



Fair Trials is a non-governmental organisation that works for the right to a fair trial according to internationally-recognised standards of justice.

This factsheet covers:

- Definitions of key legal terms;
- Information about criminal proceedings and defence rights in Romania; and
- Useful Links

We have prepared this factsheet with the assistance of local criminal lawyers, who tried to describe how things happen in reality. Even within one country, however, practice can vary greatly from one place to another your own experience could differ from the descriptions below. This document does not constitute legal advice and only provides general information. If you need advice in relation to your specific case, or if you are concerned about a possible violation of your rights, you should discuss this with your local lawyer.

If you think an important question is not covered by this note, please let us know by filling out the sheet attached at the end. We would also appreciate it if you could also take a few moments to give us some feedback about this note. Your comments will help us to improve our services.

*"Fair Trials" comprises Fair Trials International and Fair Trials Europe. Fair Trials International is a registered charity (no. 1134586) and in 2010 was incorporated with limited liability in England Wales (no. 7135273). Fair Trials Europe is a registered public foundation in Belgium (registered number 0552.688.677). We were initially founded in 1992 with the name "Fair Trials Abroad".*

#### **IMPORTANT**

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## **DEFINITIONS OF KEY LEGAL TERMS**

**Appeal** (*apel*): An opportunity to dispute a decision made at trial (either on guilt or on sentence) by asking a higher court to review it. This can result in the decision being overturned or changed.

**Bar Association** (*Barou*): An organisation whose role is to represent lawyers and help people in their dealings with lawyers. There are 42 bar associations in Romania, one in each county, and one in Bucharest – all are members of the National Association of the Romanian Bars (*Uniunea Națională a Barourilor din România*).

**Charge/Indictment** (*inculpare/rechizitoriu*): A statement (in writing) accusing a person of carrying out an offence. Indictment is an official confirmation of charges which means that your case will go to trial. It is up to the prosecutor to decide whether or not to bring charges, or to take a case to trial.

**Consulate** (*consulatul*): The section of an embassy whose task is to assist its citizens.

**Court of Appeal** (*instanță de apel*): A court that is competent to hear appeals (i.e. challenges) made to decisions of the lower courts.

**Court of First Instance**: A lower court where a trial is initially heard. In Romania, it is usually the *judecătorie* or the *tribunal* that functions as the court of first instance.

**Embassy** (*ambasada*): The office of a government official who resides in a foreign country and represents his/her government's interests.

**European Court of Human Rights** (*Curtea Europeană a Drepturilor Omului*): The Court is based in Strasbourg, France, and hears human rights cases against the 47 countries which make up the Council of Europe (which is different from the European Union).

**File** (*dosar*): name given to your case or case file by your lawyer.

**Judgment** (*Sentință* at first instance court / *Decizie* at appeal court): A decision on a case delivered by the court.

**Judge** (*judecător*): A person with authority to hear and decide on cases in a court of law.

**Lawyer** (*avocat*): A person whose profession is to give legal advice and assistance to clients and represent them in court or in other legal matters. Qualified lawyers in Romania must be a member of one of the 42 bar associations, which are members of the National Association of Romanian Bars.

**Legal Aid** (*ajutor public judiciar*): Financial assistance provided to a person who needs a lawyer and who cannot afford to pay for one. In Romania, the term 'legal aid' is applicable only to civil matters.

**Public Defender** (*avocat din oficiu*): A lawyer who is appointed by a bar association, upon the request of the police/the prosecutor/the court to assist individuals who do not have a lawyer, and are facing criminal charges. In cases where legal assistance is mandatory, a public defender is appointed irrespective of the financial means of the individual.

**Offence** (*infrațiune*): the legal classification of the crime that you have been accused of.

**Pre-trial Detention** (*arestare preventivă*): Detention in police custody or in prison during the investigations (and often during the trial itself as well) before the first instance decision of the court on the charges against the suspect.

