



European  
Commission

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**ANNUAL REPORT 2018 ON MIGRATION  
AND ASYLUM  
IN CROATIA  
NATIONAL REPORT (PART 2)**

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## EXECUTIVE SUMMARY

The European Migration Network (EMN) is coordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway. The National Contact Point Croatia in the EMN is financially supported by the European Commission and the Croatian Ministry of the Interior (hereinafter: MoI).

This is the fourth annual policy report compiled by the National Contact Point (NCP) Croatia in the EMN, covering the period from 1 January to 31 December 2018. The purpose of the annual policy report is to provide an overview of the most significant political and legislative developments on asylum and migration in Croatia as well as a review of the political and public debates in the area of asylum and migration. A specific emphasis has been placed on changes related to developments at EU level. The report covers these topics: legal migration, international protection, unaccompanied minors and other vulnerable groups, integration, return, irregular migration, including smuggling and countering trafficking in human beings. The report also presents selected statistics. With respect to the institutional framework, some changes occurred in Croatia in 2018 that are in relation with Croatia's migration and international protection policies. The development in legislative field refers to adoption of the Amendments of Act on International and Temporary protection and adoption of new Foreigners Act are highlighted in this report.

## 1. INTRODUCTION

In 2018, the themes of migration and asylum received most media attention in relation to the adoption of the Global Compact for Safe, Orderly and Regular Migration in Marrakesh.

Regarding legislation there were some changes to the Act on Foreigners and Act on International and Temporary Protection. By adoption of amendments to the Foreigners Act, the area of legal migration witnessed some changes, especially in regards to the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (transposing of the EU Directive 2016/801).

Regarding the labor market, a quota for employment of third country nationals in 2018 was increased by 327% when comparing to year 2017, showing a major increase in the planned number of work permits to be available.

Regarding diaspora, in 2018, for all Croatians wishing to return to their homeland or want to be informed about certain issues, a special organizing unit of the Central State Office for Croats Abroad has been established, called the Welcome Office. On the 22nd of October 2018 in Dubrovnik, a first HR EMN NCP conference was organized, on the topic how diasporas can engage in the development of the country of origin.

After the Western Balkans route was officially closed on the basis of the agreement between heads of states and governments in March of 2016, the Republic of Croatia began to strengthen its border, reception and asylum capacities in order to ensure an effective control of the longest land border of the European Union, and the possibility of an indiscriminate access to the international protection procedure.

Various measures have resulted in the control of the east border with Serbia, and progress on bringing the control of the border with Bosnia and Hercegovina and Montenegro to the same level. With an aim to ensure the access to international protection for all persons in real need, a new reception centre for applicants for international protection is considered to be established, along with the two existing ones.

Croatia has directed its efforts to implementation of the resettlement scheme of vulnerable persons from Turkey. The Republic of Croatia completely met its resettlement requirements by resettling 152 Syrian nationals. As an additional solidarity measure, the Government of the Republic of Croatia passed a Decision on the resettlement of an additional 100 Syrian refugees from Turkey in October 2017, which is currently in progress.

## 1.1. METHODOLOGY AND DEFINITIONS

The Annual Policy Report 2018 was produced by the NCP Croatia in the EMN following common specifications developed by the EMN, in order to facilitate comparability between the findings from all Member States. At the same time, the format was flexible to a certain degree, so as to allow the production of output that targets the national audience. The terminology used in the context of this report is based on the terms and definitions given in the EMN Glossary (EMN, 2014). In order to allow concise reporting and to facilitate comparability, the Annual Policy Report 2018 only reflects significant developments and debates. Hence, for the present report, proposals for amended or new legislation or policy changes were considered to be significant developments, while a significant debate was defined as an event that had been discussed in the national parliament, by relevant ministries, political parties or civil society stakeholders and, consequently, had been widely reported in the media. Information (e.g. EMN studies, reports, Ad Hoc Queries) was provided by the NCP Croatia in the EMN through its relevant stakeholders and by informing policymakers has thus contributed towards national policy development. The report is based on desk-based research and no primary research was undertaken. Most of the information was provided by individuals from the relevant sectors of the MoI of Republic of Croatia (hereinafter referred as MoI) and the other government departments. It should be noted that the statistical data provided under abovementioned chapters regarding residence permits may vary when compared to statistical data provided via EUROSTAT, due to the different methodological methods and time difference.

## 2 CONTEXT FOR ASYLUM AND MIGRATION POLICY DEVELOPMENTS

After the Western Balkans route was officially closed on the basis of the agreement between heads of states and governments in March of 2016, the Republic of Croatia hurriedly began to strengthen its border, reception and asylum capacities in order to ensure an effective control of the longest land border of the European Union, and the possibility of an indiscriminate access to the international protection procedure.

Today the Republic of Croatia has at its disposal 6,500 border police officers and modern technical equipment which is continuously developed with the goal of additionally protecting the external border, but also with the goal of accessing the Schengen area. These measures have resulted in the complete control of the east border with Serbia, and Croatia is on the right path to bring the control of the border with Bosnia and Hercegovina and Montenegro to the same level. Besides that, and because Croatia wants to ensure the access to international protection for persons in real need of it, a new reception centre for applicants for international protection is considered to be established, along with the two existing ones. Croatia pays special attention to vulnerable groups and unaccompanied children who, without exception, are given a custodian to take care of all of their rights.

Also, the Republic of Croatia **completely met its resettlement requirements** pursuant to the Council Conclusion from July of 2015 by resettling 152 Syrian nationals from Turkey. As an additional solidarity measure, the Government of the Republic of Croatia passed a Decision on the resettlement of an additional 100 Syrian refugees from Turkey in October 2017, the implementation of which is in progress.

Furthermore, the access to procedures of international protection is enabled for every person for whom the responsibility of the Republic of Croatia has been established in accordance with the Dublin procedure. These persons are granted international protection after the completion of the first instance and second instance administrative procedure (judicial review in order to consider the non-refoulement principle). In case of a negative outcome, the readmission procedure to a safe country of origin or a safe third country is applied to a particular person.

The Republic of Croatia also cooperates with the European Asylum Support Office (EASO) with the aim of providing adequate international protection. The cooperation takes place by way of

national contact points and through education seminars organized by EASO. Likewise, Croatian experts provide assistance to Member States facing a large influx of migrants (Greece, Italy, Cyprus). Assistance to third countries in the region, namely Serbia (Coaching/on-the-job training on the examination procedure) and Macedonia (project: The development of SOPs for asylum registration), was also provided, under the organization of EASO.

Along with EASO, since the beginning of the migrant crisis, the Republic of Croatia has been regularly sending its police officers, patrol vessels and vehicles to countries facing a large migration pressure through joint operations organized by Frontex (mainly Greece and to Bulgaria at the beginning of the migrant crisis). Our additional significant contribution to the security of the European Union are airbases in Zadar and Split which we put at the disposal of the Frontex aircraft which is used for monitoring migration movements on the border with Bosnia and Hercegovina and Montenegro. The Republic of Croatia also hosts foreign police officers through joint Frontex operations. There were several joint operations of Focal Points in the territory of the Republic of Croatia, including Focal Points Western Balkans, Focal Points Air, Focal Points Land and Focal Points Sea.

The Republic of Croatia has also participated in Frontex joint operations Focal Points, Coordination Points, Poseidon Sea, FOA South Eastern as well as others, implemented in other EU countries but also in third countries, and in particular in the Hellenic Republic, Bulgaria, Italy, Serbia and Macedonia. In the year 2018, in the framework of the FRONTEX operation Croatia provided support to: Hellenic Republic, Republic of Bulgaria, Monte Negro and Macedonia in terms of providing police officers, patrol vehicles and vessels.

The Government of the Republic of Croatia puts the focus on treating migrants and applicants for international protection, in accordance with all the regulations of the valid European, national and international legal framework (first and foremost the Convention Relating to the Status of Refugees from 1951) and in the spirit of European cooperation. With regard to the treatment of irregular migrants, it is the opinion of the Government of the Republic of Croatia that irregular migration should be addressed, to the largest possible extent, at the source or further from European borders. That is why Croatia has contributed to the EU Trust Fund for Africa.

On 10-11 December 2018 Croatian Minister of Interior, Mr Božinović, represented Croatia in the **Marrakesh conference** on which the **Global Compact for Safe, Orderly and Regular Migration** was adopted. Global Compact is an intergovernmentally negotiated agreement, prepared under the auspices of the United Nations. Main objectives and commitments include collecting and using accurate and anonymized data to develop evidence-based migration policy, ensuring that all migrants have proof of identity, enhancing availability and flexibility for regular migration, encouraging cooperation for tracking missing migrants and saving lives, ensuring migrants can access basic services, and making provisions for both full inclusion of migrants and social cohesion.<sup>1</sup> As the Compact is not an international treaty, it will be non-binding under international law. It gives every state the sovereign right to define its own migration policy, protect its borders and decide who to allow into the country, and it clearly differentiates between legal and illegal migration. It is a catalogue of measures encouraging states to cooperate on issues related to regular migration. States sovereignly decide which measures they will apply in accordance with national law and existing international legal commitments. Every state will continue to sovereignly decide on its own national policy on migration and the stay of foreign nationals on its territory and this concerns only regular migration. Croatia was involved with the other 26 EU member states in negotiations on the text of the document, and it was important to all of them that certain fundamental principles were included in the document, which was eventually accomplished.

In regard to institutional framework, there were some changes in the internal organization of the MoI. On 5.12.2018 Croatian Government adopted the Regulation on Amendments to the

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<sup>1</sup> a b "Global Compact for Safe, Orderly and Regular Migration - Intergovernmentally Negotiated and Agreed Outcome, 13 July 2018" (PDF). United Nations. Retrieved 5 December 2018. "educating media professionals on migration-related issues and terminology"

Regulation on Internal Organization of the Ministry of the Interior. By this regulation a new **Department for European affairs and International Relations and EU funds** was established as the responsible body for national programs for the Asylum, Migration and Integration Fund and the Internal Security Fund. The Department coordinates the drafting, harmonization and approval of the positions, strategies and programs of the Ministry in the field of European affairs and international relations; coordinates and participates in the implementation of preparations for the Croatian Presidency of the Council of the European Union; takes part in the working groups and bodies of the European Union; participates in the preparation, development and implementation of all international agreements and acts from the scope of the Ministry; proposes to the Minister measures for improving European affairs and international cooperation; coordinates the Schengen evaluation process of the Republic of Croatia and supervises the implementation of the Schengen acquis into the national legal framework; carries out the activities of the responsible body for the use of EU funds for internal affairs through national programs and provides expert support to the Ministry's units for the use of funds from European funds and other external sources of funding etc.<sup>2</sup>

In 2018, by adoption of amendments to the Foreigners Act, the area **of legal migration** witnessed numerous changes. Regarding the labor market, a quota for employment of third country nationals in 2018 was increased showing a major increase in the planned number of work permits to be available.

Additionally, regarding the **European Migration Network (EMN)**, it is worth mentioning that the Ministry of Interior was assigned for the role of HR EMN NCP for the period from 2019-2020. Croatia joined the EMN in 2013 after entering the European Union. From 2013 until 2015, the role of the EMN National Contact Point for Croatia was held by the MoI. From 2015 until the end of 2018, the position of HR EMN NCP was held by the Croatian Office of the International Organization for Migration.

### 3 LEGAL MIGRATION

The area of entry, stay and work of foreigners in the Republic of Croatia is regulated by the Act on Foreigners (Official Gazette 130/11, 74/13 and 69/17).

The Act on Foreigners contains provisions related to the entry and exit of foreigners from the Republic of Croatia, visas, regulation of labor status, provisions related to family reunification, secondary education and study, as well as research in the Republic of Croatia, and special provisions relating to nationals of the Member States The European Economic Area and their family members, the approval of the EU Blue Card to highly qualified third-country nationals and the regulation of the status of third-country nationals who have long-term residence in another Member State of the European Economic Area.

By passing the Amendments to the Foreigners Act, as well as the amendments made to secondary legislation, the legislative framework regarding legal migration witnessed important changes in 2018.

