

## THE CROATIAN ASYLUM SYSTEM IN 2021

### - NATIONAL REPORT - \*

#### 1. SUMMARY

The challenges related to the second year of the COVID-19 pandemic continued in 2021 and were reflected in the asylum and migration system.

At the European Union (hereinafter: the EU) level, the European Union Agency for Asylum has replaced the European Asylum Support Office (hereinafter: EASO), and a number of documents have been adopted at the EU level in the areas of migration, asylum, integration and border management. Significant developments have been introduced in the field of legislation in the Republic of Croatia as well, the most important being the entry into force of the Foreigners Act.

In 2021, numerous actors continued to report problems with access to the territory, border violence and, in a number of cases, problems with access to the international protection system, but at the same time, the highest number of expressed intentions to apply for international protection has been recorded since the introduction of the asylum system in Croatia. The number of protections granted, although slightly higher than in 2020, is still significantly low compared to previous years, which is further contributed to by the fact that applicants for international protection are leaving Croatia while the procedure for the approval of international protection is still pending and Croatia is perceived only as a transit country.

In 2021, the evacuation of Afghan nationals was carried out, which enabled a part of the refugee population to enter the system legally, while at the same time the transfer of unaccompanied children from Greek camps was not executed.

---

\* The report was prepared as part of the project "Access to the territory and the asylum system in Croatia - legal support and capacity building" with the financial support of the UNHCR. All gender-specific terms used within this Report shall apply equally to both male and female persons.

## **2. PUBLIC POLICIES AND LEGISLATION IN THE FIELD OF ASYLUM**

### **2.1. Developments at the EU level**

After the EU presented the Pact on Migration and Asylum (hereinafter: the Pact)<sup>1</sup> in September 2020, two legislative acts were adopted in 2021 within the framework of the proposed package of regulations, recommendations and guidelines.

The first regulation that is important in the field of asylum is Regulation (EU) 2021/2303 of 15 December 2021<sup>2</sup> whereby the European Asylum Support Office (hereinafter: EASO) was replaced by the newly established EU Agency for Asylum.<sup>3</sup> The Regulation gives the EU Agency for Asylum a stronger mandate than the former EASO to ensure the better functioning of the Common European Asylum System, strengthen practical cooperation and information exchange, enable better supervision and reporting on national asylum systems and reception capacities, and finally, to facilitate the provision of operational and technical assistance to Member States, especially when their asylum and reception systems are under disproportionate pressure.

The second legislative act regulates the field of legal migration management, where the so-called EU Blue Card Directive regulates the entry and residence of highly qualified third-country nationals coming to live and work in the EU.<sup>4</sup> Member States may maintain national systems for highly qualified workers in parallel with the EU Blue Card system, but the Directive ensures a level playing field so that EU Blue Card holders and their families are not in a disadvantageous position compared to national license holders.

In addition, a set of other documents has been adopted at the EU level identified in the Pact as important for the Union's effective action in the domain of migration, asylum, integration and border management, such as the renewed EU Action Plan against migrant smuggling

---

<sup>1</sup> Regulation (EU) No 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, available at: [https://ec.europa.eu/info/publications/migration-and-asylum-package-new-pact-migration-and-asylum-documents-adopted-23-september-2020\\_hr](https://ec.europa.eu/info/publications/migration-and-asylum-package-new-pact-migration-and-asylum-documents-adopted-23-september-2020_hr)

<sup>2</sup> <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:32021R2303&from=EN>

<sup>3</sup> The website of the European Union Agency for Asylum is available at <https://euaa.europa.eu/>

<sup>4</sup> Directive (EU) of the European Parliament and of the Council 2021/1883 of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of employing highly qualified workers and repealing Council Directive 2009/50/EC, <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:32021L1883&from=EN>

(2021-2025),<sup>5</sup> new EU strategies for voluntary return and reintegration,<sup>6</sup> and the Strategy for a fully functional and resilient Schengen area.<sup>7, 8</sup>

Among the acts adopted at the EU level, the most important for the Republic of Croatia are the EU Council Conclusions on meeting the necessary conditions for the full implementation of the Schengen acquis in Croatia from 9 December 2021,<sup>9</sup> by which the Member States have unanimously confirmed that Croatia has met the necessary conditions for the implementation of all parts of the Schengen acquis.<sup>10</sup> The Schengen evaluation of Croatia lasted from 2016 to 2020. In its Conclusions, the Council emphasized the importance of further strengthening the Schengen area, including the ongoing negotiations on an efficient evaluation and monitoring mechanism. With a view to Croatia's accession to Schengen, Croatia is invited to continue working consistently on the implementation of the Schengen acquis, as well as commitments linked to the Schengen acquis."<sup>11</sup> These Conclusions are a precondition for the adoption of a later decision of the Council facilitating the abolition of checks on the Croatian internal border with Slovenia and Hungary and in airports and seaports. The approved Conclusions do not prejudice the Council's decision on the full implementation of the Schengen acquis, which is still pending and will require the opinion of the European Parliament.

## **2.2. New developments in legislation and trends in public policies in the Republic of Croatia**

The most significant development in the legislation of the Republic of Croatia in 2021, which also affects the area of asylum and migration, is certainly the entry into force on 1

---

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:52021DC0591&from=EN>

<sup>6</sup> <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:52021DC0120&from=EN>

<sup>7</sup> <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:52021DC0277&from=EN>

<sup>8</sup> Together with the so-called Strategy for the future of Schengen, in 2021, the European Commission also adopted a Proposal for a Council Regulation on the establishment and functioning of an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing Regulation (EU) no. 1053/2013, <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:52021PC0278&from=EN>, and the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 on the Union Code on the rules governing the movement of persons across borders, <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:52021PC0891&from=EN>

<sup>9</sup> <https://data.consilium.europa.eu/doc/document/ST-14883-2021-INIT/hr/pdf>

<sup>10</sup> EMN: *The Republic of Croatia has fulfilled all the conditions to apply all parts of the Schengen acquis*, available at: <https://emn.gov.hr/vijesti/republika-hrvatska-ispunila-je-uvjete-za-primjenu-schengenske-pravne-stecevine/775>

<sup>11</sup> Council conclusions on the fulfilment of the necessary conditions for the full application of the Schengen acquis in Croatia, item 10

January 2021 of the Foreigners Act (hereinafter: FA) which was adopted in 2020.<sup>12</sup> A more detailed overview of the changes in the new FA is discussed in the National Report on the Croatian Asylum System in 2020.<sup>13</sup>

Furthermore, the procedure for drafting the Draft Law on Amendments to the Law on International and Temporary Protection was initiated in 2021,<sup>14</sup> which according to the Plan of Legislative Activities of the Government of the Republic of Croatia for 2022, should be sent to the Government of the Republic of Croatia in the first quarter of 2022.<sup>15</sup>

In 2021, the Law on Amendments to the Law on Administrative Disputes<sup>16</sup> entered into force, which, encouraged by the necessary and rapid changes resulting as a consequence of the restrictions and measures introduced due to the COVID-19 pandemic, improves the functioning of the judicial system through a more widespread use of information and communication technologies. The amendments refer, inter alia, to the manner of submission of actions and other submissions in electronic form, the possibility of holding a hearing remotely with the use of appropriate audio-visual devices or to present certain evidence, the persons obliged to engage in electronic communication and alike.