**Public Prosecutor** (*procuror*): A person who conducts a case against a person who is accused of a crime.

**Remand** (*reținere*): The act of sending a person, accused of a crime, into police custody for up to 24 hours.

**Sentence** (*pedeapsă*): The punishment assigned to a person convicted of a crime as fixed by a court of law.

**Victim** is known as '*victimă*' in Romanian.

**Warrant** (*mandat*): A document issued by a legal or government official authorising the police to make an arrest, search premises, or carry out some other action relating to the administration of justice.

**Witness** is known as *martor* in Romanian.

## INFORMATION ON CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN ROMANIA

### Q1. WHERE DO THE LAWS OF ROMANIA APPLY?

The laws on criminal procedure covered here apply to the entirety of Romania. Romanian criminal law more broadly can, in certain cases, also apply to acts committed by Romanians abroad, and acts committed against Romania by foreigners.

### Q2. WHAT ARE MY RIGHTS UPON BEING DETAINED?

If you are apprehended by the police, you could be held for an initial period of 24 hours (*conducere administrativă*), after which you could be placed on remand (*reținere*) for another 24 hours by the prosecutor. If the prosecutor wishes to detain you for longer, you need to be produced before the court, which will decide whether or not to hold you on 'preventative arrest' (*arestare preventivă*).

#### (a) Right to information:

##### (i) Will the police inform me of my rights? Will this be done orally or in writing?

The police should inform you on your rights, in writing, and your signature will be required to confirm this. The fact that you were informed on your rights will be mentioned in writing in a document that you will be requested to sign.

**(ii) Do I have the right to be informed of the allegations / charges against me?**

You have the right to be informed as soon as is practicable, in a language you understand, of the reason for your arrest, and the allegations against you. The fact that you were informed on the allegations/charges against you will be mentioned in writing in a document that you will be requested to sign.

**(b) The right to inform people:**

**(i) Do I have a right to have the consulate informed of my detention?**

If you are not a Romanian citizen, you have the right to inform your embassy or consulate as soon as you are detained. This right could be denied if there are strong reasons to do so, and your right to have your consulate notified could be delayed for a maximum of 4 hours in exceptional cases.

**(ii) Do I have a right to inform my family of my detention?**

You have the right to inform a member of your family or another person of your choice, or to ask the police to inform that you have been detained by the police. You may be denied this right only on serious grounds. In exceptional cases, your right to contact your family could be delayed for a maximum of 4 hours.

If you are later taken to court and the judge authorises your arrest, the judge can contact your family to inform them of your arrest.

**(c) Do I have a right to a lawyer?**

Once apprehended, you have the immediate right to appoint a lawyer of your choice or to be assisted by a public defender (*avocat din oficiu*). The police/prosecutor has to inform you of your right to a lawyer before you give any statement. You have the right to inform your chosen lawyer or to ask that your lawyer is informed of your arrest.

**(d) Do I have a right to a translator/interpreter?**

Once arrested, you have the right to an authorised interpreter, free of charge. Usually, an interpreter will be present when you are informed of the accusations against you, and you are interviewed.

You also have the right for an interpreter free of charge to facilitate communication with your lawyer.

**(e) Do I have to talk to the police or can I remain silent during police interrogation? Will it work against me if I am silent?**

You have the right to remain silent throughout the criminal investigation. The authorities have to inform you on your right to remain silent, that there will be no negative consequences for your silence, and that anything you do say can be used against you.

This is still a stage when the prosecution is gathering evidence, so it is an opportunity for you to present evidence in your defence. If you agree to make a statement, you will be allowed to first declare everything you think is relevant without being asked any questions.

However, when deciding whether or not to talk to the police, you should always seek the advice of your lawyer. If you have not seen a lawyer, it is generally advisable not to talk to the police.

**Q3. WHEN WILL I KNOW ABOUT THE CASE AGAINST ME?**

You and/or your lawyer have the right to consult the entire case file, which contains all the evidence both against you, and in your favour.

During criminal investigations, the prosecutor can limit this right, but s/he has to give reasons for his/her decision. Once charges have been brought against you, this restriction cannot last more than 10 days. Your lawyer is entitled to see your statements in the file regardless of these restrictions.

After examining the evidence, you have the right to make requests for new evidence or additional statements. The investigator has the duty to examine these and choose whether to place them before the court in the case file. If new evidence is admitted, or the charges against you are changed, you must be informed.