Having in mind the recent changes on the EU level regarding the legal migration, the Foreigners Act had to be further aligned with new Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

In general, the amendments to the Act on Foreigners that were made in relation to the transposition of the EU Directive 2016/801 include the following:

- the terms of researchers, students, students, trainees and volunteers, volunteer programs, research, research organizations, educational institutions, educational projects, higher

<sup>2</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_12\\_109\\_2095.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_12_109_2095.html)

education institutions, host and Union programs or multilateral programs that include mobility measures were defined

- the conditions for regulating residence and work for researchers and conditions under which they can realize mobility for up to 180 days in any period of 360 days or longer than 180 days based on long-term mobility were prescribed
- the conditions for regulating the stay of students and the conditions under which they can realize mobility for up to 90 days or up to 360 days, as well as the conditions under which they can work or self-employment or practice for up to 90 days were prescribed
- the conditions of stay and work of volunteers and trainees were prescribed
- the conditions for regulating the stay of pupils participating in a recognized, state or regional educational program in the context of a student exchange program or in an educational project run by an educational institution in accordance with a special regulation were prescribed
- the rights of researchers, students, trainees, volunteers and students were prescribed.

The amendments to the Foreigners Act also aims to eliminate certain shortcomings in the valid legal text observed during its implementation, namely regarding the labour migration in order to facilitate the admission in this area; and gave the legislators the opportunity to make certain nomotechnical improvements.

Croatian Parliament adopted the Amendments to the Foreigners Act at its session of 10th May 2018, which were published in Official Gazette No 46/2018 on 18th May 2018.<sup>3</sup>

### **3.1. TRANSPOSITION OF EU LEGISLATION ON LEGAL MIGRATION**

Directive [2016/801](#) of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing was transposed in equivalent national legislation by: The Act on amending the Foreigners Act (OG, No 46/18) entered into force on 26 May 2018<sup>4</sup>, The Ordinance on amending the Ordinance on status and work of third-country nationals in the Republic of Croatia (OG, No 61/18)<sup>5</sup> entered into force on 19 July 2018, The Regulation on the method of calculation and the amount of resources to maintain a third-country national in the Republic of Croatia (OG No 35/18)<sup>6</sup> entered into force on 21 April 2018 and The Ordinance on the method of establishing the technical conditions for the suitable accommodation of the pupils and the documentation to be submitted to the application for granting temporary residence for the purpose of secondary education through the exchange program (OG, No 99/18)<sup>7</sup> that entered into force on 17 November 2018.

The Act on amending the Foreigners Act prescribes conditions for regulating residence and work for researchers, volunteers and interns, conditions for regulating students and pupils stay, and their rights. The conditions under which researchers and students can achieve mobility if they come from other European Economic Area Member States in which they have a valid residence are stipulated.

Differences in relation to the applicable law for the purpose of harmonization with the said Directive include:

- **Pupils** can regulate temporary stay if they participate in a student exchange program or an educational project led by an educational institution (so far they could only be regulated based on student exchange),

<sup>3</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_05\\_46\\_860.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_05_46_860.html)

<sup>4</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_05\\_46\\_860.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_05_46_860.html)

<sup>5</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_07\\_61\\_1270.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_61_1270.html)

<sup>6</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_04\\_35\\_673.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_04_35_673.html)

<sup>7</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_11\\_99\\_1925.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_11_99_1925.html)

- The educational institution or organization conducting the exchange program is responsible for the pupil,
- Pupils can be accommodated in a family, in the educational institution or in other chosen accommodation (so far he could be accommodated exclusively in a family).
- **Students** have more mobility opportunities if they have an approved stay in another EEA member state: student internship up to 90 days and longer than 90 days, and study for up to 360 days in the Republic of Croatia (students have not yet had the right to mobility).
- Full-time students can work and self-employee for up to 20 hours per week (up to now it was possible only through authorized intermediaries, without establishing a working status).
- **Researches** have the possibility of mobility if they have a residence permit in another EEA country: 1. short-term mobility up to 180 days in a 360-day period, 2. long-term mobility for more than 180 days, 3. mobility of their family members (up to now, researchers only had the right to mobility up to 3 months, family members did not have the possibility of mobility).
- Students and researchers, after finishing their study or research, can regulate their stay in order to seek employment or self-employ.
- The rights of researchers, students (e.g. working conditions, freedom of syndical union), pupils, volunteers and interns are proscribed.

### 3.1.1. Students

The Act amending the terms of students, defines a college, host entity and a program of the Union or multilateral programs that include mobility measures. So now, the definition of a student says that student is a third-country national who has been granted the right to enroll in the study and has been admitted to, as a main activity, regularly studying and obtaining a qualification for higher education, which may include a preparatory program that precedes the study, in accordance with special regulations.

Validity of the temporary residence for students is prescribed and, according to the Act, the students who are third country nationals are issued a temporary residence permit for study purposes with a validity of up to one year or until the end of the academic year.

However, a student who is covered by Union programs or multilateral programs involving mobility measures or agreements between two and more higher education institutions is issued a temporary residence permit for study purposes with validity up to two years.

Students who plan to have their practice done in the Republic of Croatia, if coming via authorized organization; or if covered by Union programs or multilateral programs involving mobility measures or agreements between two and more higher education institutions, can pursue their practice up to 90 days without the obligation to apply for residence permit or residence and work certificate. If practice will last for more than 90 days, and obligation to apply for residence permit is prescribed.

It also prescribes the conditions under which students can achieve mobility up to 360 days when covered by Union programs or multilateral programs involving mobility measures or agreements between two and more higher education institutions, the conditions under which students can work or self-employment or practice up to 90 days and also the rights of students.

Also, students who have a residence permit in another EEA country which is not covered by the Union program or a multilateral program involving mobility measures or agreements between two or more higher education institutions, may carry out part of their studies at a higher education institution in the Republic of Croatia with the condition of regulating temporary residence for the purpose of studying.

Also, third country nationals who have regulated temporary residence in the purpose of studying issued by another member EEA state may work and be self-employed up to 15 hours per week without work and residence permit or work registration certificate and this is not covered by the Union program or a multilateral program involving mobility measures or agreements between two or more higher education institutions.



Students have the same rights as Croatian nationals in relation to working conditions, freedom of union organization and union membership, general and vocational education, recognition of educational and professional qualifications of social security branches as defined by Regulation (EC) No. 883/2004, tax reliefs, access to goods and services and the supply of goods and services made available to the public, including procedures for obtaining subsidized housing in accordance with special regulations, counselling services provided by public employment offices.

Student can submit the request for issuing temporary residence after finishing the study in the Republic of Croatia for the purpose of job seeking or the establishment of a company or registration of trades. Temporary residence permit issued can be extended for one more year and cannot be further extended.

### 3.1.2. Researchers

The Act amended the terms of researchers defines research, research organizations and host entity.

So now, the definition of a researcher says that a researcher is a third-country national who has obtained an academic degree in science or a corresponding qualification of the level of higher education that provides access to the third country national to doctoral programs selected by the research organization and approved for the purpose of conducting research activities.

Also, the Act now prescribes the conditions for regulating residence and work for researchers and the conditions under which they can be granted mobility up to 180 days in any 360 days or longer than 180 days based on long-term mobility, as well as the rights of researchers.

Temporary residence permits are granted for a period of validity of up to one year to researchers who are third country nationals, and temporary residence permits shall be granted for a period of validity of up to two years to researchers covered by Union programs or multilateral programs covering mobility measures.

Also, the rights of researchers are now better defined and prescribed.

Researchers have the same rights as Croatian nationals in relation to working conditions, freedom of union organization and union membership, general and vocational education, recognition of educational and professional qualifications of social security branches as defined by Regulation (EC) No. 883/2004, tax reliefs, access to goods and services and the supply of goods and services made available to the public, including procedures for obtaining subsidized housing in accordance with special regulations, counselling services provided by public employment offices.

If the researcher submits the request for issuing temporary residence after finishing his research, not later than 60 days before the expiration of the valid temporary residence permit, the temporary residence for other purposes for seeking employment or the establishment of a company or registration of trades may be granted to him. Temporary residence permit issued can be extended for one more year and cannot be further extended.

Some changes were made regarding family reunification with the researcher. If a researcher has been granted temporary residence for the purpose of research, members of his family can regulate temporary residence in the Republic of Croatia for the purpose of family reunification. If a researcher has been granted temporary residence in the Republic of Croatia for the other reasons (seeking employment or the establishment of a company or registration of trades), members of his family can regulate temporary residence in the Republic of Croatia for other reasons.

Third country nationals who have been granted temporary residence in the Republic of Croatia for the purpose of family reunification with the researcher may work without a residence permit and work permit or a work registration certificate.

### 3.1.3. Pupils, trainees and volunteers

The Act on amending the Act on Foreigners contains the definitions of pupils, trainees and volunteers, volunteers program, educational institutions, educational projects, host entity and a program of the Union or multilateral programs that include mobility measures.

The conditions for regulating the stay of pupils participating in a recognized, state or regional educational program in the context of a student exchange program or in an educational project run by an educational institution in accordance with a special regulation were prescribed.

The new definition of trainees is introduced. It states that a trainee is a third-country national who has obtained a higher education qualification or is studying in a third country with the aim of gaining the qualifications of the higher education level and has been accepted to participate in a training program for the purpose of acquiring knowledge, practice and experience in a professional environment.

Volunteer is a third-country national who has been approved admittance for the purpose of participating in a volunteer program.

Also now, the rights of trainees, volunteers and pupils are better defined and prescribed, so they have equal treatment related to the access to goods and services and the supply of goods and services made available to the public, in accordance with special regulations and, where applicable, with respect to the recognition of foreign educational and professional qualifications.

On the basis of the work registration certificate, third-country nationals who come for the purpose of internship with the host subject to the training agreement or volunteering may work up to 90 days in a calendar year. If their internship or volunteering will last longer than 90 days, they can apply for residence and work permit if it is necessary for completion of the internship, or if the volunteer program require so.

But the residence and work permit is issued with restricted validity (trainees up to 6 months plus maximum another six months; volunteers up to one year, plus maximum another 6 months).

## **3.2. OTHER AMENDMENTS TO THE FOREIGNERS ACT**

### **3.2.1 Satisfying labour market needs - Admission Policies**

**In regard to the economic migration and in order to meet the labor market needs, some of the most important changes introduced to the Foreigners Act were:**

- the possibility of issuing residence and work permits to citizens of third countries on the basis of agreements concluded by the Government of the Republic of Croatia with third countries was granted,
- the possibility of issuing residence and work permits to citizens of third countries who are specializing in the Republic of Croatia in the field of health care in accordance with special regulations,
- the conditions under which the police administration / station can refuse to issue residence and work permits (the third country national or employer has not paid the fine imposed; the employer is sanctioned for unreported work or illegal employment or the main purpose of the establishment or operation of the employer to facilitate the entry of third-country nationals).
- it is proscribed that a third-country national who has applied for a temporary residence permit for the purpose of work on the basis of a concluded employment contract with the employer in the Republic of Croatia is not obliged to submit proof of health insurance as a condition for the granting of temporary residence
- the application for a temporary residence permit may be refused if a warning has been issued in the Schengen Information System for the purpose of refusing entry and stay.
- for certain purposes, it is required to seek the approval of the Ministry prior to the issuance of a permit for work and stay (for other persons it is as prescribed by the Protocol on the accession of the Republic of Croatia to the Marrakesh Agreement establishing the World Trade Organization and in the case of workers performing services on behalf of or an affiliate employer who does not have a business right in the Republic of Croatia)
- the categories of third-country nationals who do not need to attach a justification for the employment of a foreigner or evidence of acquired educational qualifications when issuing residence and work permits, are more precisely defined.

### 3.2.2 Other changes to the Foreigners Act

The new Act on Amendments to the Foreigners Act, apart from transposing the EU Directive 2016/801 also aims to eliminate certain shortcomings in the valid legal text observed during its implementation, and in that connection make certain nomotechnical improvements in order to eliminate doubts in the application of certain provisions.

In order to remedy the aforementioned deficiencies to the proposed Law, following changes were made:

- in certain articles, the term "third-country national" was replaced by the term "alien", bearing in mind that the provisions apply to nationals of third countries and to nationals of EEA Member States,
- the cessation of permanent residence for third-country nationals was regulated in order to distinguish those that have acquired their status on the basis of a legal residence of at least five years("persons with EU long-term residence") and persons with national long term residence status
- the conditions under which temporary residence can be refused are elaborated, which includes situations where:
  - a) the attached documentation is fraudulently acquired, rectified or counterfeited, or
  - b) there is evidence or serious and objective reasons for a third-country national to reside in the Republic of Croatia for purposes other than those for which he applies for temporary residence.

### 3.2.3. Amendments to bylaws and new bylaws

Following the Amendments of the Foreigners Act, The Ordinance on amending the Ordinance on status and work of third-country national in the Republic of Croatia (OG, No 61/18), and the Ordinance on the method of establishing the technical conditions for the suitable accommodation of the pupils and the documentation to be submitted to the application for granting temporary residence of foreigners for the purpose of secondary education through the exchange program (OG, No 99/18) were brought.

