Change of permanent residence is registered in case of persons for whom police wrote down the new permanent residence in the identity card and in persons’ evidence file. International migration represents the change of permanent residence to another country or, from another country to Romania. Data on emigrants refer to Romanian citizens who settled their permanent residence abroad. Data on immigrants refer to citizens from another country who settled their permanent residence in Romania. Data temporary residence permit holders would be derived from the residence permit database of the Ministry of Administration and Interior. While temporary place of residence can be recorded in the Population Registration System for nationals and permanently living foreigners, it is not compulsory and therefore cannot provide reliable data on temporary migrations abroad.

E.1. Core demographic data on immigrants and migration control

E.1.a Population stocks and general demographic characteristics

The latest census was carried out on 18th March 2002. Population was enumerated as present, temporarily absent elsewhere in the country or abroad, absent for a long period (more than 12 months) and temporarily present with a permanent residence elsewhere in Romania.

Population stock figures at the time on census were produced by INS based on two different definitions:
the definition of permanently resident population: Romanian nationals who have permanent domicile in Romania including some of those living for a long time abroad but never renounced to their permanent domicile in Romania and foreigners with permanent residence in Romania;
a definition that is partially in agreement with the international recommendations: Romanian nationals who have permanent residence in Romania excluding those who
left more than one year ago (according declaration of the family, neighbours or municipal authorities), foreigners living in Romania with permanent residence permit (which means that they are in the country for more than one year), and a limited number of foreigners with temporary residence permit living in the country for more than one year.

The total figure of Romanian nationals having permanent residence in Romania (not considering their actual place of residence at census date - Romania or not), was 21,833,483. This figure has been reported as total population at 1st January 2002 for the purpose of demographic statistics. To obtain the second figure (21,680,974) about 175,000 Romanians living abroad for more than one year (what has to be considered as an important underestimation of the emigration) were excluded and about 25,000 foreigners living in Romania for more than one year were included (nearly all permanent foreigners and a few temporary immigrants who stay more than one year). In fact, nowadays the difference has taken larger proportions.

The adjustment at the last census due to the difference between the results of the continuous demographic accounting for the population with permanent residence in Romania prior to census and the 2002 Census results for the same population was a diminution of population by 456,000 persons. Likely, the enumeration covered only small part of nationals who were considered as having their permanent residence in Romania but living currently abroad.

In census data were collected on citizenship, ethnic nationality, mother tongue, religion and previous residence. For citizenship and ethnic nationality, the possible answers were Romanian and other (country to be specified) and the coding afterwards allowed identifying all countries of citizenship and the most numerous ethnic nationalities. The results of the 2002 Census are published considering the second definition.

The annual demographic accounts based on the census figure are produced alongside the first definition, i.e. on permanent residents of Romania only: by adding every year all births for persons having their permanent domicile in Romania including newborns abroad (5,248 newborns were registered as Romanian born abroad in 2006 and only 3,935 in 2005); by subtracting persons who renounced their permanent domicile in Romania; by subtracting all deaths including these of Romanian living abroad but having their permanent domicile in Romania.

The population stock by citizenship was updated through events by citizenship, taking into account also changes (acquisition and loss) of citizenship. Recorded events are available from the Population Registration System and statistically processed in INS. INS receives records of events for updating the population figures twice a year. Officially, the population figures are produced on 1st July while that on 1st January are available and but only provided to Eurostat.

**E.1.b Migration flows and characteristics of migrants at the time of migration**

Currently, only data from the Population Registration System are used for international migration statistics, and that means, only changes of permanent residence are considered for both nationals and foreigners. Individual records include
CNP, name and surname, permanent place of residence (address, municipality and county), temporary place of residence (address, municipality and county), date and place of birth, names of the parents, sex, civil status, occupation, education, citizenship and ID card number. Children under 14 years of age are linked to their parent's identity card. Apart from the permanent place of residence, every individual may declare a temporary residence for a maximum duration of one year. However, this information is not processed for migration statistics.

Romanian nationals leaving abroad have the possibility to renounce their permanent residence or domicile in Romania or simply to indicate a temporary residence abroad but there is no legal obligation to declare international emigration. In practice, only few emigrants do so. Some statistics on temporary emigration of nationals are produced on those who work abroad within bilateral work agreement but these figures are considered as under-counted. There is currently no possibility to estimate the total number of Romanian nationals living abroad. Currently, the figures on international emigration include only Romanian nationals who renounce to keep the permanent residence (domicile) in Romania. Data on emigration of foreigners are not produced.