Also, the Law on Amendments to the General Administrative Procedure Act (GAPA)<sup>17</sup> was adopted in 2021, which will enter into force on 1 January 2022. Most of its changes also relate to the more widespread use of information and communication technologies.

When it comes to bylaws, the Government of the Republic of Croatia has passed a Decree on the method of calculating and the amount of means of subsistence for third-country nationals in the Republic of Croatia<sup>18</sup>, which prescribes the obligation of third-country nationals applying for a temporary and long-term residence to prove that they have means of subsistence during their stay.

<sup>12</sup> Foreigners Act (OG 133/2020), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2020\\_12\\_133\\_2520.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2020_12_133_2520.html)

<sup>13</sup> See more at: <https://www.hpc.hr/2021/10/12/nacionalni-izvjestaj-o-sustavu-azila-za-2020-godinu/>

<sup>14</sup> Data from the Ministry of the Interior, Directorate for Immigration, Citizenship and Administrative Affairs, UNHCR - submission of statistical data for 2021, CLASS: 216-02/22-01/257 URNUMBER: 511-01-212-22-1

<sup>15</sup> Plan of legislative activities of the Government of the Republic of Croatia for 2022, available at: <https://zakonodavstvo.gov.hr/izvjesce-o-provedbi-savjetovanja-s-javnoscju-u-postupcima-donosnja-zakona-drugih-propisa-i-akata-u-2020/usvojen-plan-zakonodavnih-aktivnosti-za-2022-godinu/478>

<sup>16</sup> Law on Amendments to the Law on Administrative Disputes (OG 110/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021\\_10\\_110\\_1929.html](https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_10_110_1929.html)

<sup>17</sup> Law on Amendments to the General Administrative Procedure Act (OG 110/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_10\\_110\\_1930.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_10_110_1930.html)

<sup>18</sup> Decree on the method of calculation and amount of means of subsistence for third-country nationals in the Republic of Croatia (OG 14/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_02\\_14\\_273.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_02_14_273.html)

In August 2021, the Government of the Republic of Croatia passed a new Decree regulating the visa system of the Republic of Croatia and the amount of funds for subsistence needed by a third-country national for a short-term residence in the Republic of Croatia and return to the country of origin or for travelling to a third country.<sup>19</sup> In addition, also in August, the Regulation on the Tariff of Administrative Fees was adopted.<sup>20</sup>

In addition, the Ordinance on taking examinations in the Croatian language and Latin alphabet in the procedure for granting long-term residence<sup>21</sup> entered into force in September 2021, together with the Ordinance on the conditions and manner of exercising the right to state scholarship based on socio-economic status,<sup>22</sup> which entered into force in October, and the new Ordinance on the treatment of third-country nationals that entered into force in December 2021.<sup>23</sup>

In order to protect all applicants for international protection from gender-based and gender-related violence, the Ministry of the Interior (hereinafter: MoI) initiated drafting of the Standard Operating Procedure for prevention and response in the case of sexual and gender-based violence in reception centres for applicants for international protection in the Republic of Croatia (hereinafter: SOP). Apart from the MoI and the UNHCR, as the leaders, other organizations were also involved in the process of drafting the SOP, namely the International Organization for Migration (hereinafter: IOM), the Doctors of the World (Médecins du Monde, hereinafter: MdM), the Croatian Red Cross (hereinafter: CRC), the Croatian Law Centre (hereinafter: CLC), the Jesuit Refugee Service - Croatia (hereinafter: JRS) and the Society for Psychological Assistance.

The purpose of the SOP, which contains the actions, roles and responsibilities of all actors involved in the prevention and protection against sexual and gender-based violence and is implemented in accordance with the existing national protocols, is to establish a clear and effective referral system for applicants who have experienced sexual and gender-based violence according to the national mechanism.

---

<sup>19</sup> Regulation on the visa system (OG 92/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021\\_08\\_92\\_1661.html](https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_08_92_1661.html)

<sup>20</sup> Regulation on the Tariff of Administrative Fees (92/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021\\_08\\_92\\_1662.html](https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_08_92_1662.html)

<sup>21</sup> Ordinance on taking examinations in the Croatian language and Latin alphabet in the procedure for granting long-term residence (OG 100/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_09\\_100\\_1800.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_09_100_1800.html)

<sup>22</sup> Ordinance on the conditions and manner of exercising the right to a state scholarship based on socio-economic status (OG 106/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_09\\_106\\_1861.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_09_106_1861.html)

<sup>23</sup> Ordinance on the treatment of third-country nationals (OG 136/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021\\_12\\_136\\_2244.html](https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_12_136_2244.html)

The SOP entered into force on 22 March 2021. Three meetings of the Coordination Group for Sexual and Gender-Based Violence were held during 2021.

### **3. INSTITUTIONAL CAPACITIES**

The internal structure of the MoI of the Republic of Croatia, as the main state administration body for the implementation of asylum policy in the Republic of Croatia, did not change during 2021, and the organizational structure remained the same when it comes to the part pertaining to the implementation of activities relating to the asylum system.<sup>24</sup> According to the data of the MoI<sup>25</sup>, eight new employees were employed by the Service for International Protection Procedure in 2021 and, at the beginning of 2022, a new vacancy was announced for three more positions in the Department for International Protection Procedure. Two new employees were also employed in the Department for Dublin Procedure.

When it comes to capacity building, bearing in mind the new employees of the Department for International Protection Procedure, an internal workflow for decision makers has been prepared, which contains all the procedures relating to administrative proceedings in international protection procedure. The employees of the Service for Reception and Accommodation and the Service for International Protection participated in over 50 seminars, conferences, webinars, lectures and educational workshops in 2021.

The employees of the Service for the Reception and Accommodation of Applicants, which is responsible for managing reception centres for applicants for international protection in Zagreb and Kutina, are continuously attending different workshops in the field of reception and accommodation, with special emphasis on the reception of persons with special reception and procedural guarantees.

---

<sup>24</sup>“National Report on the Croatian Asylum System in 2020”, available at:  
<https://www.hpc.hr/2021/10/12/nacionalni-izvjestaj-o-sustavu-azila-za-2020-godinu/>

<sup>25</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

## **4. ASYLUM IN LEGISLATION AND PRACTICE: ACCESS TO THE ASYLUM SYSTEM AND THE ESTABLISHMENT OF THE STATUS**

### **4.1. Access to the asylum system**

#### **4.1.2. Access to the territory and the asylum system**

As in the previous years, 2021 was marked by problems in accessing the territory and the system of international protection, as well as by so-called pushbacks forced returns to neighbouring countries. Problems with access to the international protection system, as well as police violence against migrants, continued to be reported throughout the year. These practices were reported by, among others, the following organizations: Danish Refugee Council, Border Violence Monitoring Network<sup>26</sup>, Are You Serious? (hereinafter: AYS), “Welcome” initiative, Centre for Peace Studies (hereinafter: CPS), PRAB Initiative<sup>27</sup>.

According to the data provided by the Danish Refugee Council<sup>28</sup>, 9,114 people were reported as being forcibly returned from Croatia to Bosnia and Herzegovina in 2021 (hereinafter: BiH), among which some reported a chain pushbacks. According to the data of the UNHCR office in Serbia<sup>29</sup>, 928 people reported pushbacks from Croatia to Serbia.