The Ordinance on status and work of third-country nationals in the Republic of Croatia (OG, No 116/18) was subsequently amended in December 2018. New provisions provided for a possibility for certain categories of third country nationals to apply for the issuance of residence permits via diplomatic missions and consulates of the Republic of Croatia. Furthermore, changes were made in the design of temporary permits to resolve practical problems regarding identification of family members of refugees and persons under subsidiary protection and improve their access to rights.

Additionally, regarding the access to the labour market, annual quota for employment of third country nationals was established for 2018, and subsequently amended in 2018: The Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (OG, No 122/17, 53/18 and 71/18).

The new Regulation on the method of calculation and the amount of resources to maintain a third-country national in the Republic of Croatia (OG, No 35/18) was also brought in 2018. New Regulation prescribes the manner of calculating and the minimum funds required by the third country national required for granting temporary and permanent residence permits in the Republic of Croatia.

### 3.3. ECONOMIC MIGRATION

Aside from the legislation changes that addressed some of the concerns and the needs of the labour market, the quota system regarding the employment of third country nationals was increased by **327 %** in relation to 2017.

#### 3.3.1. Quota system and labour market needs in 2018

In line with the Foreigners Act, a quota system regarding the employment of third country nationals is in place in the Republic of Croatia. The Government of the Republic of Croatia sets (by a number) the annual quota for the employment of foreigners by the Decision for each year, for extension of the already issued work permits within quota and for new employment, in line with the situation on labour market.

Several authorities are involved in the process of determining the annual quota. Ministry responsible for labour affairs makes a proposal for the annual quota for employment of foreigners on the basis of the opinion of Croatian Employment Institute, Croatian Chamber of Economy, Croatian Chamber of Crafts and representatives of social partners, and is determined in accordance with the migration policy and taking into account conditions on the labour market. Within the annual quota, activities and professions where employment is to be permitted and the number of work permits for each of these activities are determined. With this Decision, a quota for seasonal employment can also be determined, as well as quota for ICTs.

The Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (OG, No 122/17)<sup>8</sup> was decided and set at total of 31 000 permits, 21 210 permits for new employment and 9 000 permits for extension of already issued work permits.

Recognizing the situation on the labor market in the Republic of Croatia the annual quota for new employment have been increased, so the Decision on amending the Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (OG, No 53/18)<sup>9</sup> increased the quota for 3 000 new permits, thus amounting to the total number of 24 210 permits for new employment.

Further lack of workers in the Republic of Croatia resulted in the new extension of the annual quota for new employment, so the Decision on amending the Decision on determining the annual quota for employment of foreigners for the calendar year 2018(OG, No 71/18)<sup>10</sup> increased the quota for 3 269 new permits, thus amounting to the total number of 27 479 permits for new employment.

The Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (OG, No 122/17, 53/18 and 71/18) was in total set decided and set at **38 769 permits**, resulting in an increase of work permits for new employment now set at 24 479 work permits, namely in the field of construction, now set at 11 755 work permits.

<sup>8</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2017\\_12\\_122\\_2783.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2017_12_122_2783.html)

<sup>9</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_06\\_53\\_1040.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_06_53_1040.html)

<sup>10</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_08\\_71\\_1455.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_08_71_1455.html)

Changes to annual quota can be seen in the table below:

Table 1.

<b>Annual quota 2018</b>	<b>Before amending</b>	<b>1<sup>st</sup> amending</b>	<b>2<sup>nd</sup> amending</b>
new employment	21 210	24 210	27 479
construction sector	10 770		11 755
shipbuilding	1408		1508
tourism and catering	4660	7660	7930
culture	22		
transport sector	765		1415
healthcare	70		75
social care	5		
food industry	770		1278
processing industry	580		584
agriculture and forestry	260		1007
metal industry	1600		
computer science	300		
extension of already issued permits	9000		
seasonal work	540	2040	
ICT	250		
<b>TOTAL</b>	<b>31000</b>	<b>35 500</b>	<b>38769</b>

In comparison, the total quota for 2017 was set at **9 079 work permits**, out of which work permits for new employment were set at 7 264 work permits.

### 3.3.2. New quota for 2019

In the end of 2018, the Government of the Republic of Croatia set the annual quota for the employment of third country nationals for 2019, published in Official Gazette, No 116/2018<sup>11</sup>. With this Decision the annual quota for the employment of the third country nationals was set at 65 100 permits.

<sup>11</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_12\\_116\\_2310.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_12_116_2310.html)

Out of this number, 15 000 permits were set for extension of already issued permits, 41 810 permits were set for new employment (construction and tourism sector having the largest number of permits), with 6540 seasonal worker permits and 250 permits. A new category of permits was introduced for strategic investment projects-set as 1500 permits.

### 3.3.3. Intra-corporate transfers

The Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (OG, No 122/17, 53/18 and 71/18) was decided and set at 38 769 permits **with 250 permits reserved for ICT permits.**

### 3.3.4. Seasonal workers

The Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (Official Gazette, No 122/17) was decided and set at total of 31 000 permits, 21 210 permits for new employment, 9 000 permits for extension of already issued work permits and **540 permits for seasonal workers.**

Recognizing the situation on the labor market and the lack of workers in certain occupations in the Republic of Croatia, the annual quota for new employment have been increased, so the Decision on amending the Decision on determining the annual quota for employment of foreigners for the calendar year 2018 (Official Gazette, No53/18) brought about an **increase of 1500 more permits** in the total number of permits for seasonal workers resulting in 2 040 permits for seasonal workers in 2018.

### 3.3.5. Other remunerated workers

On the basis of the work registration certificate, the physical and legal persons from third countries registered for carrying out funeral activities may work up to 90 days in a calendar year in accordance with a special regulation.

On the basis of the work registration certificate, tourist representatives of foreign travel agencies who come on the basis of a concluded service contract with a travel agency in the Republic of Croatia may work up to 90 days in a calendar year.

## **3.4. EFFORTS TO AVOID SOCIAL DUMPING AND LABOUR EXPLOITATION OF THIRD COUNTRY NATIONALS**

The conditions under which a Police Administration or Police Station may refuse to grant residence permits have been extended (if a third country national or an employer has failed to pay a fine, if the employer is sanctioned for unregistered employment or illegal employment or if the main purpose of establishing or acting employer is facilitating the entry of third country nationals).

## **3.5. OTHER MEASURES REGARDING LEGAL MIGRATION**

The Republic of Croatia and the Republic of Korea have concluded an agreement on social insurance.

Also, as a first step in cooperation with Ukraine in April 2018, the Agreement on Co-operation between the Croatian Employment Service and the State Employment Service of Ukraine was signed for the purpose of exchanging experiences in the areas of improvement of public employment services, provision of services to employers and provision of services to jobseekers.

### **3.6 INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION**

All information about conditions which need to be fulfilled from TCN in the Republic of Croatia work can be found on the website (updated in 2018) of the Ministry of the Interior: <https://mup.gov.hr/aliens-281621/281621>

Information can also be found on the website of the Ministry of Labour and Pension System: <https://migracije.hr/drzavljani-3-zemalja-2/>  
<https://migracije.hr/third-country-nationals/?lang=en>

Information about hosting foreign researchers can be found on the website of the Ministry of Science and Education: <https://mzo.hr/hr/rubrike/ugoscavanje-stranih-istrazivaca-u-republici-hrvatskoj>

## **4 INTERNATIONAL PROTECTION INCLUDING ASYLUM**

### **4.1. GENERAL INFORMATION ON ASYLUM PROCEDURE**

The asylum procedure in Croatia is an administrative procedure regulated by the Law on International and Temporary Protection (LITP)<sup>12</sup>.

The main body responsible for the implementation of asylum policy in Croatia is the Ministry of Interior, which is also the competent authority in the first instance procedures. All asylum matters are under the responsibility of the Administrative and Inspection Affairs Directorate, within which is the Service for Aliens and Asylum.

The procedure officially begins after the lodging of the application for international protection. Before this stage, a foreigner must express the intention to seek asylum.

Third-country nationals or stateless persons who wish to express their intention to apply for international protection have right on all necessary information on the procedure of international protection (in a language which they understand and in which they are able to communicate). Intention to apply for international protection can be expressed during border control at a border crossing points. Also if a third-country national or stateless person is already in the territory of the Republic of Croatia, expression of intention to apply for international protection can be made at the police administration, a police station or a reception center for foreigners during detention and return procedure.

Following the intention for application of international protection was expressed, police officers fingerprint the applicant's (applicants older than 14) and photograph them, establish his identity, how he entered the Republic of Croatia, the travel route from the country of origin to the Republic of Croatia, and personal circumstances of importance for assessing the private and procedural guarantees. This information is proceeded to the Department for Asylum and Reception Center for asylum seekers. Police officers have to register the applicant in the records of the Ministry no later than 3 working days from the day application for international protection has been made. In exceptional circumstances, intention to apply for international protection may be expressed in the Reception Center for Seekers of international protection.

Upon the registration, police officers issue a certificate of registration of the applicant in the records of the Ministry, and, as necessary, set a time limit in which the applicant must report to the Reception Centre to lodge an application.

From the moment application is made third country national or stateless person gets status of an applicant and has a right on reception conditions.

<sup>12</sup> <https://zakon.hr/z/798/Zakon-o-međunarodnoj-i-privremenoj-zaštiti>

Following the lodging of the application, the Asylum Department of the Ministry of Interior shall arrange the personal interview with the applicant, and issue a decision within 6 months of a duly completed application or a duly completed and admissible subsequent application. An application may also be processed under an accelerated or border procedure. Negative decisions may be appealed before the Administrative Court (within 30 days in the regular procedure, and 8 days in the case of Dublin decisions, inadmissibility decisions or the accelerated procedure).

## **4.2. CHANGES IN LEGISLATION, POLICIES; PRACTICES**

### **4.2.1. Reception of applicants of international protection**

The Reception Centre, as the organizational unit of the Ministry of Interior, operates in two locations - Zagreb and Kutina. The Reception center in Zagreb accommodates all the categories of international protection seekers (women, men, adult persons, families, unaccompanied minors over the age of 16) while the Reception Center in Kutina is usually used for the accommodation of vulnerable groups and persons coming to the Republic of Croatia through resettlement based on the Decision of the Government of the Republic of Croatia on resettlement of Third-Country Nationals and Stateless Persons who are eligible for international protection.

Reception Centre for Asylum Seekers in Zagreb has a capacity for 600 persons. During 2018, the reception capacity was reduced to 360 places due to an ongoing reconstruction (co-financed by AMIF). Reconstruction and adaptation of the Reception Centre in Zagreb included the adaptation of premises in accordance with best practice and respecting the highest standards, all with the aim of improving the quality of everyday life of asylum seekers. Completion of works is foreseen for the second quarter of 2019.

As a part of the everyday care for the improvement of the quality of life of the asylum seekers as well as the quality of the asylum procedure through AMIF co-financed project new equipment was purchased for the accommodation facilities (beds, closets, desks, chairs) as well as the equipment for kitchen and dining spaces, laundry and office facilities. The project is still ongoing as some of the equipment should be procured and delivered through 2019. Part of the utilities in the both facilities of the Reception center is also co-financed through AMIF project.

### **4.2.2. Reception conditions**

#### **4.2.2.1. Cooperation with government bodies**

The Reception Officers in their daily work cooperate with the Ministry of Health, the Ministry of Demography, Family, Youth and Social Policy, i.e. with health institutions, relevant Centers for Social Welfare and with Primary and Secondary Schools.

Among other things, Ministry of Interior is cooperating with the Ministry of Health on the adoption of a new Ordinance on health care for international protection applicants in the Republic of Croatia.

The health care of the asylum seekers is provided by the healthcare institutions designated by the Ministry of Health (Zagreb - Health Center Zagreb - Center, Dugave, Kutina - Health Center Kutina). In the Health Center, a competent ambulance (family medicine) has been designated for the provision of health care from the primary health care level for chronic - life - threatening illnesses. Specialist clinics for vulnerable groups are appointed by the Ministry of Health and Local Health Centers.

The support to asylum seekers situated in the Reception Centre for Asylum Seekers and persons who have been granted international protection was also ensured under the project "Psychosocial Support and Social Services for international protection applicants" implemented



by the Croatian Red Cross which lasted until 31.12.2018. and has been continued under new one year project "Psychosocial support and social services for international protection seekers" also implemented by the Croatian Red Cross and co-financed through AMIF, as well as under the project "Prevention of Disease, Psychological Support, Access and Help in Health Care for international protection applicants -4P" conducted by Médecins du Monde (MDM – Belgique).