International immigration of Romanian nationals will be registered only in case if person did not have permanent residence in Romania before immigration or had cancelled his or her permanent residence in Romania in the past when emigrating, and is returning to Romania for permanent residence. Data on immigration of Romanian nationals exists. However they are not included in the international migration statistics.

Foreigners will be registered in the population register only when a permanent residence permit is granted and thus, only foreigners obtaining permanent resident status can be considered as international immigrant. Moreover, they are counted among immigrants at the time of their registration in the population register that happens usually several years after the actual time of immigration in the country. The foreigners who stay temporary are recorded in the population register neither at the time of first entry nor in case of renewal of temporary residence permit, and as consequence are never included in the immigration statistics.

**E.1.c Residence permits**

In addition to foreigners with permanent residence in Romania there are about 27,000 foreigners employed by or associated with mixed and foreign companies in the country and 22,000 foreign students having temporary residence in the country. These foreigners were not included in the census, but could be counted using the “Integrated Information System for Migration Issues, Asylum and Visas Management”.

In order to cross the Romanian state border, citizens of a foreign state with which Romania have not concluded any bilateral (or multilateral) agreement abolishing visas must obtain a visa. The system of visas is managed under the responsibility of the Minister of Foreign Affairs.
Any foreigner entering the country with a long-stay visa will be checked and recorded at a border crossing point and has to present him or herself to the local office of the Romanian Immigration Office in the municipality of residence in order to receive his or her temporary residence permit. Accordingly, this foreigner will be recorded in the “Integrated Information System for migration issues, asylum and visas management”. Information system includes information on records on aliens regarding the delivered documents, visas, residence permits, apprehensions, orders to leave, and asylum decisions. The system is fully centralised under the responsibility of the Romanian Immigration Office under the Ministry of Interior and Administrative Reform.

Before the end of the validity of the permit, a renewal may be requested for the same purpose. In case of change of purpose, the person has to request a new long-stay visa outside the country and start a new procedure for getting a new temporary residence permit. However, the data on this new temporary permit are linked to the previous one in the information system. The date of validity of permit is checked on border and if a foreigner leaves the country after expiration of validity he or she has to pay a fine. Any foreigner with a temporary residence permit exceeding the validity of the permit without renewal and staying in the country will become illegal and may be forced to ask for renewal or if this is not allowed will be expelled from Romania.

When a foreigner with temporary residence permit fulfils the requirement for being granted a permanent residence permit (continuous legal stay for five years) he/she may receive a permanent stay permit document. The permit is issued for a period of five years and is successively renewed for the same period of time.

While information about temporary and permanent stay permits are recorded in the “Integrated Information System for migration issues, asylum and visas management”, data on foreigners with permanent permits are also kept in the population register, as mentioned above. Temporary residence permits are currently used only to produce statistics on residence permits.

**E.1.d Change of citizenship**

The National Office for Citizenship of the Ministry of Justice is in charge of handling all matters linked with acquisition or renouncement of the Romanian citizenship. Any new Romanian citizen will have to present him/herself to the local Evidence authorities in order to update his/her information as a new Romanian citizen and to receive a new ID card (this person was already registered as permanent residence permit holders in the population register). Multiple citizenships are allowed.

**E.1.e Asylum seeking and refugees**

The National Refugee Office is in charge of the asylum procedure. Asylum seekers may be register at border when entering the country, in airports or within the country after illegal entry or when the temporary residence permit exceeds the period of validity and cannot be renewed. National Refugee Office records personal data of
beneficiaries of temporary protection in the Romanian territory. All data and information concerning the asylum application are confidential.

E.1.f Irregular migration

Some information, like number of foreigners who stay longer than authorised or who leave the country after end of validity of visa or residence permit should be available or easily produced by the Romanian Immigration Office using the “Integrated Information System for migration issues, asylum and visas management”.

E.2. Measuring integration, discrimination and diversity

The last population census collected information on socio-economic characteristics of Romanian residents. The various socio-economic characteristics of foreigners and other persons having foreign background can be (theoretically) derived from household and labour force surveys. These surveys have been organised several years annually and are supposed to follow the EU requirements on contents and definitions. The English translations of recent questionnaires can be found on Eurostat website. In 2008, according to these requirements the Household Labour Force included the ad-hoc module regarding immigrants and their descendants. However, the concrete data cannot be easily found and the most of information on methodologies is available only in Romanian language. Therefore, it not possible to confirm if in practice the information is sufficient for studying topics as integration, discrimination and diversity particularly in case of quite limited number of foreigners in sample.

F. Accessibility of data

F.1. National Institute of Statistics (INS)

The most reliable source for population stocks data in Romania is population census. These data are presented by citizenship and by country of birth, both disaggregated by age and sex. Annual data on population stocks by country of citizenship and country of birth disaggregated by age and sex are also available. However, these figures cannot be considered as reliable due to the method of updating the annual population figures.

