

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiche – Romania
February 2023

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1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹ and Council Implementing Decision (EU) 2022/382²

[Law 122/2006](#) on asylum, published in the Official Gazette no. 428 of 18 May 2006, is the main act implementing the Temporary Protection Directive.

On 27 February 2022, the Romanian Government adopted the [Emergency Government Ordinance no. 15/2022](#) on the granting of support and humanitarian assistance by the Romanian State to foreign citizens or stateless persons in special situations originating from the area of armed conflict in Ukraine, published in the Official Gazette of Romania under no. 193/27.02.2022 (**GEO 15/2022**), which entered into force on the same date.

On 18 March, the [Decision 367/2022](#) on establishing certain conditions for granting temporary protection and amending and supplementing certain acts in the field of aliens has been adopted. This normative act, issued at the proposal of the General Inspectorate for Immigration for the implementation of the Council Implementing Decision (EU) 2022/382, lays down the concrete conditions for ensuring the temporary protection of displaced persons on the territory of Romania and establishes the categories of persons who may benefit from this status.

Currently, the duration for the temporary protections is until 4 March 2023. Such period may be extended automatically, if the reasons for such protections persist, for two periods of six months each.

Several other acts were adopted in the meantime to ensure assistance and adequate reception of persons displaced from Ukraine.

- ▶ [Emergency Government Ordinance no. 20/2022](#) on amending and supplementing certain normative acts and to establish certain support and humanitarian assistance measures, published in the Official Gazette of Romania under no. 231/08.03.2022 (**GEO 20/2022**), entered into force on 8 March. GEO 20 is amending and adding to GEO 15, including regarding the definition of beneficiaries.
- ▶ [Order no. 301/2022](#), which approved the procedure for the employment of displaced persons from Ukraine in line with the provisions of GEO 20/2022, published in the Official Gazette of Romania, Part I, no. 240 of 10 March 2022, of the Ministry of Labour and Social Solidarity (MLSS).
- ▶ [GEO No. 36/2022](#) on the establishment of social protection measures for employees in the context of the armed conflict in Ukraine and as a result of international sanctions against the Russian Federation and Belarus, published in the Official Gazette No. 340 of 7 April 2022.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

General legislation on foreigners:

- ▶ [GEO 194/2002](#) on the regime of foreigners in Romania, republished, with subsequent amendments and additions, republished in the Official Gazette no. 421 of 5 June 2008;
- ▶ [Law no. 22/2022](#) for the amendment of Government Emergency Ordinance no.194/2002 on the regime of foreigners in Romania, published in the Official Gazette no 45 of 14 January 2022.

Relevant legislation on access to employment:

- ▶ [Government Ordinance no. 25/2014](#) on the hiring and posting of foreigners in Romania, as well as for the amendment of certain legal enactments as regards the foreigners regime in Romania (GO 25/2014);
- ▶ [Bilateral agreement between Romania and Ukraine on the on mutual recognition and equivalency of education documents and academic degrees](#), signed in Bucharest, on 19 February 1999.

Relevant legislation on social security and welfare:

- ▶ [Law no. 263/2010](#) regarding the unified public pension system published in the Official Gazette no. 852 of 20 December 2010;
- ▶ [Emergency Government Ordinance](#) no. 158/2005 regarding leaves and health insurance allowances, published in the Official Gazette no. 1074 of 29 November 2005;
- ▶ [Emergency Government Ordinance no. 111/2010](#) on parental leave and allowance, published in the Official Gazette no. 830 of 10 December 2010;
- ▶ [Emergency Government Ordinance](#) no. 96/2003 on protection of maternity at work, published in the Official Gazette no. 750 of 27 October 2003;
- ▶ [Law no. 76/2002](#) regarding the unemployment insurance system and employment stimulation, published in the Official Gazette no. 103 of 6 February 2002;
- ▶ [Law no. 346/2002](#) regarding the insurance system for work accidents and occupational diseases, republished in the Official Gazette no. 251 of 08. April 2014;
- ▶ [Law no. 95/2006](#) on healthcare reform, published in the Official Gazette no. 652 of 28 August 2015;
- ▶ [Law no. 448/2006](#) regarding the protection and promotion of the rights of disabled persons, republished in the Official Gazette no. 1 of 3 January 2008;
- ▶ [Law no. 292/2011](#) regarding the social assistance, published in the Official Gazette no. 905 of 20 December 2011;
- ▶ [Law no. 416/2001](#) regarding the guaranteed minimum income, published in the Official Gazette no. 201 of 20 July 2001;
- ▶ [Law no. 61/1993](#) regarding the state allowance for children, republished in the Official Gazette no. 767 of 14 November 2012.