In 2018, Reception Officers and Case Workers also cooperated with the Ministry of Finance and the Tax Administration in order to improve the procedure for issuing the OIB – Personal identification number) to the asylum seekers that have acquired the right to work.

The initial phase of the project „Establishing Infrastructure and Strengthening the Capacity of the Reception Centre for Asylum Seekers“ is ongoing, within which plans have been made to build a third location for accommodation of asylum seekers in Mala Gorica (co-financed by AMIF). The accommodation facilities of the Reception Centre for Asylum Seekers will increase by approximately 200 asylum seekers and current stage of development is in phase of raising awareness in local community.

The cooperation with non-governmental organizations and bodies providing support to asylum seekers in the area of quality of life improvement is ongoing.

#### 4.2.2.2. Cooperation with NGOs

Various NGO's were present in the Reception Centre during 2018; out of which two were co-financed through AMIF – Croatian Red Cross and Medecins du Monde (MdM).

The following activities were carried out at the Reception Centers: information technology workshop, creative workshop, gym, football, technical workshop, distribution of bedding and hygiene, distribution of clothing and footwear, Croatian language course for children, Croatian language course for adults, children's playroom, watching of children's movies and cartoons, job center, library, men's hairdressing salon, psychosocial assistance, women's room, medical assistance, music workshop, playroom for school and preschool children, providing of legal information, writing of school assignments, individual work with international protection seekers, providing dental care support.

Employees and volunteers of the nongovernmental organizations together with the officials from the Reception Officers are holding weekly meetings for smoother coordination of activities and exchange of information.

#### 4.2.3. Implementation of the Common European Asylum System (CEAS)

Regarding **Dublin procedure**, in accordance with the Commission Recommendation of 8 December 2016 (EU) No604/2013, Croatia has begun to conduct a Dublin procedure with Greece. However, no transfer was made to Greece. Despite a growing number of requests to take over responsibility to Greece, which were refused except for one case (the asylum seeker is a wife of an asylee in Greece).

Concept of "**safe third country concept**", was applied to a group of applicants for international protection (8 adults and 21 children) who illegally entered Croatia from Serbia. In each individual case, taking into account all facts and individual circumstances, their applications were dismissed due the possibility of applying the concept of safe third country. First instance Administrative Court confirmed all decisions of the Ministry, as well as the High Administrative Court of the Republic of Croatia.

Regarding **procedures at first instance**, in 2018, the pressure on the asylum system was slightly reduced in relation to 2016 but stable. Status decisions are issued within the legal deadlines. Still, more than half applications for international protection were discontinued due to the applicants' disappearance, indicating that Croatia is still perceived as a transit country. Majority of applicants come to Republic of Croatia without identification documents.

A public call was launched, and a new List of Free Legal Aid Providers in the International Protection Approval Procedure was issued.<sup>13</sup> Asylum seekers have a right to a free legal aid in appeal procedure against first instance decisions.

There were some changes in 2018 regarding access to accommodation of beneficiaries of international protection. According to the amendments of the International and temporary protection Act, Central State Office for Reconstruction and Housing Care provide housing units to asylees and foreigners under subsidiary protection that are the property of the Republic of Croatia or are at disposal to the Central State Office as per lease agreements concluded with other natural persons. In case asylees and foreigners under subsidiary protection are employed, they are obligated to co-finance accommodation costs. Act on International and Temporary Protection strictly prescribes in which cases asylees and foreigners under subsidiary protection can lose right for accommodation. For example, on their demand or if they refuse accommodation without reasonable grounds.

The implementation started from the 1 January 2018.

In 2018, a public tender was launched to fund a legal advisory project in the international protection approval procedure. Project is co-funded by AMIF. Contract between MUP and HPC regarding the legal advisory project during international protection procedure, was signed on 29.03.2019.

In regard to detention during the asylum procedure in 2018 the accommodation capacities for the detention remained stable.

In several cases an alternative measure of detention were used, which was to register at Reception Centre in person at specific time, every day for a certain period of time.

#### 4.2.4. Support to other member states

The Republic of Croatia also cooperates with the European Asylum Support Office (EASO) with the aim of providing adequate international protection. The cooperation takes place by way of national contact points and through education seminars organized by EASO. Likewise, Croatian experts provide assistance to Member States facing a large influx of migrants (Greece, Italy, Cyprus). In Greece, the support was provided on Lesbos during April and May 2018 (one expert) and on Samos in May and June 2018 (also one expert) under the measure EL AS 1: Support for the implementation of the EU-Turkey statement on Greek islands. During October and November 2018, the support was provided on Chios, under measure EL RIS 7: Practical support for the operation of Reception (and Identification) Centres (one expert). In Italy, assistance was provided under measure IT2: Support with handling registration of applications for international protection in Bari in January/February 2018 (one expert) and in Treviso in June/July 2018 (one expert). During August/September, assistance was provided in Sicily (one expert) under measure IT1: Sicily mobile team-Catania. In Cyprus, two experts provided support under measure CY5: Special Support plan to Cyprus (February/March 2018) and under measure Support in the field of reception and open accommodation in the asylum procedure (November 2018).

Assistance to third countries in the region, namely Serbia (Coaching/on-the-job training on the examination procedure) and Macedonia (project: The development of SOPs for asylum registration), was also provided, under the organization of EASO.

#### 4.2.5. Capacity building

Additionally, regarding staffing, in 2018, Ministry of Interior has extended fixed-term employment contracts of employees working on the applicants' admission and the procedure for granting international protection. In addition to that, new permanent employees have been recruited in this field as well.

<sup>13</sup> <https://mup.gov.hr/gradjani-281562/moji-dokumenti-281563/stranci-333/medjunarodna-zastita-281941/281941>

Also a new employee in charge for health and hygiene field was recruited as a part of the permanent staff of the Reception center. Among his duties is to coordinate on daily basis organization of health check-ups between the Ministry, asylum seekers, NGO-s and various health care institutions.

### **4.3. EFFICIENCY AND QUALITY OF THE NATIONAL ASYLUM SYSTEM**

In 2018, several case officers were participated in EASO Training Curriculum in train-the-trainer courses or national trainings.

Six employees were trained for national trainers in the EASO Modules: Exclusion; Gender, Gender Identity and Sexual Orientation, Interviewing Vulnerable Groups and Reception.

A national training for case officers on EASO "Inclusion Module" was conducted in January 2018 for four employees.

A national training for 13 case officers on EASO "Exclusion Module" was conducted in October 2018 on the topic of exclusion of international protection, which contributed to better detecting potential exclusion cases.

The national training for Reception Module was conducted at the beginning of 2019. for 18 employees of the Reception centre. „ The national training for Interviewing Vulnerable Persons Module (online training) will begin in April 2019 and finish in May 2019 when face-to-face part of the module will be conducted.

The UNHCR and Croatian Law Centre have developed a Questionnaire that will be used for assessing the quality of the first-instance decisions in the procedure of international protection. The assessment will take place in 2019 and will include decisions made during 2018.

Additionally, regarding efficiency of the processing of (first) applications and appeals a longer working experience of the officials processing applications and appeals has influenced the acceleration of the decision-making process compared to last year.

### **4.4. RESETTLEMENT AND RELOCATION PROGRAMMES**

#### **4.4.1. EU Joint Resettlement Programmes**

In May and August 2018, two selection missions were conducted in Turkey (Ankara).

From January to November 2018, 112 Syrians were transferred from Turkey to Croatia.

A total of 152 persons were resettled, whereby Croatia fulfilled the quota according to the Government Decision from 2015 (a quota of 150 persons)<sup>14</sup>. Resettled persons in Croatia were granted asylum.

In terms of challenges, there has been some withdrawals from resettlement to Croatia before the selection missions and after cultural orientation was conducted. Also, several families left Croatia after being granted asylum in Croatia. This could be due to the fact that Croatia is a new member state and thus relatively unknown, and has just begun with the resettlement programmes.

Preparations are underway for a resettlement of refugees from Turkey according to the Government Decision from 2017 (a quota of 100 refugees)<sup>15</sup>.

As regards the resettlement of 100 persons pursuant to the Government Decision from 2017, the Ministry of the Interior prepared agreements in this regard with the International Organization for Migration (IOM), Jesuit Refugee Service (JRS) and International Catholic Migration Commission (ICMC) having in mind different aspects of the resettlement project and the needs of resettled persons.

<sup>14</sup> [https://narodnenovine.nn.hr/clanci/sluzbeni/2015\\_07\\_78\\_1507.html](https://narodnenovine.nn.hr/clanci/sluzbeni/2015_07_78_1507.html)

<sup>15</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2017\\_10\\_99\\_2276.htm](https://narodne-novine.nn.hr/clanci/sluzbeni/2017_10_99_2276.htm)

In December 2018 an Agreement between the Ministry of the Interior and the Jesuit Refugee Service was signed, regarding the integration of resettled persons from Turkey.

Also, the Ministry of the Interior prepared Agreements with ICMC (logistic and coordinating support as regards the selection mission, including the coordinating activities regarding the pre-departure medical screening and pre-departure cultural orientation) and IOM (pre-embarkation check, logistical arrangements for visa processing, movement and travel assistance, reception assistance in Member State (MS) of resettlement). These agreements were signed in January 2019.

## 4.4.2. Relocation

### 4.4.2.1. Intra-EU relocation mechanism

Croatia submitted a last relocation pledge for 40 persons (25 from Greece and 15 from Italy) on 19 October 2017. Nevertheless, Croatia has not even been given any answer regarding all submitted pledges. To be precise, Croatia did not receive any request for relocation from Greece concerning pledges since May 2017.

On 28 March 2018, the transfer of the remaining relocated number of persons from Italy (19 persons) was announced. Regardless of that, those persons did not appear on the scheduled day. The same was repeated on 26 April 2018 when the transfer of 3 persons from Italy was announced.

## 5 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

### 5.1. UNACCOMPANIED MINORS APPLYING FOR ASYLUM

Conduct towards unaccompanied minors is based on the principles of the Convention on the Rights of the Child: protection of the child's wellbeing, protection from all forms of discrimination, right to life, security and development, and the right to participate and freely express personal opinions.

An unaccompanied minor is a third-country national or a stateless person under eighteen years of age who has entered the Republic of Croatia without the company of a responsible adult (in terms of parental care in accordance with the legislation of the Republic of Croatia), until he is placed under the care of such person. It includes children who remained unaccompanied after entering the Republic of Croatia (Law on International and Temporary Protection, Official Gazette 70/15).

Unaccompanied children represent a particularly vulnerable group of children who need special protection and care on the road where they are exposed to various risks, and can be exposed to various forms of violence, hunger, fear for their own lives, and often can be a "target" of smugglers and traffickers.<sup>16</sup>

Conduct towards unaccompanied children includes State administration bodies, local and regional self-government units, public authorities, public institutions, international organizations and civil society organizations, and also cooperation with Religious organizations and organizers of humanitarian actions.

Generally, immediately after it is established that a child is unaccompanied or separated, the police officer must take actions to ensure the procedure of identification, which among others includes obligation to invite a social worker from the Centre for Social Welfare and an interpreter if the child does not understand Croatian, and to forward a letter to the competent Centre for Social Welfare requesting a special guardian to be appointed. According to Act on International and Temporary protection guardian has to be trained to work with children, and does not have a conflict of interest with the child. Since guardian has the most important role

<sup>16</sup> <https://mdomsp.gov.hr/istaknute-teme/djeca-i-obitelji/djeca-bez-pratnje/10441>

in child in international procedure he is present always with the child in all procedural stages to protect child's right.

In 2018, several changes in relation to unaccompanied minors occurred, most importantly, in relation to the new Protocol on the treatment of unaccompanied minors.

### 5.1.1. Protocol on the treatment of unaccompanied minors

On the 30 August 2018, the Government adopted a Decision approving the new **Protocol on the treatment of unaccompanied minors**.<sup>17</sup>

The protocol aims to establish a robust and effective national system in procedures for unaccompanied children and improve the position of unaccompanied children.

The Purpose of this Protocol is to define the obligations of various bodies, ways and deadlines for the treatment of unaccompanied children, with a goal of the timely and effective protection of their rights and interests. It provides guidance for all relevant actors coming in contact and working with this category of children. In addition to the Protocol, the annexes were prepared as practical tools intended for the treatment of unaccompanied children.

The Protocol provides a detailed overview of all procedures in regard to unaccompanied children: relevant authorities and state bodies, actions that precede accommodation, accommodation, procedures regarding special guardian and guardianship, health care, international protection, temporary stay for humanitarian reasons, inclusion into the educational system, integration, search for family members, age assessment, return procedure, conduct in case of suspecting human trafficking, keeping records.