If the evidence against you still stands after this process, the prosecutor will then issue an indictment, which means that you will be charged for the crime. Shortly after this you will receive your trial date.

#### **Q4. HOW DO I FIND A LAWYER? WHAT IS THE ROLE OF MY LAWYER?**

##### **(a) How do I find a lawyer?**

You can hire a lawyer for yourself at any time after you are apprehended by the police.

Registered lawyers can be found in the Lawyers' Yearly Register (*Tabloul anual al avocailor definitivi si stagiaari cu drept de exercitare a profesiei*), which can be found on the web-site of the of the National Association of the Romanian Bars. You can hire any lawyer registered in Romania – your lawyer does not need to be registered with the bar association of the region where you are facing trial.

If you are not a Romanian citizen, your embassy or consular representative may be able to help you find a local lawyer that speaks your language.

##### **(b) I cannot afford to pay for a private lawyer, what should I do?**

Legal assistance is mandatory if you are a minor, if you are detained, or if the police/prosecutor believes that you are not able to represent yourself. During trial, legal assistance is mandatory for crimes punishable with life imprisonment or with imprisonment exceeding 5 years.

If the police/prosecutor/court finds that legal assistance is mandatory in your case, you will be appointed a lawyer from the list of public defenders provided by the Bar Association, and not one of your choosing. In no case you will have to pay back the costs of the legal representation provided to you by a public defendant.

There is no legal aid available in criminal matters for criminal suspects who do not qualify for mandatory legal assistance. As a matter of practice, if you do not have a lawyer, a public defendant will be appointed.

You are free to hire a private lawyer of your choosing anytime during the proceedings, even if a public defendant was previously appointed.

##### **(c) What is the role of my lawyer? Will s/he investigate the case?**

The lawyer's role is to assist and represent you during your criminal proceedings (criminal investigation and/or trial). His/her role is to defend you, but not to investigate the case.

##### **(d) I am unhappy with my lawyer: How can I change lawyer? How can I complain about my lawyer?**

If you are not satisfied with your public defender you may formally request to change him/her (in writing), although there is no formal procedure in this respect.

Any complaints against your lawyer, including if they are privately-appointed, should be made to the regional bar association with which they are registered. You can get their information from the National Association of the Romanian Bars.

#### **Q5. WILL I HAVE TO STAY IN PRISON UNTIL MY TRIAL STARTS? IF SO, FOR HOW LONG?**

The information given below is specific to Romania. For general information and tips about how to obtain your release prior to your trial, please refer to our note of advice on *Applying for Release Pending Trial*.

##### **(a) Will I have to stay in prison until my trial starts? What are the alternatives?**

There are less restrictive alternatives to detention pending trial – house arrest, '*controlul judiciar*' ('judicial control', which means that you will be released pending trial), and judicial control under bail (*controlul judiciar pe cautiune*).

If you have been arrested, you have the right to request the revocation of your arrest. If your request is approved, you will be released from prison, and you will be placed under house arrest, judicial control under bail, or judicial control.

You may have travel restrictions placed on you by the court, you may have to attend any court hearings to do with your case, and you may be required to sign in at a police station at specified times.

There are further conditions that the court may decide to impose. These can include:

- Having to wear an electronic tag;
- Not attending certain sports or cultural events/visiting certain public places;
- Not approaching or communicating with the victim, his/her family, or anyone else associated with the investigation;

- Not driving; and/or
- Not working (if you committed the offence in the course of your work).

If you were placed under judicial control under bail, you will have to deposit money with the court as a form of security. The minimum amount is 1,000 Romanian Leu; there is no maximum.

**(b) How long can I be kept in prison before my trial starts?**

If the prosecutor requests your detention before your trial, you should be brought immediately before a judge who will decide whether or not you should be subject to 'preventative arrest'. If the judge orders your arrest, you have the right to challenge the decision within 48 hours. The appeal should be heard within 5 days after you file it.

You can only be kept in detention initially for up to 30 days. However, this can be extended by a judge, at the request of the prosecutor, for an additional 30 days at a time. The total period in detention before the closing of criminal investigations should not exceed 180 days.