Legislation regarding education rights:

- ▶ [Order no 3.363/10.03.2022](#) on the approval of the composition of the Commission for the coordination of the activity of assigning pre-school children/pupils to educational establishments where they can carry out educational activities, as well as to institutions where they will benefit from psycho-pedagogical assistance and counselling, the procedure for its organisation and functioning and for the approval of the Procedure for the enrolment as auditors in the courses of educational establishments of minors in special situations who come from the area of armed conflict in Ukraine and entered the territory of Romania
- ▶ [Order no 3.325/02.03.2022](#) on the completion of the Annex to the Order of the Minister of Education No 5.140/2019 on the approval of the Methodology on academic mobility of students

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	<p>Yes</p> <p>Ukrainian citizens who legally enter Romania and who do not apply for a form of protection under Law 122/2006 on asylum in Romania can be employed without a work permit, and their right to stay for employment purposes is extended without the obligation to obtain a long-stay visa for employment purposes, under GEO 15/2022 and GEO 20/2022.</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>Article 2 (1 j) of Law 122/2006 defines family members. To the extent that at the time of the application by the principal applicant the family exists in the country of origin, the following family members of the person displaced from Ukraine can benefit from temporary protection:</p> <p>(i) the spouse or, where applicable, the spouse of the beneficiary of asylum status or subsidiary protection status;</p> <p>(ii) the minor children of the beneficiary of asylum or subsidiary protection status or the minor children of the spouse of the beneficiary, provided that they are unmarried, whether by marriage or by adoption under the national law of the country of origin;</p> <p>(iii) the father or mother of the beneficiary of international protection or another person of full age who is responsible for him/her according to Romanian law, when the beneficiary is a minor and unmarried.</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes According to GEO 15/2022 and GEO 20/2022.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes According to GEO 15/2022 and GEO 20/2022.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	Yes The legislation equates these individuals to the other categories listed above. Such persons are entitled to benefit from medical assistance and treatment, to be included in national health programs, and transport.
Any additional category of beneficiaries (i.e. persons who arrived from Ukraine before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in Section 2)	General Inspectorate for immigrations	<i>Inspectoratul General pentru Imigrari</i>	Inspectoratul General pentru Imigrari

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Employment rights	Ministry of Labour and Social Solidarity (MLSS)	<i>Ministerul Muncii si Solidaritatii sociale</i>	Ministerul Muncii si Solidaritatii sociale
	National Agency for Employment (ANOFM)	<i>Agentia Nationala pentru ocuparea Fortei de Munca</i>	Agentia Nationala pentru ocuparea Fortei de Munca
	National Centre for the Recognition and Equivalence of Diplomas	<i>Centrul National de Recunoastere si echivalare a diplomelor</i>	Centrul National de Recunoastere si Echivalare a Diplomelor
Social welfare and social security rights	Ministry of Labour and Social Solidarity (MLSS)	<i>Ministerul Muncii si Solidaritatii sociale</i>	Ministerul Muncii si Solidaritatii sociale

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Romania has established a [decision-making and coordination structure](#) to enable agencies with different law enforcement and operational responsibilities at all levels of government to plan, coordinate and interact effectively on the ground in response to the humanitarian refugee crisis. A high-level decision-making Task-Force, under the coordination of the Prime Minister, has been established at Government level since day one of the conflict.

Secondly, an operational Task Force, called the "Ukraine Commission", headed by the Head of the Prime Minister's Chancellery, was set up to oversee the activities of the ministries involved in managing the refugee influx in all areas of intervention.

Thirdly, at the level of the Prime Minister's Chancellery, the [Strategic Coordination Group for Humanitarian Assistance](#), headed by a State Counsellor, was established to provide the strategic framework for humanitarian response and to facilitate cooperation between agencies and partners at national, European and international level.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Article 130 and following of Law 122/2006 on asylum in Romania regulates the granting of temporary protection in case of a mass influx of displaced persons. This form of protection is exceptional and applies only if the mass influx of refugees is recognised by the Council of the European Union. It is clear from the legal provisions that no application for temporary protection is required, as it is granted by operation of the law. The duration of temporary protection is one year with the possibility of extension.

Temporary protection to persons displaced from Ukraine pursuant to GEO 15/2022 is applicable to those who entered Romania as of 24 February 2022. The protection measures are valid for as long as the European Union (EU) decision is in force, currently set for one year, until March 2023.