The protocol also establishes an Interdepartmental Commission for the protection of unaccompanied minors with the aim to improve inter-agency cooperation between state administration bodies and other stakeholders involved in the protection of unaccompanied children. It is composed of representatives of the Ministry for Demography, Family, Youth and Social Policy, the Ministry of the Interior, the Ministry of Science and Education, the Ministry of Health, the Office for Human Rights and Rights of National Minorities and international organizations dealing with the protection of the rights of the child or refugee rights and, civil society organizations dealing with the protection of children's rights.

### 5.1.2. Implementation of the new Foster Care Act

On 1 January 2019 the implementation of the new **Foster Care Act** (OG No 115/18)<sup>18</sup> will start. This Law enables accommodation of unaccompanied children into a foster family.

In Croatia, the prevalence of foster care is rather uneven. The largest number of foster families is traditionally in the Zagreb County and City of Zagreb, and a small number of foster families in the southern and coastal areas of the Republic of Croatia. For this reason, it is necessary to improve foster care in the whole country. In addition, the age and educational structure of foster parents is unfavorable (more than half of the registered foster parents over 55 years of age and 29% of foster parents have not completed elementary school or completed just elementary school). The number of new foster families over the years has been steadily declining, especially in the younger age and higher education.

Although foster care in the Republic of Croatia has a long tradition, the legal status of foster parents has not yet been resolved. Namely, foster parents do not have compulsory insurance (retirement, health, unemployment rights, as employed persons under special regulations) as other providers of social accommodation services. This status of foster parents is not motivating to include new, younger and more educated foster parents.

The new Foster Care Act seeks to ensure the availability of foster care as a profession and as a specialized foster care for the toughest category of users with the appropriate foster care

<sup>17</sup><https://mdomsp.gov.hr/UserDocImages//djeca%20i%20obitelji//Protokol%20o%20postupanju%20prema%20djeci%20bez%20pratnje.pdf>

<sup>18</sup>[https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_12\\_115\\_2240.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_12_115_2240.html)

allowance. This change in the regulation may result in an increased interest in foster care. New Act still enables the traditional foster care and kinship care, but increases the remuneration for all foster workers and rewards their efforts in providing care.

The new Foster Care Act has the aim to deinstitutionalize the children and adults who were accommodated in institutions, and to improve the quality of care in foster families, regardless of the user group. It also aims to enable the increase of the number of foster families, the regional equality of access to foster care, and establish foster care as an occupation for unemployed foster parents.<sup>19</sup>

### 5.1.3. Cooperation and capacity building

The Ministry for Demography, Family, Youth and Social Policy in cooperation with UNHCR made the informative leaflets for unaccompanied minors who are found on the territory of the Republic of Croatia and without a legal representative. UNHCR financed the translation of leaflets into most common languages spoken by unaccompanied minors.

Reception Center Officials participated in training for national trainers within the EASO Training Curriculum "Interviewing Vulnerable Groups Module" and "Reception Module", which is elaborated above.

## 5.2. IDENTIFICATION OF VULNERABLE GROUPS APPLYING FOR ASYLUM

Identification of the applicants with special reception or procedural starts upon the making the application in police station or police administration as well as in border crossing points. The identification is understood as continuous process and shared responsibility among reception staff and decision makers.

Vulnerable groups include persons divested of legal capacity, minors, unaccompanied minors, elderly and infirm persons, seriously ill persons, persons with disabilities, pregnant women, single parents with minor children, persons with mental disorders and victims of trafficking in human beings, victims of torture, rape or other psychological, physical and sexual violence, such as victims of female genital mutilation.

Applicants in need of special procedural and/or reception guarantees are those who, in view of their personal circumstances, are not completely capable of exercising their rights or obligations as they are applicants.

In 2018, to improve the identification of vulnerable persons applying for asylum, Ministry of Interior started to use a Questionnaire for early identification applicants suffering from traumatic experience in 2018. When applying for international protection, a registration officer is asking the applicant questions from "**Questionnaire and observations for early identifications of asylum seekers having suffered traumatic experiences**". Depending on the outcome of the Questionnaire, the applicant may be provided with special reception and procedural rights.

Except above mentioned, EASO Modules and trainings the employees of the Reception centre participated in various workshops and seminars regarding the identification of vulnerable groups like UNICEF "Regional Workshop on Prevention of and the Response to Sexual and Gender based violence" (1 employee), Red Cross regional training "Identification of the victims of human trafficking among migrants" (2 employees), Annual Conference "Unaccompanied minors in Germany and Europe" (1 employee), round table "In their shoes" within the project "Life of unaccompanied children in Croatia-(un)seen, (un)attended and (un)safe (1 employee), UNICEF study dedicated to participation of children and vulnerable groups (1 employee), Children in Migration (1 employee).

<sup>19</sup> source: <https://mdomsp.gov.hr/vijesti-8/vlada-prihvacen-nacrt-prijedloga-zakona-o-udomiteljstvu-10231/10231>

### 5.3. UNACCOMPANIED MINORS NOT APPLYING FOR ASYLUM

Due to the fact that the Protocol on the Treatment of Unaccompanied Children and the Foreigners Act have changed, during November 2018, two three-day educations were organized. More than 50 police officers from all 20 police administrations and from all three detention centres attended the education.

## 6 INTEGRATION

### 6.1 INTEGRATION OF THIRD-COUNTRY NATIONALS

In order to promote the integration of third country nationals, the Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*GOHRRNM*) coordinated the development of the new edition of **the Guide Through Integration**. The *Guide* presents key information on the rights and obligations of third country nationals, including persons who have been granted international protection, in the Republic of Croatia, encompassing status regulation, employment and work, housing, education, social welfare and health care as well as an overview of civil society organizations. The *Guide* was translated into English, French, Ukrainian, Arabic, Urdu and Farsi and will be disseminated to third country nationals through key governmental and non-governmental organizations.



Source: <https://pravamanjina.gov.hr/vijesti/objavljeno-dopunjeno-izdanje-vodica-kroz-integraciju/853>

#### 6.1.1. Measures to enhance language skills

Oral and written understanding of the Croatian language is the basis for a good integration of asylum seekers and asylees and foreigners under subsidiary protection in Croatian society. Croatian language is essential for life and work in the Republic of Croatia.

Through the implementation of the Programme "Croatian Language, History and Culture for Asylum Seekers, Asylees and Foreigners under Subsidiary Protection", for the purpose of integration in Croatian society, courses on Croatian language, history and culture are provided to asylum seekers, asylees and foreigners under of subsidiary protection who are not included in the education system.

In order to realize the assumptions for the quality integration of asylees and foreigners under subsidiary protection in Croatian society, the Ministry of Science and Education, in cooperation with the Independent Sector for Schengen Coordination and European Union funds, prepared the project "Integration of asylees and foreigners under subsidiary protection in Croatian society, education and preparation for inclusion in the labor market". The project is approved for financing in the total amount of € 560,000.00. Funds from the Asylum Fund, Migration and Integration Fund (AMIF) are provided in the amount of € 420,000.00.

Funds from AMIF have been approved to cover costs for implementing the inclusion of persons with asylum status and foreigners under subsidiary protection in the Croatian language, history and culture learning program for a total duration of 280 hours; translation and certification of documents necessary for continuing education of persons with asylum status and foreigners under subsidiary protection (certificates and diplomas) and for continuing education and / or inclusion in the professional training of persons with asylum status and foreigners under subsidiary protection.

For students / children / young people with asylum status and aliens under subsidiary protection whose family members are guaranteed minimum fees, co-financing of textbooks and related supplementary teaching resources (atlases, workbooks and / or collections of tasks) will be provided - funds provided by the Government of Croatia through a special decision on the budgetary positions of the Ministry.

From August to December 2018, in co-operation with the University of Zadar, the implementation of the Program, financed from the funds of the State Budget for 2019 was organized. It involved 9 participants.

In cooperation with the Jesuit Office for Refugees and the Open University Libar - Šibenik, in 2018 a program was implemented. According to the submitted report by the Libar - Šibenik Open University, 30 persons completed the course. During the preparation for the implementation of the Program, 176 persons were contacted, 96 persons attended a course of which 30 completed the course. Programme implementation was financed, in the amount of HRK 72,000.00, from the State Budget with the position of the Ministry of Science and Education.

In cooperation with the Velika Gorica Secondary Vocational School, a program was implemented in 2018, involving 4 people. The implementation costs of the Program in the amount of HRK 29,477.00 were financed from the State Budget with the position of the Ministry of Science and Education.

By adopting the State Budget of the Republic of Croatia for 2019 and the projections for 2020 and 2021 (Official Gazette 113/18), the assumptions were made that from 1 January 2019 all activities of the Project: "Integration of asylees and foreigners under the subsidiary protection of the Croatian society, education and preparation for inclusion in the labor market " can be funded from the Asylum, Migration and Integration Fund, in State Budget for activities A767042 - Education of persons without Croatian citizenship, activities planned for funding under the Project have been elaborated in detail in the context of the presentation of the funds to be financed from the national contribution and the presentation of funds to be funded from AMIF.

Additionally, some organizations' volunteers hold group and individual Croatian language courses for children who are seeking, or were approved, international protection, or were approved humanitarian stay. Organizations dealing with asylum in Croatia provide free Croatian language courses both at reception centres for seekers of international protection and elsewhere. .

The University of Zagreb, the Croatian Heritage Foundation & the University Computing Centre offer an e-learning course of the Croatian language at the beginner level. The course is aimed



at people with no previous knowledge of Croatian, or with very basic knowledge of the language.<sup>20</sup>

### 6.1.2. Access to housing

The Act on amending the Act on International and Temporary Protection (Official Gazette No 70/15, 127/17) entered into force on 1 January 2018.

Prior to the amendment, there was a problem finding accommodation facilities, as the number of persons approved for international protection is growing faster than the available housing units. Therefore a new article is being introduced regarding the provision of accommodation facilities (if such a right is granted). Pursuant to the decision recognizing the right to accommodation, the providing of accommodation facilities is now under the jurisdiction of the Central State Office for Reconstruction and Housing Care, in order to provide asylees and foreigners under subsidiary protection with housing units that are the property of the Republic of Croatia or are at the disposal of the Central State Office as per lease agreements concluded with other natural persons.

### 6.1.3. Integration into the labor market

Beneficiaries of international protection are noted as one of the target groups for active labor market measures which help them integrate better in the Croatian labor market.

Generally, unemployed beneficiaries of international protection have rights and obligations equal to unemployed nationals. They have access to Active labour market policy measures (ALMP) and in several measures are recognized as vulnerable group, thus have access to measures under more beneficial conditions regarding the duration of unemployment.

An ALMP measure that has been recognized as the most useful in a sense of overall integration into the society is a measure called *On-the-job training* established with an aim of acquiring public document certifying competence. It is a 6-month programme during which a refugee learns both through classes in school and through work experience under mentorship provided by employer (e.g. for being able to work on simple jobs in kitchen, elderly care, construction), with financial support from Croatian Employment Service (CES). While this is not foreseen by measure itself, when it comes to refugees, NGOs have a significant role in preparation and empowering candidates (especially women) before and during the programme, as well as support them in learning Croatian language as a preparatory activity.

Persons under international protection form a group with very specific needs and require different approach because they are not familiar with national employment and work related rights and obligations, often have different views on punctuality, working hours or (especially women) have never worked before. To solve this problem, in 2018. each regional office nominated one employment counsellor responsible for beneficiaries of international protection. They are regularly updated on the news in legislation, information, brochures etc. covering this group. A leaflet with rights, obligations, date for counselling and contact details of counsellor translated to Arabic, Persian, Somali, English and French is also handed over to refugees after first contact with Croatian Employment Service.

In 2018, 110 foreigners took advantage of some of the ALMP measures, of which 22 persons under international protection which is the highest number so far. On 31.12.2018 a total of 786 foreigners were registered as unemployed with the Croatian Employment Service (of which 144 persons under international protection). In the period 1st January-31st December 2018, 1442 registration of foreigners to the Croatian Employment Service were recorded of which 366 persons under international protection. During the same period, 788 foreigners (of which 157 persons under international protection) were removed from CES database due to commencing employment.