Generally, pre-trial detention (before the first instance court has delivered its verdict on your case) can last up to the equivalent of half the maximum sentence for the alleged offence, but no more than 5 years.

**(c) How and when can I apply for release while waiting for trial?**

You can ask for the revocation of your arrest anytime while waiting for trial.

**(d) Can I go back to my home country if I have been released pending my trial?**

You may be able to return to your home country if you have been released, so long as you are not subject to any conditions that prevent you from doing so. You may need to return to Romania for any court hearings, and you may also need to inform either the prosecutor or the judge that you are leaving the country.

**(e) What will happen if I breach the conditions of my release?**

You could be put under house arrest, or be detained, and you will lose any bail money you have deposited.

**(f) Do I need a lawyer to apply for release?**

If you are detained, you are required to have a lawyer. However, that does not necessarily mean that you cannot request to be placed under judicial control yourself.

**Q6. HOW LONG BEFORE MY CASE GOES TO TRIAL?**

Most criminal trials end within six to twelve months, but in certain cases, it could take between 1 to 3 years for your case to reach trial.

**(a) There are always delays with my case, does that mean my lawyer is doing a bad job?**

Delays in the Romanian criminal justice system are sadly not uncommon, and can be caused by a number of different factors. You cannot assume that your lawyer is doing a bad job on your case, just because it is taking a long time for your case to reach trial.

You have the right to complain if the trial is taking too long.

**Q7. CAN I PLEAD GUILTY? WHAT ARE THE CONSEQUENCES OF PLEADING GUILTY**

You can enter into a plea bargain with the prosecutor if the maximum sentence you face is under 7 years or a fine. Plea bargains may only be finalised with the assistance of your lawyer. The plea deal must be approved by the judge, and if it is approved, there will be no trial.

If you plead guilty directly to the court without coming to an agreement with the prosecutor, you will be tried, but the minimum and the maximum sentence you could face is reduced by a third (a quarter, for fines). For, example, if you plead guilty to charges for which by law, you face between 3 and 9 years' imprisonment, the judge can impose a sentence not lower than 2 years, and not more than 6 years.

**Q8. WHAT HAPPENS AT TRIAL?**

The prosecution will make the first statement in court. Your lawyer will then be called to speak, followed by the victim, the witnesses, and the experts. Witnesses will answer questions from the prosecutor, your lawyer, the victim and/or the

judge. Depending on the complexity of your case, your main trial could last several days. Hearings do not usually take place in consecutive days, but rather once per month.

The court must hear you at the beginning of the trial and before the end. You have the right to question witnesses and to provide explanations. You also have the right to remain silent.

**(a) Do I have to be present?**

Trials can take place in your absence. You will be represented by your lawyer during trial, and the court can order for you to appear in person, if necessary.

**(b) Can I ask for the trial to take place in my home country?**

As a general rule, you cannot be tried in your home country, if the Romanian authorities have decided to try you in Romania. However, your hearing could be carried out by video-conference, if there is an agreement to this effect between Romania and your home country.

**(c) Is there a jury?**

No, in Romania you can only be tried by a single judge (at first instance trials) or a panel of judges (for appeals).

**(d) Can my lawyer call and cross-examine witnesses?**

Yes. Your lawyer can call and cross-examine witnesses.

**(e) I don't speak the language of the court, do I have a right to an interpreter? Is it free?**

The trial will be heard in Romanian. If you do not understand Romanian, the court must appoint an interpreter to provide translation, free of charge.

**(f) Will the written evidence be translated for me?**

There is no right to have all the evidence translated into your language for free, but you may be entitled to translation of some important written documents (for example, decisions ordering custody, and the verdict in your case).

**(g) Will the interpreter also help me if I need to talk to my lawyer?**

You have the right for an interpreter free of charge to facilitate communication with your lawyer.

**(h) Why is the victim taking part in the trial?**

The victim (*'persoana vatamata'*) is normally summoned to attend the trial, but if s/he does not attend, the trial will still go ahead. If the victim seeks compensation from you, s/he becomes a civil party (*'parte civila'*) to the proceedings.

The victim is entitled to have a lawyer appointed by the court, even if s/he does not seek compensation from you, and can make arguments in court.