GEO 20/2022 extends the application of Article 1(1) of GEO 15/2022 on the granting of support and humanitarian assistance by Romania to foreign citizens or stateless persons in special situations, coming from the area of armed conflict in Ukraine (OUG 15/2022) and beneficiaries of the Council Implementing Decision. In particular, the rules on the provision of food, clothing, personal hygiene materials, transport, medical assistance and appropriate treatment (through the emergency medical assistance and qualified first aid system), as well as the right to be included in national public health programmes (applicable to persons who do not apply for asylum in Romania, but who are settled in temporary accommodation camps or in other accommodation facilities organised by the authorities), applies by extension to Ukrainian citizens residing in Ukraine before 24 February 2022, stateless persons and third country nationals who were beneficiaries of international protection or equivalent national protection in Ukraine before that date, and members of their families.

The Law 122/2006 on asylum in Romania stipulates that foreigners can benefit from other forms of protection in Romania such as asylum status and subsidiary protection.

The asylum status may be granted to foreign nationals who, based on a well-founded fear of persecution on the grounds of race, religion, nationality, political opinion or membership in a particular social group, are outside their country of origin and, who cannot, or, because of this fear, do not wish to, seek the protection of that country, as well as the stateless persons, who, for the same reasons stated above, from outside the country in which they had habitual residence, cannot or, because of that fear, do not, wish to return to that country (provided that the grounds for exclusion under Article 23 of Law 122/2006 on Asylum do not apply). This is different from temporary protection which is granted through the operation of the law and the applicants do not risk seeing their application rejected. Furthermore, war and conflict are not among the reasons for which asylum status can be granted.

Subsidiary protection can be granted to foreign nationals or stateless persons who do not meet the conditions for recognition of asylum status and for whom there are reasonable grounds for believing that in the event of return to the country of origin or country of habitual residence, they will be exposed to a serious risk, who cannot or, because of this risk, do not want, the protection of that country and to whom the reasons for exclusion from granting this form of protection provided by this law do not apply (see Article 26(1) of Law 122/2006 on Asylum

³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

in Romania). The notion of ‘serious risk’ may include a serious, individual threat to life or integrity as a result of widespread violence in situations of internal or international armed conflict, insofar as the applicant is part of the civilian population (see Article 26 (2) point 3 of Law 122/2006 on Asylum in Romania).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Displaced persons from Ukraine may apply for an extension of their right of residence for work purposes and the issuance of a single permit without the obligation to obtain a long-stay visa for employment, according to [GEO 194/2002](#) on the regime of foreigners in Romania, republished, with subsequent amendments and additions.

The extension of the right of residence is materialised by the issuance of a single permit (residence permit attesting the right of residence and work) valid for up to one year. The right of residence may be extended for successive periods of one year, provided that the conditions representing the basis for granting the initial right to work are maintained.

The status change from temporary protection to EU Blue Card is not expressly foreseen in legislation. As such, no legal provision would prevent displaced persons from Ukraine benefiting from temporary protection, from applying for a Blue Card, even while remaining in the country.

A rather new possibility for displaced persons from Ukraine is that they could be able to work in Romania as “[digital nomads](#)”, a status recently regulated by the authorities under Law no. 22/2022 for the amendment of Government Emergency Ordinance no.194/2002 on the regime of foreigners in Romania, published in the Official Gazette no 45 of 14 January 2022. A digital nomad visa allows an individual to obtain a residence permit in Romania while working remotely for another country from Romania. The main requirement for obtaining such a visa is that the applicant is an employee of a foreign company or has owned a company registered outside of Romania for more than three years.

Also, persons displaced from Ukraine may apply for asylum at any time during the period of temporary protection.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to long-term residence permit/extension of right of residence for work purposes

The conditions set in the legislation to apply for such a status change while remaining in the country:

The long-term residence visa can be granted to a foreigner carrying out, among others, the following activities in Romania: economic activities, professional activities, commercial activities, and employment, and also for family reunification.

The long-term residence permit cannot be granted simultaneously to asylum seekers or individuals already benefiting from international protection, temporary protection or right of residence as a seasonal worker or *au pair*.