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<sup>20</sup> <http://www.unizg.hr/homepage/learn-croatian/e-learning-course-of-croatian>

#### 6.1.4. Providing information on integration

On November 21<sup>st</sup> 2018 **The Danube Compass Platform<sup>21</sup> was presented in Zagreb.** The platform was established to help migrants find their way to economic and social integration in the society to which they have arrived. The Danube Compass covers all major aspects of living: housing, employment, learning the local language, education, health, and everyday life, offering an overview of all the important rights and opportunities depending on the national context of the host country. The platform currently offers information for Croatia, Slovenia, Austria, Germany, the Czech Republic, Slovakia, Hungary and Serbia. The Croatian version of the Compass has informational available in Croatian, English and the most prominent languages amongst the refugee population in Croatia – Arabic, Persian, and Urdu. The project is run by the Science Research Center of the Slovene Academy of Sciences and Arts, and in Croatia, by the Center for Peace Studies with a Strategic Partner, the Government Office for Human Rights and Rights of National Minorities.<sup>22</sup>

#### 6.1.5. Improving access to rights of family members of persons granted international protection

Regarding identification of categories of residence permits, some changes were made. To resolve practical problem regarding the access to rights of family members of asylees and foreigners under subsidiary protection and in order to better identify family members and improve their access to rights, changes in the Ordinance on amending the Ordinance on status and work of third-country nationals in the Republic of Croatia (OG, No 116/18) were made.

### 6.2. NON-DISCRIMINATION

As a part of the project co-financed under the Asylum, Migration and Integration Fund, **Supporting the Integration of Third Country Nationals in Need of International Protection**, Government Office for Human Rights and Rights of National Minorities conducted workshops in 17 elementary schools with over 950 children and youth in 6 cities. The goals of the workshops were to support the educational institutions in building the capacity for integration of children who have been granted international protection, with the aim of increasing understanding and awareness and creating opportunities for successful integration. Following the workshops, an informational brochure Children's Questions on Refugees - and How to Answer Them was printed in 1000 copies and widely distributed. The brochure addresses common fears and misconceptions about persons who have been granted international protection and aims to support professionals, parents and caretakers in discussing these topics with children and youth.

### 6.3. PROMOTING INTEGRATION AT LOCAL LEVEL AND COOPERATION, CONSULTATION AND COORDINATION OF LOCAL STAKEHOLDERS

Through the IPA 2012 funded project Support to the Implementation of Policies for Integration of Migrants, Government Office for Human Rights and Rights of National Minorities developed **The Framework for the Integration of Persons who have been granted International Protection at the Local Level.** The Framework is the result of a series of participative meetings carried out with the representatives of competent bodies on the national level, as well as representatives of the local and regional self-government and civil society organizations in 3 cities. The Framework defines the general and specific objectives, measures and performance indicators, and proposed activities in key areas of integration, with the aim of supporting local and regional self-government units in the Republic of Croatia in the design of strategies and action plans for the integration of persons who have been granted international

<sup>21</sup> <http://hr.danubecompass.org/>

<sup>22</sup> source: <https://www.cms.hr/en/azil-i-integracijske-politike/dunavski-kompas-platforma-koja-migrantima-olaksava-pristup-informacijama-o-pravima-i-obvezama>

protection. 150 copies of The Framework were printed and distributed in local and regional self-government units that are planned to accommodate persons who have been granted international protection.

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### OKVIR ZA INTEGRACIJU OSOBA KOJIMA JE ODOBRENA MEĐUNARODNA ZAŠTITA NA LOKALNOJ RAZINI

### FRAMEWORK FOR THE INTEGRATION OF PERSONS WHO HAVE BEEN GRANTED INTERNATIONAL PROTECTION AT THE LOCAL LEVEL

Source: <https://www.irh.hr/dokumenti/50-okvir-za-integraciju-osoba-kojima-je-odobrena-medunarodna-zastita/file>

Through the project *Supporting the Integration of Third Country Nationals in Need of International Protection*, co-financed under the Asylum, Migration and Integration Fund, Government Office for Human Rights and Rights of National Minorities conducted trainings and networking events for local and regional authorities, as well as civil society organizations in 8 cities where persons who have been granted international protection will be accommodated. In addition, GOHRRNM conducted a mixed method study on the capacities of local and regional governments for integration, in 30 self-government units with over 200 key stakeholders. The study resulted in a series of recommendations on fostering the cooperation between the local and national governments, as well as with checklists for self-assessment of integration capacities to be used by local governments in order to foster the development of local policies. Research findings and checklists were published in a publication titled *Challenges of Integrating Refugees into Croatian Society: Attitudes of Citizens and the readiness of Local Communities* and will be distributed among key stakeholders.

#### **6.4. AWARENESS RAISING ON MIGRATION IN THE HOSTING (MEMBER) STATE**

Government Office for Human Rights and Rights of National Minorities implemented a national-wide awareness-raising media campaign on three television channels, five radio stations, in 12 cities and on the Internet. The campaign reached over 1.5 million television viewers (about 54% of the population aged between 18 and 59) and more than 960.000 visitors of the YouTube channel. The campaign was co-financed by Asylum, Migration and Integration Fund as part of the project *Supporting the Integration of Third Country Nationals in Need of International Protection*.

## **6.5. INTEGRATION MEASURES IN THE COUNTRIES OF ORIGIN AND/OR INVOLVING DIASPORA COMMUNITIES**

### **6.5.1. Pre-departure integration measures in countries of origin**

As agreed upon in The Cooperation Agreement concluded between the Ministry of the Interior (MOI) and International Organization for Migration (IOM) for the period from 5/9/2017 to 31/1/2019 (extended to 31/7/2019) for the purpose of supporting the resettlement of 150 refugees from Turkey, the orientation programme before boarding (pre-embarkation check) (travel schedules, regulations related to travel, assistance, etc.) is carried out by IOM. The programme of Cultural Orientation (CO) was conducted before the trip by the MOI officer. The Cultural Orientation was carried out at the same time as the selection mission in such a way that a group of resettlement candidates who had an interview and a medical examination one day, participated in the 5-hour CO on the second day. CO covered topics concerning a person's rights regarding: stay in Croatia, accommodation, work, education, social welfare, health care, freedom of religion, free legal aid and integration into Croatian society. People were also getting familiar with the basic historical and geographical information and with the expectations and the way of life in Croatia.

During 2018 negotiations were opened with new partners for a new resettlement agreement with International Organization for Migration (IOM), Jesuit Refugee Service (JRS) and International Catholic Migration Commission (ICMC). The goal with a new agreement is to put the emphasis on a pre-departure and post-arrival cultural orientation: first an introduction that MOI officer will perform during the selection mission, as second a 3-day Cultural Orientation Programme which will be performed by ICMC and as third, a comprehensive work on cultural adjustment that will be done by JRS.

### **6.5.2. Integration measures involving the diaspora communities in member states**

For all Croatians wishing to return to their homeland or want to be informed about certain issues, a special organizing unit of the Central State Office for Croats Abroad has been established, called the Welcome Office, which represents a supporting point for all Croats outside Croatia and all returnees in Croatia in order to facilitate their return and inclusion into the entire state system of the Republic of Croatia. In this respect it communicates and coordinates its affairs with other competent state administration bodies. The Welcome Office is also actively involved in reviewing the activities of Croatians outside Croatia and monitoring the results of the integration of Croatian returnees into the social system of the Republic of Croatia.

In order to help returnees with their return and easier integration, a Guide for Returnees to the Republic of Croatia was prepared with basic information on the entire state system of the Republic of Croatia.

The Welcome Office has drawn up a Welcome Program document which is the indicative standing for systematic development of return measures to the Republic of Croatia. Due to the importance of the return of emigrants and their descendants, and for further development of return measures, it is necessary to approach this matter more systematically including all government bodies and beyond. Based on the analysis of the situation and evaluation, it is necessary to draw up a document that would include all the state bodies and that would result in the measures and activities of the return of emigrants and their descendants to the Republic of Croatia.

#### **6.5.2.1. First Croatian EMN Annual conference: "Involving Diasporas In The Development Of The Country Of Origin"**

Central State Office for Croats Abroad, as a part of EMN National migration network, proposed the topic of the next EMN conference. On the 22nd of October 2018 in Dubrovnik, HR EMN NCP organized a conference on the topic how diasporas can engage in the development of the country of origin. Various speakers provided their findings and shared their approaches to attracting and cooperating with diasporas, especially tackling approaches to diasporas from

Third countries. The Conference was attended by more than 40 participants from 12 countries plus Croatia. Conference provided a broader view of the Croatian diaspora, as well as of the potential which diasporas have in strengthening and in development of their countries of origin. Additionally, national stakeholders were able to have a conversation on the next steps in Croatia regarding involving diasporas and Welcome Office was left with valuable contribution in future work.

## 7 CITIZENSHIP AND STATELESSNESS

### 7.1. ACQUISITION OF CITIZENSHIP

Croatian citizenship, the prerequisites for its acquisition and termination, are governed by the Law on Croatian citizenship ("Official Gazette", No. 53/91), which entered into force on 8. October 1991. Amendments to this Law were published in the "Official Gazette", No. 53/91, 70/91, 28/92, 113/93, 4/94, 130/11, 110/15)

The Law on Croatian citizenship includes basic principles and standards known in European legislation, such as principles: legal continuity of citizenship, prevention of statelessness, exclusivity of Croatian citizenship, equality of marital, extramarital and adopted children.

Through years of practical application of the Law, certain substantive deficiencies have been observed which are planned to be remedied through the Amendments to the Act on Croatian Citizenship that have been drafted in 2018. Legislation in the field of citizenship should be aligned with the lessons learned in the application of the Law.<sup>23</sup>

Draft of the new Croatian Citizenship Act was made and was opened for consultation with the interested public from 24. October to 3. November 2018. On 13 December, the Government of the Republic of Croatia adopted the proposal of the Act on Amendments to the Croatian Citizenship Act.

Some of the changes include: the age limit for registration of HR citizens will be increased from 18 to the 21 years, for the acquisition of Croatian citizenship by a child born abroad, with one parent at the time of his birth being a Croatian citizen. This amendment was included in order to allow time to personally file for an entry in a Croatian citizen's book as an adult (over 18), if the parents failed to do so until the child's age of majority.

In addition, the generational limitation for the acquisition of Croatian citizenship for the emigrants' descendants is left out, and they and their spouses are also released from the obligation of familiarity of the Croatian language and Latin script, Croatian culture and social organization. The notion of emigrant is also specified: it is more clearly stipulated who is not considered emigrant. It additionally proposes the solemn oath of a person acquiring Croatian citizenship by naturalization, and the simplification of providing evidence for members of the Croatian people who do not have documents as personal proofs of belonging to the Croat people, but whose parents have undoubtedly established such affiliation.

Furthermore, it enables the acquisition of Croatian citizenship by virtue of a child born abroad, whose one parent acquired Croatian citizenship after the birth of a child, as an emigrant or descendant of an emigrant from the Republic of Croatia or as a member of the Croatian people.

Finally, the new amendments prescribe that a person who has abandoned her Croatian citizenship cannot re-acquire Croatian citizenship on any legal basis and prescribes the possibility of abolishing or annulling a decision on the acquisition of Croatian citizenship if acquired on the basis of a sham marriage, false presentation or fraud during the administrative procedure of acquiring citizenship, or because of the conviction of a naturalized person in

<sup>23</sup> <https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=3221>

criminal proceedings for criminal offenses against the Republic of Croatia and criminal offenses against humanity and human dignity.<sup>24</sup>

## 8 BORDERS, VISA AND SCHENGEN

### 8.1 BORDER MANAGEMENT AT THE EXTERNAL BORDERS

The Republic of Croatia, with the goal of protecting the external border, has at its disposal 6,500 border police officers and modern technical equipment which is continuously developed.

For the purpose of the state border surveillance, the Border Police use various equipment: stationary thermovision devices, mobile thermovision devices, hand-held and remote controlled thermovision devices, night vision devices, binoculars, day/night surveillance cameras and systems, GPS devices, passenger cars, vans, off-road vehicles and motorcycles, type C river vessels and other equipment. In border patrols, police dogs are used for protection and search purposes.

In order to enhance border control two new police stations were built in 2018, PGP Maljevac and PGP Tovarnik which were financed through the IPA 2012 project. Also, construction/reconstruction of 3 border crossings points started in 2018. Completion is expected in the first half of 2019.

Furthermore, the procurement of vehicles, handheld Thermovision cameras and portable day/night cameras for external border control was carried out. The equipment was financed by Internal security fund.

It was procured 60 off-road vehicles (52 marked + 8 civilian) through the project worth 1.640.000,00 EUR, 65 Handheld Thermovision cameras through the project worth 780.000,00 EUR and 100 portable day/night cameras (10 to police administrations on external borders and the Mobile Unit for the Implementation of State Border Control) through the project worth 25.000,00 EUR.