**(i) Will I be informed of the decision of the court on the day of the trial?**

After the judge declares the trial over, s/he will deliberate in the judge's chamber to decide on your sentence. The sentence will be delivered on the same day, or at a later date, but no longer than 15 days after the last hearing. In complex cases, there can be an additional postponement of no more than 15 days. You will be told when the judgment will be delivered at the last hearing, but you will not be summoned for the delivery of the sentence.

Your sentence will be read by the judge in a court hearing, and it should be delivered to you immediately in a language you understand. The full judgment will be written within 30 days from the date it was issued and will also be communicated to you. In practice however, it could be several months before you receive the full court decision in writing.

**(j) Can I receive a copy of the judgment in my mother tongue?**

No. The full judgment will be in Romanian, but the summary of the judgment must be communicated to you in a language you understand.

**(k) I was tried in my absence and was not informed of this, what can I do?**

You should speak to a local lawyer as soon as possible to find out whether it is possible to challenge your conviction. Re-trials are possible, but only under certain circumstances.

**Q9. I AM NOT HAPPY WITH THE DECISION, CAN I APPEAL AGAINST IT? HOW DO I APPEAL?**

You can either appeal a decision on the facts (arguing that the facts proving your guilt were inaccurate), or the law (e.g. arguing that the incorrect legal procedure was followed). You can appeal against your sentence and/or the civil damages awarded to the victim.

The appeal can be declared in writing after the hearing. The general time limit for submitting your appeal is 10 days from the date you received the summary of your sentence. You must file the appeal with the court which delivered your sentence. If you are in prison, you can file the appeal with the prison administration and they will forward it to the court.

**(a) Do I need to pay my lawyer more money if there is an appeal?**

If you are paying for your lawyer, you should be aware that the fees you agreed previously might not cover the appeal proceedings.

**(b) What is the time frame for the appeal to take place?**

The appeal process is, at times, very slow and it can take a full year for your appeal hearing to take place. If the appeal procedures take more than 6 months, you can complain about duration of the procedures.

**(c) Could things get worse during the appeal? If I am acquitted, can the prosecution appeal?**

If you lose your appeal, your original conviction and sentence will stand. You cannot get a harsher sentence in your own appeal.

If the court allows your appeal, this does not necessarily mean that you will be released. The court may retry your case, or send it back to a lower court. If this happens, you could be reconvicted and resented.

Yes. If you have been acquitted, it is not unusual for the prosecution to appeal against this.

**Q10. I HAVE EXHAUSTED ALL LEGAL REMEDIES. WHAT OPTIONS DO I HAVE?**

**(a) Is it possible to get my case reviewed?**

Under certain circumstances, it may be possible to lodge an appeal, even after your initial appeal has been refused. You should contact a lawyer as soon as possible after the appeal, as usually the right to challenge judgments is subject to very strict deadlines.

If certain conditions are met, it is also possible to get your conviction reviewed at any time after you have been sentenced.

**(b) Can I apply for a pardon?**

Applications for individual pardons can be made to the President of Romania. This can be a long process, and in practice are granted only very rarely.

**Q11. WHAT RIGHTS DO I HAVE AS A PRISONER?**

**(a) Do I have rights as a prisoner? Where can I find out about my rights?**

As a prisoner you have basic rights, including the right to food and water, the right to healthcare, the right to see your lawyer, and the right to be protected from bullying, violence and racial harassment. Your lawyer should be able to provide you with more information.

In practice, these rights are not always respected.

**(b) What can I do if my rights are violated? Where can I get assistance regarding my welfare issues, regarding abuse and mistreatment?**

Any allegations of mistreatment in prison should be discussed with your lawyer, who may be able to advise you on the complaints process. If your rights have been violated, you can make a complaint to the delegate judge supervising your prison or, if you were a victim of a crime, to the prosecutor.

Your complaint could also be made to the Romanian Ombudsman and/or independent bodies who deal with complaints about violation of individuals' rights by public authorities. However such bodies will not have the power to take binding decisions against the authorities.

## Q12. CAN I GET MY SENTENCE REDUCED?

You can appeal against your sentence, and/or apply for release, but you cannot get your sentence reduced by other means.