The right of long-term residence shall be granted to aliens referred to in Article 70 para. (1) of GEO 194/2002, if they have had the right to temporary residence or have benefited from international protection on the territory of Romania continuously in the last five years and if during this period they have not been absent from the territory of Romania for more than six consecutive months and not exceeding 10 months of absence in total. The period during which one has travelled abroad in order to carry out international transport activities, is not considered as absence from the territory of Romania (subject to documentary evidence). This period can be reduced to four years in the case of beneficiaries of international protection in Romania who actively participate in the economic, social and cultural life of Romanian society or reduced by half in the case of beneficiaries of international protection in Romania who have been married to a Romanian citizen for at least five years. Moreover, the period of residence for study purposes is calculated at half for long-term residence and does not take into account the stay conferred by a short-stay visa, diplomatic or service visa or that obtained for activities as a seasonal worker or *au pair*. This period is calculated from the date of submission of the application on the basis of which international protection in Romania was granted, in the case of beneficiaries of international protection.

The law does not expressly foresee whether the foreigner can apply for residence while remaining in the country or not. However, it may be interpreted as implying that a beneficiary of any form of international protection could apply for long-term or short-term residence only after the expiration of that form of protection.

However, for temporary protection, displaced persons from Ukraine may apply for an extension of their right of residence for work purposes and the issuance of a single permit without the obligation to obtain a long-stay visa for employment (GEO 194/2002) on the regime of foreigners in Romania, republished, with subsequent amendments and additions). They do not have to leave the country.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

According to the GEO 194/2002, to apply for a long-term visa for employment, the displaced persons from Ukraine must meet the following conditions:

- ▶ bring the proof of means of subsistence at the level of the minimum gross basic salary guaranteed in the country for the entire period of the visa;
- ▶ provide criminal record certificate or other document with the same legal value, issued by the authorities of the State of domicile or residence;
- ▶ provide medical insurance for the period of validity of the visa.

The visa for employment is granted without the presentation of a copy of the employment permit to foreigners from Ukraine employed on the territory of Romania with a full-time individual employment contract for a maximum period of nine months in a calendar year.

Any alteration of rights with respect to

residence:	employment rights:	social welfare and social security rights:
For displaced persons from Ukraine beneficiaries of temporary protection, the extension of the right of residence is	N/A	N/A

<p>materialised by the issuance of a single permit (residence permit attesting the right of residence and work) valid for up to one year. The right of residence may be extended for successive periods of one year, provided that the conditions representing the basis for granting the initial right to work are maintained.</p>		
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<p><u>Status change from temporary protection to EU Blue Card</u></p>		
<p>The conditions set in the legislation to apply for such a status change while remaining in the country:</p>		
<p>The status change from temporary protection to EU Blue Card is not expressly foreseen in legislation. As such, no legal provision would prevent displaced persons from Ukraine, benefiting from temporary protection, from applying for a Blue Card, even while remaining in the country.</p>		
<p>If beneficiaries of temporary protection intend to work as highly qualified employees in Romania for more than 90 days, they can apply for a EU Blue Card during the temporary protection regime. It would, however, only be applicable after expiry of the temporary protection. The future employer must first apply to the General Inspectorate for Immigration (GII) for a work authorisation for highly qualified employees. This authorisation is issued within the quotas fixed by the Government, unless there is in place an exemption from the quota requirement. To apply for a EU Blue Card, the applicant must: (i) have a valid work contract or binding job offer for highly qualified employment with a duration of at least one year; (ii) meet the minimum salary threshold for Romania; (iii) for regulated professions: present documents proving that the national legal requirements are met; and (iv) for unregulated professions: present documents proving that the relevant higher professional qualifications are met.</p>		
<p>In Romania, the EU Blue Card is issued for a period of one year and extended for the duration of the employment contract plus three months and up to two years maximum (more information here). National law provides that the maximum processing time for issuing a EU Blue Card in Romania is 30 days (more information here).</p>		
<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p> <p>Not foreseen by law.</p>		
<p>Any alteration of rights with respect to</p>		
<p>residence:</p> <p>N/A</p>	<p>employment rights:</p> <p>N/A</p>	<p>social welfare and social security rights:</p> <p>N/A</p>

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No, not specifically for this purpose. Romania's Immigration Office is under the obligation, pursuant to Article 140 of Law 122/2006 on asylum, to give all relevant information pertaining to displaced persons when transfer requests are made. No references to such a situation (precluding multiple registration) exists in the specific legal norms adopted to implement the Council Decision 2022/382.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

There are no specific provisions applicable to beneficiaries of temporary protection.