At the Police Academy in Zagreb, training of police officers for handling the thermovision cameras was carried out, and after that the cameras were delivered and deployed at the police stations.

Also, 7 stationary border control systems (cameras) at the border with Bosnia and Hercegovina and Montenegro were procured in 2018. Six of them are installed, on 3 locations in Police Administration sisačko-moslavačka, 1 in Police Administration karlovačka, 1 in Police administration ličko-senjska and 1 in Police Administration dubrovačko-neretvanska. Additional one in PA dubrovačko-neretvanska will be installed upon the completion of the works at the border crossing point Vitaljina. Value of the project is 4.700.000,00 EUR (75% ISF funded).

Various other projects are in progress in order to ensure efficient border management and protection of the external border, for example: procurement of fixed wings UAV-s, trailers with thermal imaging cameras together with 4x4 towing vehicles, thermal imaging hand-held cameras, headlamps, hand-held flashlights, external multisensory unit for police helicopter, vehicles for transportation of police dogs and procurement and training of police dogs.

Croatia also cooperated with third countries in the field of border management during 2018. On 23rd February, given the increase in the number of irregular migrants coming from Bosnia and Herzegovina, Ministers of the Interior discussed the possibility of strengthening bilateral police co-operation, including the continuation and strengthening of co-operation during the upcoming tourist season. Considering the importance of effective management of migration movements, the Ministers discussed the importance of the implementation of the Agreement between the Government of the Republic of Croatia and the Council of Ministers of Bosnia and Herzegovina on the readmission of persons whose entry or stay is illegal and the Protocol on

<sup>24</sup> <https://mup.gov.hr/vijesti-8/prijedlog-izmjena-zakona-o-hrvatskom-drzavljanstvu/283079>

the Implementation of Readmission Agreements and their unified implementation at all borders.

Furthermore, The Memorandum of Understanding between the Ministry of the Interior of the Republic of Croatia and the Ministry of Interior of the Republic of Albania on strengthening cooperation in the field of border security was also signed in 2018. The aim is to strengthen mutual cooperation aimed at preventing irregular migration and threats to the security of the borders of the Participants' countries.

When talking about border management cooperation, during 2018 many mixed patrols were conducted. With Slovenian police a total of 851 mixed patrols were conducted, out of which 432 were in Croatian territory and 419 in Slovenian. With Hungarian police a total of 230 mixed patrols were conducted, out of which 116 were in the territory of the Republic of Croatia and 114 in the territory of the Republic of Hungary. With Bosnian-Herzegovinian police a total of 1,101 mixed patrols were conducted, out of which 552 in the territory of the Republic of Croatia and 549 in the territory of Bosnia and Herzegovina.

In order to further strengthen human resources in the field of borders and Schengen many educations for police officers were carried out in 2018. The supplementary expert training through the system of multiplying knowledge on the level of police administrations and police stations included the following (table 2.):

Table 2.

<b>Type of education</b>	<b>Number of participants (police officers)</b>
EU and SCHENGEN LAW	376
DETECTION OF FORGED DOCUMENTS	528
DETECTION OF STOLEN VEHICLES	193
SECOND LINE OF BORDER CHECKS	523
FUNDAMENTAL HUMAN RIGHTS	310
FUNCTIONALITY OF NBMIS (National Border Management Information System)	290
COMBATING TRAFFICKING IN HUMAN BEINGS	140
RISK ANALYSIS	400
STATE BORDER SURVEILLANCE	104

On the national, regional and local level, 4,552 police officers went through the educational video under the title: "Procedure in the case of expressing intention of submitting a request for international protection at a police station" via e-classrooms.

In 2018, border police officers have been also sent to attend the following FRONTEX training programs (table 3.):

Table 3.

<b>FRONTEX training program</b>	<b>Number of participants (police officers)</b>
ADVANCED LEVEL DOCUMENT OFFICER COURSE	3
COURSE ON ENHANCED COOPERATION BETWEEN CUSTOMS AND THE BORDER GUARD AT EXTERNAL LAND BORDER CROSSING POINTS	2
PROFILE TRAINING COURSE FOR SCREENING EXPERTS	6
PROFILE TRAINING COURSE FOR DEBRIEFING EXPERTS	1
MID-LEVEL MANAGEMENT COURSE (MLC)	1
SECOND-LINE AIRPORT OFFICERS	3
EBCGT FSO	3
EBCGT LAND BORDER SURVEILLANCE OFFICER TRAINING	5
TRAINING FOR HEART BEAT DETECTOR' (HBD) USERS	3
TRAINING FOR DOG TRAINERS	4
EUROPEAN COURSE FOR CIRAM RISK ANALYSTS	3
TRAIN THE TRAINERS	2
FUNDAMENTAL RIGHTS	2

Some educations were carried out in cooperation with the police of the Federal Republic of Germany, Republic of Slovenia and USA.

12 border police officers, 9 of who are from the land border crossing points on the external border completed an advanced training in detection of forged documents, held by two German police experts in 2018. In November 2018 2 border police officers from land border crossing points participated in an advanced training in the detection of forged documents and in December 2018 2 police officers participated in an advanced training in the detection of stolen vehicles, both in the Republic of Slovenia. Within the project of training in identification and verification of documents under the American EXBS Program, 6 police border officers participated in a training held in Dubrovnik from 26 to 29 November 2018.

## **8.2. VISA POLICY**

Regarding the visa policy, no significant changes occurred during 2018.



## 9 IRREGULAR MIGRATION AND MIGRANT SMUGGLING

### 9.1. CHANGES IN LEGISLATION

The area of irregular migration, among others, is regulated by the Foreigners Act, several Ordinances, Protocol on the treatment of unaccompanied children, Standard Operating Procedures related to Asylum Seekers and Readmission Agreements.

During 2018 the Foreigners Act was amended (OG No 130/11, 74/13, 69/17 and 46/18) and the Ordinance on treatment of third country nationals entered into force (OG No 68/2018<sup>25</sup>) as well as the Ordinance on Free Legal Assistance in the Return Process (OG No 57/18<sup>26</sup>).

Among other changes in the Foreigners Act, a new definition of risk of absconding is prescribed. The Act on amending the Foreigners Act (OG, No 46/18<sup>27</sup>) was amended in a way to expand the list of risks of absconding, or in which cases the detention can be determined. The list of risks was expanded among others with:

- a third-country national has no identity or travel document,
- a third-country national has no ensured accommodation,
- a third-country national has no registered residence,
- a third-country national has stated that he will not comply with the return decision or that he will obstruct return etc.

The Ordinance on Free Legal Assistance in the Return Process prescribes two forms (notification of free legal assistance and statement on real property status), which are now translated into the language which foreigner understands. Also, according to the Ordinance free legal advice is introduced for everyone who is issued a return decision. Based on the Ordinance the Ministry of the Interior published a Public Call for Applicants of Administrative Courts in Zagreb, Split, Rijeka and Osijek to provide a Legal Aid to Third Country Nationals in the return procedure.

The Ordinance on treatment of third country nationals prescribes the layout and content of the Refusal of entry into Croatia, Return Order, Return Decision, Decision on Deportation, Departure Form on EGP Member States, Short Term Certificate, European passport form for the return of illegally resident third-country nationals to third-country nationals and other relevant documents. Some of these forms are introduced with the new Ordinance.

### 9.2. STATISTICS

Regarding the irregular migration, illegal border crossings in 2018 were increased by 70,7% when comparing to year 2017, thus amounting 8,207 illegal border crossings (table 4.). The largest number of foreigners is apprehended in the depth of the territory, but the number of foreigners apprehended on the state border and accepted form police of other states is also big. The smallest number of foreigners is apprehended near the state border. Top five countries of origin of foreigners were Afghanistan, Pakistan, Turkey, Iran and Kosovo.

The biggest increase was evident among citizens of Iran. During 2018, the Republic of Serbia abolished visas for citizens of Iran which resulted in an increase in attempted illegal crossing of the state border of the Republic of Croatia by the citizens of Iran, and thus in the increase of illegal entries of citizens of Iran into EU territory. Croatia has pointed out the problem to the European Commission, after which Serbia reintroduced the Visa regime for citizens of Iran (on 8/10/2018).

<sup>25</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_07\\_68\\_1403.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_68_1403.html)

<sup>26</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_06\\_57\\_1171.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_06_57_1171.html)

<sup>27</sup> [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_05\\_46\\_860.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_05_46_860.html)

Table 4.

Nationality	Number of illegal border crossings			The place of apprehension			
	2017.	2018.	+ - %	border crossing point	near the border	in the depth of the territory	accepted form police of other states
Afganistan	965	<b>1669</b>	73,0	1.153	30	218	268
Albania	401	<b>428</b>	6,7	81	32	223	92
Algeria	131	<b>285</b>	117,6	35	21	86	143
Bangladesh	67	<b>255</b>	280,6	93	25	9	128
Bosnia and Herzegovina	129	<b>92</b>	-28,7	34	12	35	11
Iraq	107	<b>356</b>	232,7	58	33	134	131
Iran	204	<b>900</b>	341,2	219	77	378	226
Kosovo	787	<b>501</b>	-36,3	156	24	225	96
Morocco	61	<b>132</b>	116,4	14	12	47	59
Nigeria	8	<b>11</b>	37,5	2	0	4	5
Pakistan	367	<b>1186</b>	223,2	253	92	165	676
Syria	196	<b>416</b>	112,2	48	81	176	111
Serbia	92	<b>79</b>	-14,1	21	4	46	8
Tunis	29	<b>83</b>	186,2	21	7	33	22
Turkey	517	<b>942</b>	82,2	115	54	602	171
Others	747	<b>872</b>	16,7	238	79	318	237
<b>Total</b>	<b>4.808</b>	<b>8.207</b>	70,7	<b>2.541</b>	<b>583</b>	<b>2.699</b>	<b>2.384</b>

Source: MoI<sup>28</sup>

During 2018., a total of 619 criminal offenses were reported as help to another person in "illegal entry, movement and residence in the Republic of Croatia, another EU Member State or signatory of the Schengen Agreement" referred to Art. 326. of the CC, for which 620 persons were reported. Compared to 365 criminal offenses in 2017, when reported 321 persons, the reported increase in reported offenses was 69.6%.

### 9.3. PREVENTION OF IRREGULAR MIGRATION AND MIGRANT SMUGGLING

Due to the fact that the Protocol on the Treatment of Unaccompanied Children and the Foreigner Act have changed, during November 2018, two three-day educations were organized for police officers. More than 50 police officers from all 20 police administrations and from all three detention centers (Ježevo, Tovarnik and Trilj) attended the education.

Furthermore, in order to prevent irregular migration from third countries of origin and transit the General Police Directorate's document "Joint intensified activities in combating irregular migration and all forms of smuggling" which ordered all Police administrations to execute measures, the territory of the Republic of Croatia was divided into three zones:

1. state border (state border line and border crossing points) – under the competence of the police station;
2. territory of the police administration with competence for a certain part of the border;
3. in the depth of the territory – i.e. main traffic routes, towns, etc.

Additionally, various scenarios for combating illegal crossing of the state border at the land border were drafted:

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<https://mup.gov.hr/UserDocImages/statistika/2018/Statisticki%20pregled%20temeljnih%20sigurnosnih%20pokazatelja%20i%20rezultata%20rada%20u%202018.%20godini.pdf>

1. Illegal crossing of state border up to 1,000 migrants daily
2. Illegal crossing of state border from 1,000 to 3,000 migrants daily
3. Illegal crossing of state border over 3,000 migrants daily.

It was ensured joint work of all police branches: border police, uniformed police in charge of maintaining public order, criminal police, intervention police and other border services in accordance with IBM.

The plans to prevent irregular migration are being updated regularly and according to the current situation on the ground.

Participating in EMPACT priority "Illegal migration", and significant and intensive cooperation with the countries of the Western Balkans, EUROPOL, INTERPOL and the implementation of bilateral international police cooperation agreements have also been achieved during the evaluation period, both through the international exchange of data and the conduct of joint international investigations through the implementation of regional projects aimed at the transfer of experience and best practices of the EU Member States in the application of international standards to the suppression of all forms of serious and organized crime, including smuggling of people.

#### **9.4. MONITORING AND IDENTIFYING IRREGULAR MIGRATION ROUTES**

During 2018 Croatia hosted foreign police officers in joint operations organized by FRONTEX but have been also sending on a regular basis its police officers, patrol vessels and vehicles to countries facing a large migration pressure through joint operations organized by FRONTEX (mainly Greece and Bulgaria). Croatia has been regularly participating in the joint operations organized by Frontex since the beginning of the migrant crisis (mainly Greece and to Bulgaria at the beginning of the migrant crisis).