### (a) What would help me get early release?

Once you have completed two thirds of your sentence, you can apply for '*liberare conditionata*' ('early conditional release'). This is a very bureaucratic process and takes into consideration a number of different factors, including the findings of reports on your character, behavior, and physical and mental health, and your written application.

Early release is not a legal entitlement. Even if you are eligible, the prison commission for release and/or the court may refuse your application.

### (b) I have been sentenced to pay a fine, what will happen if I don't pay it?

You have to pay the fine within 3 months from the date of your conviction. If you do not have the means to pay the fine, the court supervising the enforcement of the conviction may allow you to pay it in instalments over 2 years, or order you to community work instead of paying the fine.

If you do not agree to the alternative forms of punishment, you will serve equivalent time in prison.

## Q13. CAN I GO BACK TO MY HOME COUNTRY?

### (a) Can I serve my prison sentence in my home country?

Yes, you can ask for a transfer if Romania and your home country have an agreement that enables such transfers to take place.

For further information, please refer to our note of advice on 'Prisoner Transfers'.

### (b) Can I be expelled instead of serving my sentence?

You can only be expelled after serving your sentence, if the sentencing court decides to order your deportation.

### (c) Is there a risk that I will be deported after serving my sentence?

If you are not a Romanian citizen, the court convicting you can also apply order your expulsion from Romania for a period of 1 to 5 years after you have served your sentence. This will be ordered only if there is no risk of torture for you in your country of origin.

## USEFUL LINKS

ORGANISATION	MANDATE	CONTACT DETAILS
<b>LAW GOVERNING BODIES</b>		
<b>Uniunea Națională a Barourilor din România</b>	The National Association of Romanian Bars (UNBR) is the central governing body for lawyers in Romania.	Website: <a href="http://unbr.ro/ro/">http://unbr.ro/ro/</a>
<i>National Association of Romanian Bars</i>	Each county in Romania has its own bar association. The contact details of the local bar associations can be found on the website <a href="http://unbr.ro/ro/unbr/barouri-membre/">http://unbr.ro/ro/unbr/barouri-membre/</a>  <u>Languages:</u> Website available in Romanian and English	T: +40 (0)21 3134875 / 3160739 / 3160740  Palatul de Justiție, Splaiul Independenței nr. 5, Sector 5, Bucharest 50091



ORGANISATION	MANDATE	CONTACT DETAILS
<b>OMBUDSMEN</b>		
<b>Avocatul Poporului</b> <i>The Romanian Ombudsman</i>	<p>The Ombudsman has the authority to intervene in cases where public authorities or agencies have infringed the rights of individuals. They are entirely independent of government. You can make a complaint regardless of the fact that you are arrested or in prison.</p> <p>Complaints must be made within 12 months of the incident complained about.</p> <p><u>Languages:</u> Romanian</p>	<p>Website: <a href="http://www.avp.ro">www.avp.ro</a></p> <p>T: +40 (0)21 312 71 34 F: +40 (0)21 312 49 21</p> <p>Avocatul Poporului Eugeniu Carada 3 Sector 3 Bucharest 71204</p> <p>Also has local offices in 14 regional centres (Alba Iulia, Bacău, Braşov, Constanţa, Cluj-Napoca, Craiova, Galaţi, Iaşi, Oradea, Piteşti, Ploieşti, Suceava, Târgu-Mureş and Timişoara).</p>
<b>NGOs</b>		
<b>HUMAN RIGHTS</b>		
<b>Asociația pentru Apărarea Drepturilor Omului în România – Comitetul Helsinki</b> <i>Association for the Defence of Human Rights in Romania – The Helsinki Committee (APADOR-CH)</i>	<p>APADOR-CH is a non-governmental organisation that aims to raise the level or awareness of and respect for human rights and the rule of law in Romania and in neighbouring countries.</p> <p>APADOR-CH also monitors the conditions of detention facilities, such as prisons and police stations, and carries out fact finding missions in cases where violations of the right to liberty and the freedom from torture have been alleged.</p> <p><u>Languages:</u> Romanian and English</p>	<p>Website: <a href="http://www.apador.org">www.apador.org</a></p> <p>E: <a href="mailto:office@apador.org">office@apador.org</a></p> <p>T: +40 (0)21 312 45 28 F: +40 (0)21 312 37 11</p> <p>APADOR-CH 8A Nicolae Tonitza Street Sector 3 – Bucharest 030113</p>
<b>Reforma Justiției Penale</b> <i>Criminal Justice Reform (RJP)</i>	<p>RJP aims to improve the conditions of detention and promote constructive community sanctions, by promoting international human rights standards. RJP is a part of Penal Reform International.</p> <p>This is primarily a campaigns group however they may be able to give you useful information on the local laws.</p> <p><u>Languages:</u> Romanian</p>	<p>Website: <a href="http://penalreform.ro">penalreform.ro</a></p> <p>E: <a href="mailto:secretariat@penalreform.ro">secretariat@penalreform.ro</a></p> <p>T: +40 (0)722 626 925 F: +40 (0)21 316 1505</p> <p>Str. Cupolei nr. 5, bl. 2B, sc. B, ap. 55, parter, sector 6 , Bucharest</p>