Displaced persons from Ukraine formally recognised in Romania as benefiting from temporary protection have the same rights as Romanians citizens, besides the right to vote and be elected in public office, including:

- ▶ to be employed by natural or legal persons, under the same conditions as Romanian citizens (Article 3 (1) letter j) of GO 25/2014);
- ▶ to benefit from social insurance, social assistance measures and social health insurance, under the conditions provided by law for Romanians;
- ▶ to benefit from equal treatment with Romanians regarding equivalence of studies or periods of study, recognition of diplomas and certificates of competence, as well as professional qualifications that give access to professions in Romania.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

During the period of temporary protection, beneficiaries have the right to be employed and to engage in self-employed activities, under the law. In other words, foreigners who are in the situation described in the Council Implementing Decision 2022/382 of 4 March 2022 can be directly employed, even if they have not applied for protection. The GEO 20/2022 provides for measures that facilitate the integration of displaced persons from Ukraine into the Romanian labour market. Foreign citizens are able to work in Romania on the basis of a declaration on their own responsibility, given to the Romanian employer, by which they guarantee that they have the relevant professional training, experience in the activity necessary to fill the position and that they have no criminal record.

According to the existing national legal provisions (as regulated by GO 25/2014), three options of employment of displaced persons from Ukraine by a Romanian employer exist. These modalities are derogatory to the general rule that a local employer (company from Romania), in order to employ a natural person from a third country, should obtain an employment permit.

- ▶ **For a fixed-term of maximum nine months during a calendar year:** This first option is the one provided for in Article 3(2)o) of GO 25/2014, according to which displaced persons from Ukraine can be employed on the territory of Romania with a full-time individual employment contract for a maximum period of nine months in a calendar year (employment without any refugee status). According to Article 13(3) of GO 25/2014, there is no need for an employment permit for displaced persons from Ukraine employed on the territory of Romania with a full-time individual employment contract, for a period of maximum nine months in a calendar year, if they meet the conditions provided for in Article 13(2) of GO 25/2014, that is, the conditions of authorisation provided for by the legislation in force in Romania for the occupation of that job (if such conditions of authorisation exist for the position they are going to occupy) and have no criminal record incompatible with the activity they are going to perform on the territory of Romania. In short, this procedure involves only obtaining the NIF (Tax Identification Number) without the need to obtain a work permit. In this situation, displaced persons from Ukraine must be hired under a full-time employment contract (8h/day, 40 hours/week) (see Article 3(1)o) of GO 25/2014). Such person however is still required to obtain a long-stay visa and a residence permit when extending the initial right of residence. After these nine months, displaced persons from Ukraine who want to continue working in Romania can benefit from an extension, provided they obtain a work permit and a full-time individual employment contract registered in the general register of employees, which shows the salary is at least at the level of the minimum wage (i.e. lei 2 550).
- ▶ **In 3 months as of filing for asylum in Romania:** displaced persons from Ukraine may be hired in Romania after three months have elapsed from the date they have officially submitted their asylum request in Romania. They may stay employed throughout the entire asylum procedure; in other words, for the entire duration while the asylum request is under analysis by Romanian authorities (according to Article 3(1)k) of GO 25/2014 in connection with Article 17(1)o) of Law 122/2006 on asylum in Romania). This second option based on the provisions of Article 3(2)k) of the GO 25/2014, implies direct employment, without obtaining a work permit from the employer, for asylum seekers from the date on which they are entitled to receive access to the labour market according to Law no. 122/200.
- ▶ **After being recognised as refugees or as beneficiaries of subsidiary protection:** displaced persons from Ukraine to whom protection has been formally recognized, have the same rights as Romanians citizens, besides the right to vote and be elected in public office, including: (i) to be employed by natural or legal persons, under the same conditions as Romanians; (ii) to benefit from social insurance, social assistance measures and social health insurance, under the conditions provided by law for Romanians; (iii) to benefit from equal treatment with Romanians regarding equivalence of studies or periods of study, recognition of diplomas and certificates of competence, as well as professional qualifications that give access to professions in Romania.

The new **GEO 20/2022** now establishes special rules for the employment of Ukrainian citizens.

- ▶ Displaced persons from Ukraine can be employed **without a work permit** (it is no longer necessary that the duration of the employment agreement is limited to nine months, as required by the general rules presented above).
- ▶ The right to stay for employment purposes is extended for displaced persons from Ukraine (at the expiry of the first 90 days after entering Romania), without the obligation to obtain a long-stay visa for employment purposes.
- ▶ Displaced persons from Ukraine who do not hold documents proving their professional qualification or on-the-job experience required to occupy a position, may be employed on the basis of an affidavit stating that they meet the professional qualification and on-the-job experience and that they do not have a criminal record that is incompatible with the activity in question. Under these circumstances, they can be employed for a 12-month

period that can be extended for no more than two consecutive six-month periods. However, that exception does not apply to regulated professions, such as that of doctor, dentist, pharmacist, architect.

