

## 3 - My rights after trial

### Can I appeal against the ruling?

The trial ends with a court decision (judgment) applying one of the following measures to the defendant: conviction, acquittal, waiver of sentence, postponement of sentence or termination of criminal proceedings. The decision will be announced during a public court hearing. If you have participated in the trial as a victim and/or civil party, you will receive a copy of the court's decision by post.

If you are dissatisfied with the court decision, you can appeal against it. You can file an appeal only if you have participated in the trial as a victim or civil party.

You can also appeal as a witness, but only in relation to the reimbursement of legal expenses and indemnities you are entitled to.

If you are a victim or civil party, the deadline for submitting the appeal is 10 days after receiving a copy of the decision minutes.

If you have acted as a witness, you can file an appeal right after a decision on legal expenses and indemnities has been handed down, but no later than 10 days from the ruling that settled the case or from the notification of the ruling on legal expenses or indemnities, as applicable.

The appeal has to be made in writing and signed. Appeals are submitted to the same court whose decision you are appealing against.

After receiving the appeal, the court will forward it to the higher court competent to deal with it. The copy of the court's decision will include information about when and where you can file your appeal.

### What are my rights after sentencing?

The sentence will enter into force after all the opportunities for appeal have been exhausted. After the sentence enters into force, your role in the proceedings is over. If you have been placed under a special witness protection programme during the proceedings, you can continue to benefit from it until the court decides that you are no longer in danger.

### Am I entitled to support or protection after the trial? For how long?

Some support measures are granted during the trial or for a fixed period of time, while others are granted on the basis of the victim's specific needs.

Free legal assistance for crime victims is granted for the full duration of the trial.

If you are a victim of human trafficking, you can benefit from a recovery and reflection period of up to 90 days, during which you have the right to psychological counselling, medical and social assistance, medicine, food and, upon request, accommodation in protected centres or safe houses and you will be informed of the applicable judicial and administrative procedures.

If you are a foreigner for whom there are serious grounds for believing you have been the victim of human trafficking, you also benefit from a period of recovery and reflection of up to 90 days, during which you are granted, at the request of a judicial body, permission to remain in the territory of Romania and may be

accommodated in dedicated facilities. You may also be granted a temporary permit to reside in Romanian territory during or after the recovery period.

In the case of victims of domestic violence, the protection order is issued for a maximum duration of 6 months. Further details on the right to support and protection of victims of domestic violence can be found [here](#).

In the case of a witness included in a witness protection programme, the protection measure may also continue after the trial has finished, but when it does finish the scheme will be reviewed in order to adapt it to the new situation. The term of such protection will be decided by the court.

## What information will I be given if the offender is sentenced?

If the offender is sentenced, you can have access to the following categories of information: the type and the duration of the penalty (the sentence is handed down in a public hearing and will be delivered to you subsequently), information in case of escape, release on any terms, provided that you have requested such information.

## Will I be told if the offender is released (including early or conditional release) or escapes from prison?

Yes, you will be informed of the offender's release or escape from prison, if you have requested so when asked by the judicial bodies. Please see the answer above.

## Will I be involved in release or parole decisions? For example, can I make a statement or lodge an appeal?

Your role in the criminal proceedings will be over when the court's decision (convicting or acquitting the defendant, waiving or postponing penalty enforcement or terminating criminal proceedings) becomes final.

You will not be involved in the offender's release or conditional release procedure.

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