<sup>26</sup> See more at: <https://www.borderviolence.eu/category/monthly-report/>

<sup>27</sup> Protecting Rights at Borders Initiative (PRAB), report available at: [https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-\\_final\\_10052021.pdf](https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-_final_10052021.pdf)

<sup>28</sup> Danish Refugee Council:

[https://drc.ngo/media/2kuf5ghi/border\\_monitoring\\_monthly\\_snapshot\\_jan\\_feb2021\\_final.pdf](https://drc.ngo/media/2kuf5ghi/border_monitoring_monthly_snapshot_jan_feb2021_final.pdf),

[https://drc.ngo/media/pfabcc2a/2021\\_03\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/pfabcc2a/2021_03_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/oldknqob/2021\\_04\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/oldknqob/2021_04_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/hxyf2m/2021\\_05\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/hxyf2m/2021_05_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/sajpeehi/2021\\_06\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/sajpeehi/2021_06_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/grcis2nx/2021\\_07\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/grcis2nx/2021_07_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/q1hh44vs/2021\\_08\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/q1hh44vs/2021_08_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/goyfsmfv/2021\\_09\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/goyfsmfv/2021_09_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/t0rnyatz/2021\\_10\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/t0rnyatz/2021_10_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/5u5ntmlz/2021\\_11\\_drc-bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/5u5ntmlz/2021_11_drc-bih_border-monitoring-factsheet.pdf),

[https://drc.ngo/media/gounijvr/2021\\_12\\_drc\\_bih\\_border-monitoring-factsheet.pdf](https://drc.ngo/media/gounijvr/2021_12_drc_bih_border-monitoring-factsheet.pdf)

<sup>29</sup> UNHCR, Serbia - Snapshots January - December 2021, available at: [https://data2.unhcr.org/en/search?country=722&text=snapshot&type%5B%5D=link&type%5B%5D=news&type%5B%5D=highlight&type%5B%5D=document&type%5B%5D=needs\\_assessment&type%5B%5D=dataviz&partner=&working\\_group=&sector=&date\\_from=01-01-2021&date\\_to=31-01-2022&uploader=&country\\_json=%7B%22%22%3A%22722%22%7D&sector\\_json=%7B%22%22%3A%22%22%7D&apply=](https://data2.unhcr.org/en/search?country=722&text=snapshot&type%5B%5D=link&type%5B%5D=news&type%5B%5D=highlight&type%5B%5D=document&type%5B%5D=needs_assessment&type%5B%5D=dataviz&partner=&working_group=&sector=&date_from=01-01-2021&date_to=31-01-2022&uploader=&country_json=%7B%22%22%3A%22722%22%7D&sector_json=%7B%22%22%3A%22%22%7D&apply=)

In 2021, the United Nations in BiH also called for urgent action to end the pushbacks and collective expulsions of migrants, applicants for international protection and refugees, including children, along the Croatian border with BiH.<sup>30</sup>

In July 2021, the Assistant United Nations High Commissioner for Refugees Gillian Triggs visited Croatia and met with the Minister of Foreign and European Affairs and the Secretary of State of the Ministry of the Interior to discuss challenges in accessing the territory. She emphasized the importance for people in mixed migratory movement, who are trying to enter the territory in an irregular manner and may need international protection, to be granted access to the international protection procedure so that their applications can be considered.<sup>31</sup> In an interview given to HINA, she pointed out that there were reports of violence by some border police officers against the refugees and migrants at the Croatian border, but she also welcomed the decision to establish an independent national mechanism for monitoring the situation at the border.<sup>32</sup>

After the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter: CPT) conducted a five-day ad hoc visit to the Republic of Croatia<sup>33</sup> in August 2020 to examine the treatment of migrants attempting to enter the Republic of Croatia<sup>34</sup>, a report<sup>35</sup> on the visit was published in December 2021. According to the report, there were difficulties in cooperation for the first time during a visit to Croatia. The report states that the CPT delegation was provided with an incomplete list of facilities where foreign nationals may be deprived of their liberty, and that police officers at facilities visited by the CPT delegation were poorly informed about the CPT's mandate, in particular the right of access to the documents containing information relevant to the CPT's mandate. The report

---

<sup>30</sup> UN in Bosnia and Herzegovina concerned about violent pushbacks of migrants, applicants for international protection and refugees, available at: <https://reliefweb.int/report/bosnia-and-herzegovina/un-bosnia-and-herzegovina-concerned-violent-pushback-migrants-asylum>

<sup>31</sup> UNHCR: UNHCR's Assistant High Commissioner for Protection concludes visit to Croatia, emphasizes the importance of solidarity and solutions for refugees and stateless people, available at: <https://www.unhcr.org/hr/12985-unhcrs-assistant-high-commissioner-for-protection-concludes-visit-to-croatia-emphasizes-the-importance-of-solidarity-and-solutions-for-refugees-and-stateless-people.html>

<sup>32</sup> Telegram: UN official: "There are a lot of credible reports of violence by the Croatian police at the border", available at: <https://www.telegram.hr/politika-kriminal/un-ova-duznosnica-puno-je-vjerodostojnih-dojava-o-nasilju-hrvatske-policije-na-granici/>

<sup>33</sup> Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, available at: <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-carries-out-rapid-reaction-visit-to-croatia-to-examine-treatment-of-migrants>

<sup>34</sup> See more in: "National Report on the Croatian Asylum System in 2020", available at: <https://www.hpc.hr/2021/10/12/nacionalni-izvjestaj-o-sustavu-azila-za-2020-godinu/>

<sup>35</sup> Council of Europe, Report to the Croatian Government on the visit to Croatia from 10 to 14 August 2020 Prepared by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), available at: <https://rm.coe.int/1680a4c199>



states that the CPT delegation visited three temporary reception centres run by the IOM, as well as a number of “informal” settlements in the Una-Sana Canton of BiH, where the members of the delegation spoke with a large number of people who said they had been returned from Croatia and physically abused by Croatian police officers, including slapping, kicking, hit by batons and other hard objects on various parts of the body. The allegations mainly related to members of the border police or intervention police officers and, to a lesser extent, members of special police forces. In a significant number of cases, the interviewees showed injuries on their bodies that two forensic physicians accompanying the delegation assessed as consistent with their allegations of abuse. The CPT has also expressed concern about the conditions for the transport of migrants from places of detention to the border with BiH. The report also states that the delegation received a number of accusations that the Croatian police did not accept the expressed intentions to apply for international protection and that they did not provide emergency medical care to vulnerable groups, such as families with children and women.

The MoI reacted to the report <sup>36</sup> stating that they had not given their consent to the publication of the report, and that the decision to publish the report had been taken unilaterally by the CPT. In its reaction, the MoI states that the CPT report was based on unverifiable information from BiH and that they had exceeded their powers. The MoI also states that they submitted their observations on the CPT Preliminary Report and the Final Report in October and November 2020, arguing that the vast majority of allegations were unfounded, but that the CPT has failed to take into account and publish the presented arguments, as well as the evidence and documentation.