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For a full list of our funders see  
[www.fairtrials.org/get-involved/supporters/](http://www.fairtrials.org/get-involved/supporters/)





Fair Trials aims to help people accused of crimes to understand and exercise their fair trial rights by providing information and referrals. We do not charge for any of our assistance.

If you complete this form, we may be able to:

- Send you general information, including advice about the local legal system that could be helpful to you;
- Provide answers to any specific questions you might have; and
- Refer you to local sources of support (for example, referrals to local lawyers, if appropriate).

**We cannot provide any legal advice or representation that is specific to your case, and we are also unable to provide any welfare support or financial assistance.**

Please fill out this form and send it back to:

By Post: Fair Trials, Temple Chambers, 3/7 Temple Avenue, London, EC4Y 0HP, United Kingdom  
By Fax: +44 (0)20 7822 2371

All information will be treated confidentially, and in accordance with our privacy notice set out overleaf.

### A) Personal Information

Full Name	
Nationality	
Your current address (your prison address, if you are in custody)	
Prisoner Number (if applicable)	

### B) Legal Representation

Would you like referrals to local lawyers? Yes ☐ No ☐

Are you able to pay for a lawyer? Yes ☐ No ☐

Depending on the country, you may not be able to choose your own specific lawyer, if you cannot pay for one.

### C) Fair Trials

How did you hear about us?	
How did you receive this form?	
If you have already seen any of our materials (e.g. 'Arrested – Practical Guidance'), please let us know, and tell us which you have seen.	

## D) Further Information / Questions

We have printed materials on a range of topics where we are most often asked for help. Please tick on any of the following topics on which you would like further information.

*Applying for Release Pending Trial* ☐  
*The European Arrest Warrant ('EAW')* ☐  
*INTERPOL Red Notices* ☐

*Prisoner Transfers* ☐  
*Criminal Records in the European Union* ☐

Use the space below to:

- Request clarifications on any information from us that you have already seen;
- Highlight any specific information, or referrals that you believe could be helpful to you; and
- Give us feedback or comments

Please be specific with any questions or requests you have.

## E) Nominated Contact

It can sometimes be difficult for Fair Trials get in touch directly with people in prison. In such cases, it can be helpful if we are provided with the name and contact of a family member or a friend whom you are happy to nominate as Fair Trials' point of contact. Please provide their details below:

Full Name: ..... Relationship to you: .....

Address: .....

Telephone: ..... Email: .....

## F) Privacy Notice

We collect information about you when you complete and return this form. We use this information to assist you and otherwise provide support in relation to your case. Fair Trials will retain your information for up to six years after: 1) if we are notified about the end of your legal proceedings, from the date of notification; or 2) if we are not notified, the date of the last correspondence with you about your case. For more information about how we handle your personal information, please see the privacy policy on our website ([www.fairtrials.org/privacy-policy](http://www.fairtrials.org/privacy-policy)). Please sign here to confirm that you have read and agree to the Privacy Notice in this form.

Full Name: ..... Signature: .....