These special rules apply only to displaced persons from Ukraine who legally entered Romania and who do not apply for a form of protection under Law 122/2006 on asylum in Romania (the refugee status or the status conferred by subsidiary protection, respectively). Thus, with the adoption of the new regulation, GEO 20/2022, displaced persons from Ukraine have **two additional options** regarding a possible settlement in Romania: (i) **direct employment**, without the need to obtain a visa and a work permit: or applying for **temporary protection** according to the Temporary Protection Directive that automatically provides the right of residence and work.

II. Recognition of qualifications/diplomas

Displaced persons from Ukraine wishing to be employed in Romania but not having documents attesting their professional qualification or work experience have according to Article VI GEO 20/2022 several options.

- ▶ They can apply to government employment agency and its territorial centres for support and registration.
- ▶ They have the opportunity to work in Romania based on an [affidavit](#) in which they ascertain that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record. However, these derogations do not apply for work in regulated professions (e.g. physician, pharmacist, architect), irrespective of whether such professions are carried out within a company or as self-employed.
- ▶ Career guidance counsellors are able to provide them with information and professional counselling services and assist them in filling in the affidavit, which is also available in Ukrainian. Displaced persons from Ukraine that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.
- ▶ After receiving professional information and counselling services, the displaced persons from Ukraine are placed in a vacant job that corresponds to the qualifications and experience as declared and receive an assignment order to present to the employer.

More generally, if the Romanian State accepts the diploma/degree or certificate as authentic, then it is possible to study and work in Romania. The diploma or certificate shall only be recognised for the purpose stated and, therefore, cannot be used for any purpose other than the one regarding which recognition was requested for (more information [here](#)). Diplomas, certificates or other documents issued by an accredited school, high school or university from abroad may be recognised.

The **National Centre for the Recognition and Equivalence of Diplomas** is the relevant assistance centre in Romania, according to the provisions of Article 37 of the [Law no. 200/25.05.2004](#) on the recognition of professional diplomas and qualifications for regulated professions in Romania, as amended. Its task is to provide citizens and [assistance centres in the other Member States](#) with assistance in the recognition of professional qualifications, including information on:

- ▶ [national legislation governing their professions and their practice](#)
- ▶ labour and social security legislation
- ▶ [Ministry of Labour and Social Justice](#)

▷ [National House of Public Pensions](#)

▶ [deontological norms for the regulated professions in Romania.](#)

Furthermore, Ukraine and Romania have concluded a [bilateral agreement on mutual recognition and equivalency of education documents and academic degrees](#).

Initially, displaced minors from Ukraine gain the status of [“observers”](#), until their studies are recognised by the county school inspectorates and, if the case may be, they pass certain examinations established to prove the equivalence of the studies. After that, they are considered pupils. Furthermore, in Romania, 45 primary schools and 10 [high schools](#) operate in Ukrainian, while private schools have also prepared 160 centers able to accommodate 1,300 children where they will benefit from psycho-social support and Romanian language lessons.

Additionally, the [Ministry of Education](#) was empowered to supplement the number of students in State universities with up to 20% to accommodate the students who were studying in Ukrainian universities before the war.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Career guidance counsellors provide displaced persons from Ukraine with information and professional counselling services and assist them in filling in an affidavit in which they ascertain that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record (available also in Ukrainian). Displaced persons from Ukraine that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.

The National Employment Agency, through its territorial structures, offers free services to displaced persons from Ukraine registered in the records of the institution.

- ▶ Information and professional counselling: This includes services provided free of charge to jobseekers, aimed at providing information on the labour market and the evolution of occupations; profiling and matching to the level of employability; training in methods and techniques of job search and guidance during the process of socio-professional integration at the new workplace.
- ▶ Job mediation: It includes putting employers in touch with jobseekers with a view to establishing employment or service relationships. Mediation services are provided free of charge to persons registered in the ANOFM database.
- ▶ Vocational training: Consists of increasing and diversifying professional skills in order to ensure mobility and integration into the labour market. Vocational training is provided free of charge for persons registered in the ANOFM database. Access to vocational training programmes is provided following information and vocational counselling or mediation.
- ▶ Assessment and recognition of professional competences obtained in non-formal and informal learning contexts: This service is intended for people who do not hold a certificate of professional competence, qualification or graduation for certain skills, occupation or qualification and have no medical restrictions. Access to free assessment and certification services for professional competences acquired through non-formal means is provided following information and professional counselling or mediation.