The CPT’s next periodic visit to Croatia is planned for 2022.<sup>37</sup>

Civil society organizations state that in 2021, they were also exposed to pressures related to their activities in this area. Thus, AYS<sup>38</sup> states that the High Misdemeanour Court ruled in the case against their volunteer for aiding and abetting the illegal crossing of the border by an Afghan family and punished the volunteer with a fine of HRK 60,000.00, although according to AYS, the court acknowledged that the family was already in Croatia when they contacted AYS, as well as that the said volunteer never had direct contact with the said family, which was, as claimed by AYS, proven in court.

---

<sup>36</sup> RC MoI: *Reaction to the unilateral publication of the CPT Report*, available at: <https://mup.gov.hr/vijesti-8/reagiranje-na-jednostranu-objavu-izvjescja-cpt-a/287399>

<sup>37</sup> Council of Europe, *Council of Europe anti-torture Committee announces periodic visits to eight countries in 2022*, 29 July 2021, available at: <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-announces-periodic-visits-to-eight-countries-in-2022>

<sup>38</sup> Information received from AYS on 7 February 2022, internal documentation of the Croatian Law Centre

In June 2021, an independent national mechanism for monitoring the conduct of police officers of the Ministry of the Interior in the field of illegal migration and international protection was established (hereinafter: INMM). A cooperation agreement in the field of the implementation of monitoring has been signed between the MoI, on the one hand, and the Croatian Academy of Medical Sciences, the Croatian Academy of Legal Sciences, the Centre for the Culture of Dialogue (hereinafter: CCD), the CRC and prof. dr. sc. Iris Goldner Lang, on the other side.

INMM activities are carried out at border police stations on the border with BiH, Montenegro and Serbia and at reception centres for foreigners, and include monitoring the treatment of migrants and applicants for international protection by police officers in the implementation of the regulations governing state border control and the provision of international protection, insight in the closed files on complaints of alleged illegal treatment of irregular migrants and applicants for international protection and insight into the activities and reports of the General Police Directorate regarding the alleged illegal treatment of such categories of persons.

In December 2021, the INMM published its first semi-annual report<sup>39</sup> covering the period from June to December 2021. In relation to the alleged irregularities in the conduct of police officers, the report states that through supervision, the INMM “*determined that the police were carrying out permissible discouraging actions under Art. 13 of the Schengen Borders Code, although they do not record such actions, while in minefields, in isolated cases, they even used illegal discouraging actions.*” The report further states, among other things, that “*illegal actions of Croatian police officers towards migrants (e.g. the use of force) with the aim of forcing them to return that were outside the limits allowed by positive regulations and international law were noticed*”.

#### **4.1.3. Procedures before courts and other bodies**

In March 2021, the Constitutional Court reached a decision to approve the constitutional complaints and to reverse the judgments of the High Administrative Court of the Republic of Croatia and the judgments of the Administrative Court in Osijek in cases of an Afghan family

---

<sup>39</sup> 1. Semi-annual report of an independent national mechanism for monitoring the conduct of police officers of the Ministry of the Interior in the field of illegal migration and international protection, June-December 2021, available at:

<https://www.hck.hr/UserDocsImages/dokumenti/Azil,%20migracije,%20trgovanje%20ljudima/1.%20polugodisnje%20izvjesce%20Nezavisnog%20mehanizma%20nadzora%20s%20prilogom%2005.12.2021.pdf?vel=1564370>

whose applications for international protection were rejected by the Croatian MoI based on the institute of the safe third country.<sup>40</sup> While deciding in the said case, the Constitutional Court stated that the MoI and administrative courts “*in assessing the situation in Serbia, have limited themselves to the normative framework and the number of approved asylum and international protection applications, without checking relevant reports... on the actual treatment of persons returning from Croatia to Serbia and whether they are threatened with automatic refoulement.*” The Constitutional Court accepted the applicant’s statements that in the conducted administrative and court proceedings, it was not established with sufficient certainty that the Republic of Serbia is a safe European third country and that Croatia has not fulfilled its procedural obligations under Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: ECHR) in relation to their return to Serbia. The cases were referred back for deliberation before the Administrative Court in Osijek.

In November 2021, the European Court of Human Rights (hereinafter: ECtHR) rendered a judgment in the case of M.H. and others against Croatia.<sup>41</sup> In April 2022, ECtHR's Grand Chamber panel of five judges decided to reject requests to refer the case to the Grand Chamber. Thus, the judgement became final. In the above case, the applicants complained that the authorities of the Republic of Croatia had not conducted an efficient investigation into the death of their six-year-old daughter (a positive obligation under Art. 2 of the ECHR), that their accommodation in the Transit Centre for Foreigners in Tovarnik, which is of a closed type, constituted torture and degrading treatment, especially in terms of the duration of such accommodation and the number of children (Art. 3 of the ECHR), that it was not possible for them to effectively challenge such a limitation of freedom (Art. 5 of the ECHR) and that during the first attempt to enter Croatia illegally (on the night of 21 November 2017), they were collectively expelled from Croatia contrary to the prohibition stipulated by Art. 4 of the Protocol no. 4 to the ECHR. In particular, the applicants complained about the fact that they were not immediately allowed to contact their chosen lawyer, which prevented them from submitting the application to the ECtHR in time in accordance with Art. 34 of the ECHR. The ECtHR found that Croatia had violated its positive obligation under Art. 2 of the ECHR to conduct an efficient

---

<sup>40</sup> The Constitutional Court, decision no.: U-III-4865/2018 U-III-837/2019 U-III-926/2019, 4 March 2021, available at: [https://sljeme.usud.hr/Usud/Praksaw.nsf/C12570D30061CE54C125868F002CFA0E/\\$FILE/U-III-4865-2018%20i%20dr.pdf](https://sljeme.usud.hr/Usud/Praksaw.nsf/C12570D30061CE54C125868F002CFA0E/$FILE/U-III-4865-2018%20i%20dr.pdf)

<sup>41</sup> ECHR: Judgment in the case of M.H. and others v. Croatia, available in English at: <https://hudoc.echr.coe.int/fre#%7B%22tabview%22%3A%22document%22%2C%22itemid%22%3A%22001-213213%22%7D> and in Croatian at: <https://uredzastupnika.gov.hr/UserDocsImages//dokumenti/Presude%20i%20odluke//M.H.%20prijevod%20presude.pdf>

investigation. With regard to the applicants' complaints concerning their accommodation at the Transit Centre for Foreigners in Tovarnik, the ECtHR found that, given the fact that a large number of children had been accommodated, that the accommodation had lasted for almost three months and that it was a closed-type centre that can be compared to detention, Croatia acted contrary to the prohibition of torture and degrading treatment and thus violated Art. 3 of the ECHR in relation to underage applicants. In relation to adult applicants, the ECtHR did not find a violation of Convention rights. With regard to the applicant's complaint concerning the possibility of effectively challenging the decisions of the competent authorities under which their freedom of movement was restricted, the ECtHR found that there had been a violation of Art. 5 of the ECHR due to the length of the proceedings before the administrative courts in cases concerning their applications for international protection and the review of the lawfulness of their detention in closed-type accommodation, during which time the applicants were kept in such accommodation at all times and during which they had limited freedom of movement.