On the territory of the Republic of Croatia, the joint operations of Focal Points, FOA Western Balkans and NO Focal Points Air were implemented.

Joint Operation Focal Points Land was implemented at Border crossing point: Bajakovo, Tovarnik, Stara Gradiska, Nova Sela and Karasovići. In addition, the joint operation of Focal Points Sea has been implemented in Dubrovnik.

The joint operation of the FOA Western Balkans has been implemented in the area of police stations Bajakovo, Tovarnik and Karasovići.

NO Focal Points Air from March to June 2018; two police officers (1 Germany, 1 Romania) were deployed within Frontex Joint Operation JO Focal Points Air 2018 at the Airport "Franjo Tuđman"

The Republic of Croatia has also participated in Frontex joint operations Focal Points, Coordination Points, Poseidon Sea, FOA South Eastern as well as others, implemented in other EU countries but also in third countries, and in particular in the Hellenic Republic, Bulgaria, Italy, Serbia and Macedonia

In the year 2018, in the framework of the FRONTEX operation Croatia provided support as follows (Table 5.):

Table 5.

<b>Name of the FRONTEX operation:</b>	<b>Place and activities:</b>
FOA South Eastern	Hellenic Republic - from 25/4 – 5/12/2018, two police officers per month and one patrol vehicle were deployed Republic of Bulgaria (Kalotina) – from 28/2 – 7/11/2018, two police officers per month and one patrol vehicle were deployed Republic of Bulgaria (Malko Tarnovo) – from 12/9 – 7/11/2018, the

	total of ten police officers and two patrol vehicles were deployed
NO Focal Points	Republic of Bulgaria (Kapitan Andreevo) – from 12/9 – 10/10/2018, one police officer Hellenic Republic (Kipi) - from 10/10 – 7/11/2018, one police officer
NO Coordination Points	Monte Negro (Sukobin) - from 23/10 – 20/11/2018, one police officer Macedonia (Tabanovce) - from 6/11 – 4/12/2018, one police officer
JO Themis	Italian Republic – from 6/3 – 7/5/2018, two police officers per month for the registration of irregular migrants
JO Poseidon 2018	Hellenic Republic (Lesvos) - from 1/2 – 1/5/2018, police officers of the naval police with the vessel Type B, P-204 "Škabrnja" were engaged in the operation on the island of Lesvos for carrying out tasks related to combating irregular migration and all forms of cross-border crime, and participating in search and rescue operations at sea Hellenic Republic (Lesvos) - from 12/9 – 12/12/2018, police officers of the naval police with the police vessel P-203 "Krapanj" were engaged in the operation on the island of Lesvos for carrying out tasks related to combating irregular migration and all forms of cross-border crime, and participating in search and rescue operations at sea

Croatian additional significant contribution to the security of the European Union external border are the airbases in Zadar and Split which were put at the disposal of the Frontex aircraft. Frontex aircraft has been monitoring migration movements at the border with Bosnia and Hercegovina and Montenegro since 18 July 2018.

## 10 TRAFFICKING IN HUMAN BEINGS

### 10.1. NATIONAL STRATEGIC POLICY DEVELOPMENTS

The Government of the Republic of Croatia adopted the National plan for combatting trafficking in human beings for the period of 2018 to 2021. Although the interagency working group with special purpose to develop national strategic plan for combating trafficking in human beings for period 2017-2020 was established during 2017, the Plan was adopted during 2018.

The National Plan for combatting trafficking in human beings for the period of 2018 to 2021 covers all areas of the current national documents dealing with the issue of combating trafficking in human beings, and the proposed measures and activities incorporate the work experience of all the competent state administration bodies, civil society organizations and international organizations. Special attention is also given to further strengthening of cooperation in criminal proceedings in cases of trafficking between the State Attorney's Office of the Republic of Croatia and the Ministry of the Interior.

Several adopted measures aim to strengthen the prevention and identification of trafficking in human beings of third-country nationals, including: developing indicators, guidelines and tools for the identification of victims of human trafficking among migrants and asylum seekers; and conducting trainings and informational workshops on trafficking in human beings for staff and volunteers working in Reception centres for asylum seekers and asylum seekers themselves.

## **10.2. IMPROVING IDENTIFICATION OF AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONAL VICTIMS OF HUMAN TRAFFICKING**

During 2018, educations for police officers who are involved in combatting trafficking in human beings were held. Regional training for police officers organized by the Croatian Red Cross and the Ministry of the Interior of the Republic of Croatia with the aim of improving the mechanism for identifying victims of trafficking among migrants, was held at the Center for Education of Osijek, September 25-27, 2018.

Also, in November 2018 in Ljubljana, the Republic of Slovenia, an international working meeting of police officers of the criminal police and state attorneys of the Republic of Slovenia and the Republic of Croatia, Europol and Dutch police officers was held on the topic "Trafficking in human beings - victims of Taiwanese citizens used to commit unlawful acts of fraud at the expense of citizens of the People's Republic of China".

## **10.3. COORDINATION AND COOPERATION AMONGST KEY ACTORS**

During 2018, the preventive project "Together" was exercised which combines numerous relevant expert institutions, CSOs and the private sector in order for them to jointly contribute, from the perspective of their competences, to achieve the planned objectives. The Ministry of the Interior in cooperation with other competent government bodies, institutions and CSOs, is strongly directed towards the establishment of an efficient national referral mechanism for the prevention and repression of THB as a part of Organized crime. Coordinated, proper, targeted education, sensibilization and systematic prevention are the crucial and most efficient instruments in resolving this issue, which are incorporated within this project.

The Project activities and target groups were, in accordance with the characteristics of each county (defined critical points with respect to THB – recruitment, transit and/or exploitation), determined for each police administration separately through 20 components which contain different preventive measures and are always accompanied by the application of 4 key models:

1. MODEL: "POLICE OFFICERS BE PROACTIVE"
2. MODEL: "TOGETHER IN COMMUNITY"
3. MODEL: "KNOWLEDGE IS POWER"
4. MODEL: "DON'T BE PASIVE"

The primary objective of this Project was to connect the key subjects of the society and motivate them to act jointly in prevention of THB through a multidisciplinary and alternative approach along with developed cooperative and targeted initiatives and systematic activity of all relevant participants. Secondary objectives encompass striking the dark number in terms of having a timely reaction of responsible institutions, CSOs and the private sector, thus having a real insight into the actual situation and types of crime, elimination of potential critical points, motivation of passive individuals and social subjects to react to socially unacceptable behaviour, and empowerment of potential victims in terms of enhancing their self-protection.

The project TOGETHER is in implementation since October 2013.

# **11 RETURN AND READMISSIONS**

## **11.1. GENERAL INFORMATION ON RETURN PROCEDURE**

Regarding the return process, it is conducted in accordance with the regulations described in the chapter "Irregular migration including migrant smuggling".

The authorities responsible for imposing a return decision are border police organisational units at the headquarters of police administrations (regional level) and police stations (local level) and Aliens and Asylum Department of the Administrative and Inspection Affairs Directorate at MoI headquarters (national level). Furthermore, the authorities responsible for enforcing a

return decision are border police organisational units at the headquarters of police administrations and police stations and the Detention centre for Foreign nationals of the Border Police Directorate at MoI headquarters, as well as two transit detention centres at regional level.

There are 3 types of return decisions:

1. A decision with a deadline for voluntary departure (hereinafter: "decision on return", which is a legal term for this decision)
2. A decision with a forced removal order and an entry ban in the EEA (hereinafter: "decision on expulsion", which is a legal term for this decision)
3. A decision with a deadline for voluntary departure and entry ban in the EEA (a decision on expulsion and a decision on return)

When deciding on the method of return, primacy is given to voluntary departure.

Depending on the circumstances of each particular case, other persons are being involved in the return procedure, in particular in case of vulnerable persons. A guardian appointed by a social welfare centre is involved in case of unaccompanied minors, an interpreter is involved if the foreigner does not understand the language of the procedure, healthcare workers are involved if medical examination has to be conducted or actions need to be taken by medical professionals, and humanitarian workers are involved if humanitarian assistance needs to be provided.

The staffs competent for return are police officers for illegal migration. These police officers are part of the Border Police. There are about 350 of them deployed in all police administrations and police stations.

## **11.2. STATISTICS**

During 2018 total number of TCNs returned to their country of origin was 2212. Of those returned, 1318 underwent a 'forced' return (60%) while 894 returned 'voluntarily' (40%). During 2017 total number of TCNs returned to their country of origin was 2125, of which 1040 (49%) returned 'voluntarily' and 1085 (51%) were forcibly returned (Table 6.).

Table 6.

	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Voluntary return</b>	830	1250	940	1040	894
<b>Forced return</b>	1415	690	950	1085	1318
<b>Total</b>	2245	1940	1890	2125	2212

Source: Eurostat migration statistics, HR EMN NCP

## **11.3. STRENGTHENING COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT ON RETURN AND REINTEGRATION MANAGEMENT**

The Republic of Croatia signed 6 bilateral readmission agreements with third countries. These agreements are effective instruments for returning migrants. The Illegal Migration Department of the Border Police Directorate at MoI headquarters is responsible for the implementation of the agreements. Requests for readmission pursuant to bilateral readmission agreements are formulated and carried out by police officers for illegal migration within the border police organisational units at the headquarters of police administrations and at police stations.

When it joined the European Union, the Republic of Croatia has assumed all readmission agreements the EU had concluded with third countries. Further to this, i.e. regarding ensuring implementation of all EU readmission agreements to their full effect, the Republic of Croatia has concluded the Implementing Protocol between the Government of the Republic of Croatia and the Government of the Russian Federation on the implementation of the Agreement between the European Community and the Russian Federation on readmission of 25 May 2006. The protocol entered into force on 6 October 2018.

#### 11.4. PROJECTS

Ministry of the Interior conducted many projects related to return during 2018. Some projects are implemented in cooperation with international organization or NGO.

On the basis of the Agreement on the monitoring of forced return with the Croatian Law Centre, the monitoring organization conducted the monitoring of 63 forced returns in 2018. The aim of the project is to monitor the forced removal of third-country nationals in the process in order to respect the fundamental human rights of third-country nationals. The monitoring organization also monitors the conditions in three detention centres.

The project "Free legal aid in the return process" was also conducted during 2018. The objective of this project is the efficient and equitable system of return of third-country nationals. As part of the project, third-country nationals in the process of return are provide with free legal aid. Free legal aid includes legal advice, lawsuit compilation and representation before the administrative court. The project is being implemented since 2015, and in 2019, the signing of annex agreement is planned to continue with the implementation of this project. The project duration is expected until the fourth quarter of 2020, after which in the I quarter of 2021 the final reporting and closure of the project follows.

Another project is "Translation and extension of the translators' network for the return process". The objective of this project is the efficient return system of third-country nationals in accordance with the regulations of the European Union and the Republic of Croatia. The purpose of this project is to ensure that third-country nationals in the process of return have translation into the language they understand and thus conditions for the implementation of an effective return system in accordance with EU and Croatian legislation are provided, thereby contributing to the protection of the rights of third country nationals in the return process. The project is being implemented from 2016, and in the second quarter of 2018 annex contract was signed which continued to implement this project whose duration was foreseen until the fourth quarter of 2019, after which in the I quarter of 2020 the final reporting and closure of the project follows. Contracts with translators for providing translation services have been concluded. A list of translators is compiled, and it is, if necessary, regularly updated.

During 2018 works on the Detention centre for Foreign nationals were performed in accordance with the contract and the project "Strengthening the capacity of the Detention centre for Foreign nationals". The objective of the project is strengthening the capacity for an adequate standard of accommodation for irregular migrants. It includes construction of a new kitchen, laundry room, boiler room and equipping. The works began on October 5, 2017.

On 13 December 2018, the Ministry of the interior signed the Grant Agreement with the International Organization for Migration (IOM) for the implementation of the assisted voluntary return. The total project amount is € 672,000.00, 75% of which, or € 504,000.00, will be funded under the Asylum, Migration and Integration Fund (AMIF), while the amount of 25% or € 168,000.00 is co-financed under the State Budget of the Republic of Croatia. Project duration is 24 months. The Project plans to inform 1000 third-country nationals staying illegally in the Republic of Croatia, applicants of international protection and other third country nationals who wish to return voluntarily to the country of origin or other Third country. The program plans to provide for 200 returns to the country of origin or other third country and to provide 30 reintegration aid packages.

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