- ▶ EURES support services: This service provides information, advice and mediation services for jobseekers in the EU and the European Economic Area.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Vocational training (increasing and diversifying professional skills in order to ensure mobility and integration into the labour market) is provided free of charge for persons registered in the ANOFM database. Access to vocational training programmes is provided following information and vocational counselling or mediation.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Before GEO 20/2022, there were no special social security benefits for Ukrainian citizens or other beneficiaries of temporary protection measures. The main social security rights regulated under Romanian legislation are: (i) old age, invalidity, survivors' benefits; (ii) sickness benefits; (iii) benefits for accidents at work and occupational diseases; (iv) unemployment benefits; (v) family benefits (maternity leave, sick childcare, parental leave, child allowance).

Ukraine citizens were entitled to emergency healthcare assistance, which included main health care services.

- ▶ Free medical assistance and care services similar to those provided to Romanian citizens, for a period of 90 days, if the entry into Romania met the legal conditions, i.e. on the basis of the biometric passport.
- ▶ Ukrainian citizens who had a legal right of residence in Romania (but did not benefit from a form of international protection) benefited from the above-mentioned services upon payment of health contributions for work-related income or from the date they submitted a declaration for payment of social security contributions.
- ▶ Primary health care and treatment, emergency hospital care, as well as medical care and treatment was granted free of charge in cases of acute or chronic life-threatening diseases, for citizens applying for asylum in Romania.
- ▶ Free medical assistance and care services was available for Ukrainian citizens who were beneficiaries of a form of international protection (e.g. asylum) and became insured under the social health insurance system.

However, [GEO 20/2022](#) modified the content of GEO 15/2022 with regards to medical care and assistance. Its Article 1 provides some exceptions for people coming from the area of armed conflict in Ukraine. According to the modified GEO 15/2022, certain categories of persons referred to in Article 1(4) who require medical services, medical supplies, medicines and medical devices, benefit from the basic package of services provided for in the Framework Contract on the conditions for the provision of medical care, medicines and medical devices under the social health insurance system and in the methodological rules for its application, as well as from the medicines, medical supplies, medical devices and medical services included in the national curative health programmes, like Romanian insured persons, without payment of the social health insurance contribution, the personal contribution for medicines provided in outpatient treatment and with exemption from the co-payment.

At the same time, Article 1(6) and (7) of GEO 15/2022, as amended and supplemented, provides that providers of medical services, medical supplies, medicines and devices who are in contractual relations with the health insurance companies, including for the programmes of national curative health programmes, are obliged:

- ▶ to register in the computer application provided by the National Health Insurance House for the persons referred to in Article 1(4) and to keep copies of the identity documents, if they exist;
- ▶ to draw up separate records for medical services, medical supplies, medicines or medical devices provided to the persons referred to above and for which they draw up separate invoices;

Under GEO 20/2022, people with disabilities, accompanied or unaccompanied, who come from the area of armed conflict in Ukraine and enter Romania, can benefit, upon request, from social services provided in all types of residential centres for adults with disabilities, namely sheltered housing, centres for independent living and rehabilitation centres, care and assistance centres or in respite centres/crisis centres. If, upon entering Romania, persons with disabilities declare, individually or through their accompanying person, that they will remain in Romania, they can be registered, on request, in the records of the General Directorate of Social Assistance and Child Protection in order to benefit from the services provided in the centres for adults with disabilities. Adults with disabilities who do not have valid identity documents will be communicated to the General Inspectorate for Immigration in order to establish their legal status, while they will be taken over, upon request, by the General Directorate for Social Assistance and Child Protection in order to provide the services mentioned above.

In addition, foreign citizens or stateless persons in special situations who come from the armed conflict area in Ukraine and enter Romania and who do not apply for asylum can be accommodated for free in temporary accommodation and humanitarian assistance camps or in other accommodation locations established by the county/Bucharest committees for emergencies. Here they are provided with food, clothing and personal hygiene materials.

The beneficiaries of the temporary protection are also entitled:

- ▶ to be informed, in writing, in a language which they are supposed to understand, of the provisions relating to temporary protection;
- ▶ to be employed, to carry out independent activities, respecting the rules applicable to the profession, as well as activities such as educational opportunities for adults, vocational training and practical work experience, in accordance with the law;
- ▶ to benefit, on request, from the necessary assistance for maintenance, in case they do not have the necessary material means;
- ▶ for beneficiaries of temporary protection with special needs, to receive adequate medical assistance;

- ▶ the right to have access to the State education system under the conditions provided by law for Romanian citizens, in the case of beneficiaries of temporary protection who have not reached the age of 18.