As to the applicant's complaints that they had been collectively expelled contrary to the prohibition under Art. 4 of the Protocol No. 4 to the ECHR, the ECtHR held that applicants who attempted to enter the territory of the Republic of Croatia illegally on the night of 21 November 2017 had been expelled contrary to such prohibition. Given the facts of the case, the ECtHR is not convinced that the applicants had a real and realistic opportunity at that time to enter Croatia at the legal border crossing and seek international protection, given the fact that they did not have any documents with them. According to the ECtHR, Croatia failed to prove with sufficient certainty that such a possibility really existed or that any procedure to protect the applicant's rights would have been carried out at the border crossing. In conclusion, the ECtHR found a violation of Art. 34 of the ECHR because Croatia did not allow unhindered contact between the applicants and their chosen lawyer immediately after their entry into Croatia in 2018. For these violations, the ECtHR awarded all the applicants a total of EUR 40,000.00 for non-pecuniary damages due to the violation of the ECHR and EUR 16,700.00 for the costs of the procedure.<sup>42</sup>

In 2021, another proceeding was initiated before the ECtHR in *Y.K. v. Croatia*<sup>43</sup>. The applicant is a Turkish Kurdish national who alleges that he was repeatedly tortured and prosecuted in Turkey for his political activism, from where he fled in 2019 and entered Croatia

---

<sup>42</sup> Office of the Representative of the Republic of Croatia before the European Court of Human Rights: *New verdict - M.H. and others against Croatia*, available at: <https://uredzastupnika.gov.hr/vijesti/nova-presuda-m-h-i-drugi-protiv-hrvatske/753>

<sup>43</sup> ECtHR, Application no. 38776/21, *Y.K. v. Croatia*, available at: [https://hudoc.echr.coe.int/eng#{%22appno%22:\[%2238776/21%22\],%22itemid%22:\[%22001-214590%22\]}](https://hudoc.echr.coe.int/eng#{%22appno%22:[%2238776/21%22],%22itemid%22:[%22001-214590%22]})

in February 2021, where he was immediately arrested and placed in a centre for foreigners. There he repeatedly tried to seek asylum, but officials ignored him every time he tried. He also states, among other things, that the authorities denied his lawyer the opportunity to visit him at the centre. The applicant complained that the repeated rejections of the Croatian authorities to allow him to apply for international protection constitute a violation of procedural obligations under Art. 3 of the ECHR, and that the feeling of anxiety and uncertainty in relation to his legal situation, caused by ignoring his attempts to apply for international protection and preventing contact between him and his lawyer, constitutes degrading treatment contrary to Art. 3 of the ECHR. He also complained that according to Art. 13, and in connection with Art. 3 of the ECHR, he could not dispute his removal from Croatia because his lawyer could not obtain an expulsion order, and that the administrative dispute against such a decision did not have an automatic suspensive effect, and he also complained that the Croatian authorities' actions directed towards the prevention of contact between him and his lawyer constitute a violation of Art. 34 of the ECHR.

The CPS has submitted two criminal charges in 2021. According to the CPS, criminal charges were filed in July for the severe violence and serious misconduct of police officers in receiving the expression of intentions to apply for international protection for a family of four. A criminal charge was filed in August for the illegal expulsion of a family of six from Afghanistan, including a pregnant woman in her fourth month of pregnancy and her four children. After they had been treated at the hospital, the police officers ignored their attempts to apply for international protection and placed them in a van, after which the police officers took them near to BiH border and illegally deported them, while also confiscating their mobile phones.<sup>44</sup>

#### **4.1.4. Expressions of intention and applications for international protection**

According to the Mol<sup>45</sup>, in 2021, a total of 3,039 persons expressed their intention to apply for international protection (1,833 males and 1,206 females).<sup>46</sup> This is a significant increase since 2020 when 1,932 people expressed such intention.<sup>47</sup> The largest number of

---

<sup>44</sup> Information received from the CPS on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>45</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>46</sup> RC Mol: Statistical indicators for applicants for international protection in 2021, available at: [https://mup.gov.hr/UserDocsImages/statistika/2021/Medjunarodna\\_zastita/Statisticki-pokazatelj-traziteljja-medjunarodne-zastite-do-31-12-2021.pdf](https://mup.gov.hr/UserDocsImages/statistika/2021/Medjunarodna_zastita/Statisticki-pokazatelj-traziteljja-medjunarodne-zastite-do-31-12-2021.pdf)

<sup>47</sup> RC Mol: Statistical indicators for applicants for international protection in 2020, [https://mup.gov.hr/UserDocsImages/statistika/2021/Medjunarodna\\_zastita/Medjunarodna\\_zastita\\_4kv\\_artal2020.pdf](https://mup.gov.hr/UserDocsImages/statistika/2021/Medjunarodna_zastita/Medjunarodna_zastita_4kv_artal2020.pdf)

people who expressed their intention are from Afghanistan (1,849), Turkey (246), Iraq (225), Iran (190), Pakistan (106), Syria (84), Bangladesh (69), and Cuba (56).

The largest number of intentions was expressed at police administrations/police stations (1,693), followed by border police stations (1,316), the Reception Centre for Foreigners (25), and the Reception Centre for Applicants for International Protection in Zagreb (5). Among the police administrations/police stations (hereinafter: PA or PS), the most intentions were expressed in PS Gvozd (365), PS Glina (176), VI PS Novi Zagreb (122) and PA Split-Dalmatia (109). Among the border police stations (hereinafter: BPS), the majority of intentions were expressed in BPS Cetingrad (669), BPS Slavonski Brod (376) and in BPS Stara Gradiška (116).<sup>48</sup> The data on the number of submitted applications for international protection in 2021 is not publicly available.

Among the applicants for international protection, 195 unaccompanied children<sup>49</sup> expressed their intention in 2021, which is a small increase compared to 2020, when 186 unaccompanied children<sup>50</sup> entered the asylum system. In 2021, the intention was expressed by 34 unaccompanied children under the age of 13 (28 males and 6 females). In the 14-15 age group, a total of 45 children (40 males and 5 females), and in the 16-17 age group, 116 children (106 males and 10 females) expressed their intention to apply for international protection.<sup>51</sup>

According to the MoI, the applications were submitted by a total of 151 unaccompanied children in 2021. The difference in the number of expressions of intentions and applications indicates that the trend of leaving Croatia is also present in this vulnerable category of applicants.

#### **4.1.5. The Dublin procedure**

As of 1 June 2021, incoming and outgoing transfers under the so-called Dublin procedure were reintroduced, the implementation of which was suspended in the previous period due to the COVID-19 pandemic.<sup>52</sup>

---

<sup>48</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>49</sup> RC MoI: Statistical indicators for applicants for international protection in 2021

<sup>50</sup> RC MoI: Statistical indicators for applicants for international protection in 2020

<sup>51</sup> RC MoI: Statistical indicators for applicants for international protection in 2021

<sup>52</sup> EMN Bulletin No. 35, for the 1.4.2021-30.6.2021 period, available at: [https://ec.europa.eu/home-affairs/system/files\\_en?file=2021-09/00\\_eu\\_emn\\_35th\\_bulletin\\_final\\_en.pdf](https://ec.europa.eu/home-affairs/system/files_en?file=2021-09/00_eu_emn_35th_bulletin_final_en.pdf)

According to data from the Mol,<sup>53</sup> in 2021, Croatia received 3,259 incoming requests according to the following categories: 1958 request for reacceptance, 593 requests for the acceptance of responsibility, 489 requests for information, 162 requests for the reconsideration of requests for reacceptance and 57 requests for reconsideration of requests for the acceptance of responsibility. The most incoming requests came from Germany (994), Slovenia (972), France (436), Austria (298), Switzerland (202), Belgium (136), Italy (88) and the Netherlands (66).