Migration flows data are published annually in a special publication “Migratia externa definitive”. Information is available in both Romanian and English languages. Data are disaggregated by various characteristics including country of destination and country of origin, age, sex, education level and marital status. Data by age and sex are available also by regions of Romania. However there is no information on citizenship and country of birth of migrants. No data on population stocks by citizenship or country of birth are published in this publication. However, data on population by these variables including breakdown by sex and age as at 1 January 2008 was provided to Eurostat.
Concerning the availability of data on National Institute of Statistics website, no free publications or free access to data is provided.

**F.2. The Ministry of Interior**

The Ministry of Interior and Administrative Reform possesses the most information related to legal residence of foreigners in the country. Nevertheless, only few of these data are available for statistical purpose and it is not known if and under which conditions data can be obtained for research. Theoretically, these data could cover areas as arrivals and departures on borders, residence permits and administrative actions towards illegal resident aliens.

According to EMERGENCY ORDINANCE No. 56 of 20 June 2007 on the employment and employment-related relocation of aliens on the territory of Romania (OFFICIAL Journal No. 424 of 26 June 2007) the Romanian Immigration Office forwards to the Ministry of Labour, Family and Equal Chances the statistics regarding the employment authorisations and residence permits for employment purposes issued to aliens, as well as information on the number of European Union citizens who carry out activities on the territory of Romania. The Romanian Immigration Office also produces reports on the situation of the foreign workers in Romania.

**G. Quality and scope of data collection**

In Romania only people having a domicile (or permanent place of residence) in the country are recorded by the population registration system. Generally, Romanian nationals have no reason, incentive or legal obligation for declaring their change of domicile when they emigrate. Therefore emigration of Romanian nationals is largely under covered by the official statistics. As a consequence, the annually estimated number of nationals living in Romania is overestimated. The number of foreigners having the usual residence in country is not available on annual base and the annual update of legal foreign population includes only those who are living permanently. Thus, number of foreigners actually living in country is underestimated.

Thus, number of immigrations includes only foreigners having received a permanent permit while the number of emigrations includes only Romanian citizens who deregistered officially. Compared to actual situation the latter is largely underestimated while the first is not in accordance to internationally recommended definitions. Moreover the net migration calculated as the difference between immigration and emigration is meaningless.

Concerning the migration related data that may possibly be derived from data collected by sample surveys, in the current situation where the access to both methodical information and concrete examples of data is limited, it is not possible to assess the quality or usefulness of such data.
Concerning administrative database on foreigners, the data on non-EEA citizens, if accessible for researches, could be useful and can provide relatively reliable information on both migration flows and stocks of foreigners legally in country. Concerning EEA citizens there data are supposed to be less reliable as the rules for registration are less strict.

H. Conclusions - Recommendations

In Romania, only few data are directly available from National Institute of Statistics or the Ministry of Interior as far as characteristics of the foreign population and international migrations are concerned. Only foreigners with permanent residence permit are considered in the population stock figures. Emigrations as well as return (im)migrations of nationals are largely under estimated, and consequently the number of nationals living usually in the country is over estimated. An example will show the difficulties: while less than 200 Romanians left their country for Spain, about 200.000 Romanians were arriving the same year in Spain. For sure, Romanians have no advantage to deregister in Romania when leaving their country and are not forced to do so while the same Romanians have all advantages to register themselves in the Padron in Spain to have access to education, health services… Accordingly any analysis based on these official statistics should be carried out with extreme caution.
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### Annex - Datasets on migration/integration in Romania

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<thead>
<tr>
<th>Responsible Institution</th>
<th>Dataset</th>
<th>Type of dataset</th>
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<tr>
<td>National Institute of Statistics (INS)</td>
<td>Census 2002</td>
<td>Census</td>
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<tr>
<td></td>
<td><strong>Statistics of Births</strong></td>
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<td></td>
<td><strong>Statistics of Deaths</strong></td>
<td>Count</td>
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<td></td>
<td><strong>Migration Statistics</strong></td>
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<td>Household Labour Force Survey 2008, including ad hoc module on integration</td>
<td>Survey</td>
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<td></td>
<td>European Social Survey (EU SILC), 2006</td>
<td>Survey</td>
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<tr>
<td>Ministry of Interior and Administrative Reform</td>
<td>Population Registration System</td>
<td>Register (administrative)</td>
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<td></td>
<td>Integrated Information System for Migration Issues, Asylum and Visas Management</td>
<td>Register (administrative)</td>
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