II. Eligibility conditions

The persons who are eligible to benefit from the provisions related to health care and other types of benefits provided by the amended and supplemented GEO 15/2022, are the following:

- ▶ foreign citizens or stateless persons in special situations who come from the area of armed conflict in Ukraine and enter Romania and who do not apply for a form of protection under Law No 122/2006 on asylum in Romania, as amended and supplemented;
- ▶ beneficiaries of Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine;
- ▶ foreign nationals or stateless persons in special situations who come from the area of armed conflict in Ukraine and who enter Romania and apply for international protection in Romania, by way of derogation from Article 20(2) of Directive 2004/83/EC (1) of Law no. 122/2006, as subsequently amended and supplemented.

- ## III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Yes, provided above, in Section I. Furthermore, public social service providers, accredited in accordance with the law, may establish social services of the type referred to in Article 51 of the [Law no. 448/2006](#) on the protection and promotion of the rights of persons with disabilities, published in the Official Gazette No. 1 of 3 January 2008, republished, as amended and supplemented, for adults with disabilities from the area of armed conflict in Ukraine, depending on their needs, for a fixed period, but not more than three years.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Foreign citizens coming from Ukraine can travel for free inside Romania with CFR Călători. Also, as a refugee, Ukrainians can leave Romania and go to Hungary for free. CFR Călători issues free tickets towards the border, and the conductor MAV (from Hungary), further on the territory of Hungary to Budapest or to the next border.

Against the background of the armed conflict in Ukraine, the MLSS has taken a number of decisions aimed at protecting disabled people, dependent elderly people, as well as making the conditions of access to the Romanian labour market more flexible for displaced persons from Ukraine.

- ▶ Displaced persons from Ukraine wishing to be employed in Romania but not having documents attesting their professional qualification or work experience can apply to government employment agencies for support and registration.

- ▶ Displaced persons from Ukraine have the opportunity to work in Romania based on an affidavit in which they guarantee that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record. However, these derogations do not apply for work in regulated professions (e.g. physician, pharmacist, architect), irrespective of whether such professions are carried out within a company or as a self-employed.
- ▶ Career guidance counsellors provide displaced persons from Ukraine with information and professional counselling services and assist them in filling in the affidavit (also available in Ukrainian). Displaced persons from Ukraine that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.
- ▶ After receiving professional information and counselling services, displaced persons from Ukraine are placed in a vacant job that corresponds to the qualifications and experience as declared and receive an assignment order to present to the employer.

There are also sites dedicated to Ukrainians fleeing from the conflict, such as:

- ▶ <https://www.gov.ro/ro/pagina/ukraine-together-we-help-more>
- ▶ <https://romania.iom.int/news/useful-information-people-entering-romania-ukraine>
- ▶ <https://visitukraine.today/blog/183/romania-useful-information-for-ukrainian-refugees>
- ▶ https://mmuncii.ro/j33/images/Documente/MMSS/20220307_pliant_-servicii-UKR-pag4.jpg
- ▶ <https://dopomoha.ro/en>
- ▶ [Refugees.ro](https://refugees.ro) is a special platform developed by young cybersecurity researcher Alexandru Panait gathering various initiatives aimed at helping Ukrainian citizens arriving in Romania. Many resources from various areas are mapped on this website, from shelter to food, transport, medicines, childcare, pet care, translation, job offers or other services. The platform is available in English, Ukrainian, Romanian, Polish, Russian, and Slovak, offering valuable information for both beneficiaries and people who can provide help.
- ▶ The Romanian Government also launched a platform aimed at streamlining the help offered by individuals, NGOs, and companies. Those who can help can fill out a form (you have to share personal information such as your name or phone number, plus the type of help you can offer - accommodation, essential goods, food, job offer or transport - and the location).
- ▶ Furthermore, according to Article 1(10) of GEO 15/2022 natural persons hosting foreign citizens or stateless persons in special situations, coming from the area of the armed conflict in Ukraine, shall benefit from the reimbursement from the budget of the County Inspectorates for Emergency Situations/Inspectorate for Emergency Situations Bucharest-Ilfov of food and accommodation expenses amounting to 20 lei/day/person hosted for food and 50 lei/day/person hosted for accommodation.