The most common criterion used for incoming requests was Art. 18, para. 1, item b) of the Regulation (604/2013) laying down the criteria and mechanisms for determining the Member State responsible for examining the applications for international protection (hereinafter: the Dublin Regulation).<sup>54</sup>

In 2021, a total of 54 people were transferred to Croatia under the Dublin Regulation from the following Member States: Germany (28), Switzerland (14), Austria (7), and one (1) each from Belgium, Finland, Norway, Romania and Slovenia, with the most nationals being Afghans (33) and Iraqis (6), three nationals of Syria and Turkey each, two nationals of Morocco and Iran each, and one national of Algeria and Ethiopia, and three stateless persons.<sup>55</sup>

As for outgoing requests, in 2021, Croatia submitted 1311 outgoing requests under the Dublin Regulation in the following categories: 944 requests for reacceptance, 194 requests for the acceptance of responsibility, 145 requests for information, 17 requests for the reconsideration of applications for reacceptance and 11 requests for reconsideration of requests for the acceptance of responsibility). Croatia sent the most outgoing requests to Greece (1045), Germany (88), Bulgaria (49), Slovenia (19), Romania (18), France (12), and Sweden (10).

Croatia returned three persons under the Dublin Regulation, one national of Afghanistan, Nigeria and Syria each, by transferring them to Belgium, Romania and Slovenia. The most common criterion for outgoing requests was Art. 18, para. 1, item b) of the Dublin Regulation.

In 2021, the High Administrative Court decided in two cases on appeals against decisions of administrative courts in which the responsibility of another Member State of the European

---

<sup>53</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>54</sup> Regulation (EU) No 604/2013 of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), OJ L 180, 29/6/2013, available at: <https://eur-lex.europa.eu/legal-content/HR/ALL/?uri=celex:32013R0604>

<sup>55</sup> RC Mol: Statistical indicators for applicants for international protection in 2021

Economic Area was established (hereinafter: EEA) in relation to the consideration of the application for international protection, and in both cases the appeals were denied.<sup>56</sup>

#### **4.2. Restriction of freedom of movement**

According to the Croatian MoI<sup>57</sup>, in 2021, the Reception Centre for Applicants for International Protection (hereinafter: RCAIP) in Zagreb issued 27 decisions on restriction of the freedom of movement, among which movement was restricted by the measure of banning movement outside the RCAIP for seven applicants, reporting in person to the RCAIP at a certain time for six applicants and depositing travel documents and tickets for one applicant, while for 13 applicants, the freedom of movement was restricted by detention in the Reception Centre for Foreigners. The average duration of the restrictions on the freedom of movement at the Reception Centre for Foreigners, based on the decision made by the RCAIP in Zagreb, was three months. Regarding the structure of applicants whose movement was restricted by detention in the Reception Centre for Foreigners, in the above 13 cases, these were adult male persons who are nationals of Turkey (11), Algeria (1) and India (1). Regarding the legal basis for detention in the Reception Centre for Foreigners, for 10 applicants, the freedom movement was restricted on the basis of Art. 54, para. 2, item 4 (prevention of abuse of procedure), and for three on the basis of Art. 54, para. 2, item 3 of the AITP (protection of the national security or public order of the Republic of Croatia). Data on decisions on the restriction of freedom issued by police administrations or stations have not been provided, so it is not possible to determine the total number of applicants whose right to freedom of movement was restricted in 2021, including the number of persons detained in the Reception Centre for Foreigners. According to the MoI, in 2021 there was no restriction of movement by detention in the Transit Reception Centres for Foreigners in Trilj and Tovarnik, nor were children (accompanied or unaccompanied) or applicants with special reception needs detained in the Reception Centre for Foreigners (or in the Transit Reception Centres).

According to the AITP, a foreigner in transfer may only be restricted in his/her freedom of movement in order to ensure the handover to another EEA Member State, if it is assessed that there is a risk of flight.<sup>58</sup> In 2021, this option was used in only one case, and the person was detained in the Reception Centre for Foreigners.

---

<sup>56</sup> Information received from the High Administrative Court on 14 January 2022, internal documentation of the Croatian Law Centre

<sup>57</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>58</sup> Article 54, paragraph 3 of the Act on International and Temporary Protection (OG 70/15, 127/17)



The judicial review of decisions on restrictions of the freedom of movement of applicants and foreigners in transfer is carried out by administrative courts. In 2021, the Administrative Court in Zagreb adopted 15 decisions in proceedings to restrict the freedom of movement, with eight cases rejected, two adopted, one adopted and referred back, three partially adopted, while in one case the proceedings were suspended. The average duration of these procedures was 43 days.<sup>59</sup> According to the information of the Administrative Court in Zagreb received in the beginning of 2021, the Court's database does not register the number of cases in which the freedom of movement was restricted by any measure other than accommodation in the Reception Centre for Foreigners, so it is not possible to conclude whether the cases pertained to accommodation in the Reception Centre for Foreigners or some other alternative measure.<sup>60</sup> In 2021, there were no administrative disputes before other administrative courts or before the High Administrative Court, in cases of restriction of freedom of movement of applicants and foreigners in transfer.

During 2021, CRC with the support of the UNHCR, provided psychosocial support to persons whose freedom of movement was restricted by accommodating them in the reception centres for foreigners. Two workshops were held for police officers working in reception centres on the identification of vulnerable groups, access to the asylum system and international standards related to detention.

### **4.3 Status determination procedure**

In 2021, The MoI granted 68 persons with refugee status<sup>61</sup>, but also withdrawn the subsidiary protection for one Georgian national pursuant to Art. 49, para. 2 of the AITP<sup>62</sup>, while international protection was revoked for four persons.

In 2021, a total of 57 applicants for international protection were registered, whose applications were processed in an accelerated procedure (Morocco - 24, Tunisia - 17, Algeria - 10, Bosnia and Herzegovina - 2, Albania - 1, Kosovo - 1, Turkey - 1, United Arab Emirates - 1).

---

<sup>59</sup> Information received from the Administrative Court in Zagreb on 31 January 2022, internal documentation of the Croatian Law Centre

<sup>60</sup> Information received from the Administrative Court in Zagreb on 31 January 2022, internal documentation of the Croatian Law Centre

<sup>61</sup> RC MoI: Statistical indicators for applicants for international protection in 2021

<sup>62</sup> Article 49, paragraph 2 of the AITP: Subsidiary protection will cease if the circumstances on the basis of which it was granted cease to exist or change to the extent that further protection is no longer required

The cases in which the MoI dismissed the applications on the grounds of inadmissibility are as follows: for four applicants, the decisions were made on the basis of Art. 41, para. 2 of the GAPA (lack of legal preconditions to initiate the proceeding), for 105 applicants on the basis of Art. 43, para. 1, item 1 of the AITP (granted international protection in another EEA Member State), for 82 applicants on the basis of Art. 43, para 1, item 5 of the AITP (established responsibility of another EEA Member State to consider the application), for one applicant on the basis of Art. 43, para. 1, item 6 of the AITP (application submitted by a national of an EU Member State) and for 28 applicants on the basis of Art. 43, para. 2 of the AITP (dismissal of a subsequent application if it is determined that such an application is inadmissible in accordance with Article 47, para. 6 of the AITP).

According to information received from the MoI, the continuation of the pandemic also affected the in-merits procedure with regards to the applications for international protection, primarily during the first quarter of 2021 when work was organized in teams, which affected the organization of the international protection procedure. Throughout 2021, interviews of applicants for international protection were held regularly in accordance with all epidemiological measures and rules. The COVID-19 pandemic also affected the cooperation with other bodies in the proceedings, such as the interviews with applicants for international protection in prisons, which affected the pace of the implementation of actions in the procedure, as well as required additional logistical preparation and organization (organization of prison interviews, preliminary testing of officials and translators).

Regarding the decisions of administrative courts in administrative disputes initiated by a lawsuit against the decision of the MoI in procedures for the approval of international protection, the majority of disputes were initiated before the Administrative Court in Zagreb<sup>63</sup>, which received a total of 54 lawsuits in the process of granting international protection, which is a significant drop compared to 2020<sup>64</sup>, given that the majority of lawsuits were rejected (44), in two cases the lawsuits were adopted, in six adopted and referred back, in one case the procedure was suspended and in one case the Administrative Court in Zagreb had no jurisdiction. The average duration of the administrative disputes in these cases was 77 days.

---

<sup>63</sup> Information received from the Administrative Court in Zagreb on 31 January 2022, internal documentation of the Croatian Law Centre

<sup>64</sup> In 2020, the Administrative Court in Zagreb received 123 cases in the procedure for the approval of international protection

An administrative dispute was initiated before the Administrative Court in Rijeka<sup>65</sup>, in which the lawsuit was rejected, two disputes were initiated before the Administrative Court in Osijek<sup>66</sup> in which the decisions of the MoI were annulled and the cases were referred back, whereas one administrative dispute was initiated before the Administrative Court in Split<sup>67</sup> in which the lawsuit was rejected.

In 2021, the High Administrative Court<sup>68</sup> decided on appeals against decisions of administrative courts in the procedures for approval international protection in 29 cases, with 21 appeals rejected and 8 cases pending at the time of data submission.

## **5. PROTECTION OF CHILDREN IN THE ASYLUM SYSTEM**

According to the data of the MoI<sup>69</sup>, in 2021, a total of 195 unaccompanied children expressed their intention to apply for international protection in the Republic of Croatia, of which 174 were boys and 21 were girls. Some of the children were accommodated in social welfare institutions (64), one child with the status of an applicant due to a health condition was accommodated in a foster family, and five children who were originally accommodated in RCAIP with their parents were accommodated in social welfare institutions due to inadequate parental care. According to the data provided by the MoI, special reception guarantees have been provided for unaccompanied children, including an additional meal, an afternoon snack, to which, among other things, all children under the age of 16 are entitled in reception centres.

Regarding the implementation of the procedure for the approval of international protection, according to the data provided by the MoI, all the unaccompanied children were treated in accordance with Art. 17, para. 9 of the AITP, according to which the application of an unaccompanied child has priority when it comes to decision making. In 2021, 151 unaccompanied children submitted applications for international protection, whereas two unaccompanied children were granted international protection.

In order to improve the practices in the treatment of unaccompanied children and the implementation of the Protocol on the Treatment of Unaccompanied Children, in 2021, the MoI cooperated intensively with the Ministry of Labour and the Pension System, Family and Social

---

<sup>65</sup> Information received from the Administrative Court in Osijek on 14 January 2022, internal documentation of the Croatian Law Centre

<sup>66</sup> Information received from the Administrative Court in Rijeka on 20 January 2022, internal documentation of the Croatian Law Centre

<sup>67</sup> Information received from the Administrative Court in Split on 17 January 2022, internal documentation of the Croatian Law Centre

<sup>68</sup> Information received from the High Administrative Court on 14 January 2022, internal documentation of the Croatian Law Centre

<sup>69</sup> RC MoI: Statistical indicators for applicants for international protection in 2021

Policy and prepared Instructions for the treatment of unaccompanied children, which was shared with the Border Directorate of the MoI, police administrations and stations and social welfare centres for further action.

For unaccompanied children, it is especially important to connect them with their family members and, consequently, to reunite families through the Dublin Procedure. According to the data provided by the MoI, in 2021, in the cases of two unaccompanied children who submitted their applications in the Republic of Croatia, it was determined that the children had relatives in the Kingdom of Spain who have been granted a residence permit. Under the Dublin Procedure, the Kingdom of Spain asked the Republic of Croatia to do a DNA analysis to determine the existence of family ties, and the verification procedure was conducted in cooperation with the CRC, the Spanish Red Cross and the UNHCR office in Spain.<sup>70</sup>

In 2021, the CRC Family-tracing Service regularly assisted the Croatian authorities and unaccompanied children in family reunification procedures, e.g. in obtaining the necessary documents, helping to establish contact with the institutions in countries where family members are located, etc.<sup>71</sup>

Looking back to 2021, the civil society organizations pointed out that the problem with the inadequate accommodation of unaccompanied children in social welfare institutions still prevails, especially in juvenile homes.<sup>72</sup> They underlined the fact that the various accommodation capacities often do not provide services to children that are adapted to their age and needs, with the lack of translators being particularly mentioned<sup>73</sup>.

In relation to healthcare, according to the data provided by the MoI,<sup>74</sup> in accordance with the mandatory calendar of vaccination of children at the relevant healthcare institutions, vaccination was organized for 77 children. Vaccination of children applying for international protection was carried out continuously through cooperation between the Médecins du Monde (hereinafter: MDM-BELGIQUE) and the Health Centre Zagreb - Centre, Teaching Institute for Public Health "Dr. Andrija Štampar" and the Croatian Institute of Public Health (hereinafter:

---

<sup>70</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>71</sup> Information received from the CRC on 4 January 2022, internal documentation of the Croatian Law Centre

<sup>72</sup> Information received from the CRC on 4 January 2022 and the CPS on 10 January 2022, internal documents of the CLC; and especially in the CPS, RCT and Dubravka Marušić "Policy brief on the protection of unaccompanied children in the Republic of Croatia", available at: [https://www.cms.hr/system/publication/pdf/165/Djeca\\_bez\\_pratnje\\_u\\_RH\\_HRV\\_final.pdf](https://www.cms.hr/system/publication/pdf/165/Djeca_bez_pratnje_u_RH_HRV_final.pdf)

<sup>73</sup> Information received from the CRC on 4 January 2022, internal documentation of the Croatian Law Centre

<sup>74</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

CIPH).<sup>75</sup> MDM-BELGIQUE and the CRC also provided other forms of support for children in the field of healthcare, including escorting children for medical examinations and vaccinations.<sup>76</sup>

Given the fact that the pandemic continued in 2021, the accompanied asylum-seeking children accommodated in both reception centres were provided with access to the education system, together with the Croatian children, and within the project “Social Services and Psychosocial Support for the Applicants for International Protection” implemented by the CRC, particular attention was dedicated to the issue of education and support for the asylum-seeking children in mastering the school curriculum in new modalities of attending classes.<sup>77</sup> On the other hand, according to the CPS, in the process of organizing online classes, children from families without access to technology, where both children and parents have weak or no digital competencies or do not know enough Croatian were neglected, which affected the availability of education for refugee children.<sup>78</sup>

Civil society organizations continue to emphasize the problem of organizing preparatory classes in accordance with the Ordinance on conducting preparatory and supplementary classes for pupils who do not know Croatian at all or do not know the Croatian language enough and classes on the mother tongue and culture of the students’ country of origin. Namely, in 2021, children often waited for months to be approved for preparatory classes, some children attended preparatory classes in a school that is not theirs, which is why they missed part of the classes in their own school, or the preparatory classes took place in parallel with regular classes.<sup>79</sup>

Furthermore, according to the CRC, the enrolment of children aged 15 to 18 remains the biggest issue, as they are usually included late or not included in the education system at all, primarily because it is not defined who is in charge of their enrolment as they have to attend classes according to the program for adults.<sup>80</sup> For children older than 15, there have been cases of their enrolment in elementary schools, which brings difficulties in regulating their right to child allowance.<sup>81</sup>

---

<sup>75</sup> Information received from MDM-Belgique on 19 January 2022, internal documentation of the Croatian Law Centre

<sup>76</sup> Information received from the CRC and MDM-Belgique on 4 and 19 January 2022, internal documentation of the Croatian Law Centre

<sup>77</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>78</sup> Information received from the CPS on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>79</sup> Information received from the CPS on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>80</sup> Information received from the CRC on 4 January 2022, internal documentation of the Croatian Law Centre

<sup>81</sup> Information received from AYS 7 February 2022, internal documentation of the Croatian Law Centre

Civil society organizations generally point to the problem of insufficiently prepared schools in terms of information on the rights of beneficiaries of international protection, an insufficient number of teaching assistants for asylum seeking children and children under international protection, and the ignorance and inconsistency of schools in conducting enrolment practices or evaluating the progress made by the children, which results in various situations that are unfavourable for the children and require special engagement to be resolved.<sup>82</sup>

In 2021, several civil society organizations carried out various activities for asylum-seeking children or children who had already been granted protection and for unaccompanied children in general.

The CPS enrolled the asylum-seeking children into football practice,<sup>83</sup> whereas the CCD conducted a series of activities aimed at strengthening the interaction between local children and refugee and migrant children; for 50 children with approved international protection, a summer vacation was organized in Rovinj.<sup>84</sup> AYS continued to provide educational support for children under international protection in 2021, which included support in language learning, mastering the school curriculum, cooperation with schools and mediation in communication between parents and schools, and during the transition to online classes, computers were procured for some families to allow the children to attend the online classes.<sup>85</sup> The CRC provided support for parents and children in RCAIP by providing food and other necessities, organizing childcare for single parents in case of need, organizing playroom activities for preschool children, conducting workshops in the Croatian language and IT for children, providing assistance in enrolment in the educational system and providing help to the children in mastering the curriculum. In addition, the CRC conducted activities aimed at providing support for unaccompanied children and the professionals working with them, which included providing individual psychosocial support for children, providing contacts with family members, learning Croatian with volunteers, socialization workshops, participation in the activities of the local community, providing clothing, school supplies or sports equipment.<sup>86</sup> In 2021, the CLC continued to provide free legal aid to unaccompanied children accommodated in social welfare institutions through the provision of legal counselling. CLC lawyers provided support and necessary information to the employees of these institutions as well, but also to social welfare

---

<sup>82</sup> Information received from the CRC, CPS and AYS on 4 and 10 January 2022 and 7 February 2022, internal documentation of the Croatian Law Centre

<sup>83</sup> Information received from the CPS on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>84</sup> Information received from the CCD on 13 January 2022, internal documentation of the Croatian Law Centre

<sup>85</sup> Information received from AYS 7 February 2022, internal documentation of the Croatian Law Centre

<sup>86</sup> Information received from the CRC on 4 January 2022, internal documentation of the Croatian Law Centre

centres, and especially to the children’s guardians. From the practice of the CLC and during the course of 2021, it was confirmed that there is still delay in appointment of a special guardian/ guardian for unaccompanied children by social welfare centres, as well as a frequent lack of contact between guardian and children, which is regularly due to the overburdening amount of daily tasks of the guardians or their inexperience in terms of the specific needs of unaccompanied children.

In early 2021, the CLC, in cooperation with the UNHCR, organized and held three seminars entitled “Protection of unaccompanied children: treatment and exercise of rights after the accommodation of children”.<sup>87</sup> The seminars were intended to improve the knowledge and skills of guardians and social workers from the social welfare centres and the employees of social welfare institutions in which the unaccompanied children are accommodated, due to the identified need for the further education of these target groups in relation to provisions of the Protocol on the Treatment of Unaccompanied Children from 2018.

## **6. ASYLUM IN LEGISLATION AND PRACTICE: APPLICANTS FOR INTERNATIONAL PROTECTION, ASYLEES AND FOREIGNERS UNDER SUBSIDIARY PROTECTION**

### **6.1 Exercising the rights and obligations of applicants and beneficiaries of international protection in practice**

When it comes to the exercise of the rights and obligations of applicants in 2021, the cooperation of the MoI with the relevant actors in the system continued. In order to prevent the spread of the COVID-19 virus, the MoI restricted access to the RCAIP in Zagreb and Kutina in March 2020 for all persons not necessary for the normal functioning of these facilities,<sup>88</sup> and access for civil society organizations, except for MDM-BELGIQUE and the CRC, remained restricted until the end of 2021. According to the data provided by the MoI, from the beginning of October 2021, the accommodation of applicants was only organized in the RCAIP in Zagreb, since the RCAIP in Kutina was closed due to the beginning of construction works on the facility, which are expected to be completed in the second quarter of 2022. Due to the mentioned works, the accommodation capacity was reduced by 100 places. Within the Asylum, Migration and Integration Fund, the MoI is implementing several projects aimed at improving

---

<sup>87</sup> CLC seminar entitled “Protection of unaccompanied children: treatment and exercise of rights after the accommodation of children”, available at: <https://www.hpc.hr/2021/03/15/odrzani-seminari-pod-nazivom-zastita-djece-bez-pratnje-postupanje-i-ostvarivanje-prava-nakon-smjestaja-djece/>

<sup>88</sup> RC MoI: *Applicants for international protection in the Republic of Croatia are not infected with coronavirus*, available at: <https://mup.gov.hr/vijesti/trazitelji-medjunarodne-zastite-u-rh-nisu-zarazeni-koronavirusom/286104>

the accommodation conditions and arranging reception centres, improving reception and accommodation services and working conditions, but also providing additional accommodation facilities at the RCAIP in Zagreb.

During the year, the reception and accommodation activities, due to the large number of expressed intentions to apply for international protection, accompanied by the implementation of epidemiological measures and the limited availability of accommodation capacity, posed a special challenge.

Depending on the needs of the applicants and the potential need for the implementation of special reception guarantees, the MoI cooperates with other competent bodies, such as social welfare centres that participate in the assessment of the special needs of applicants, when necessary. If applicants cannot be provided with adequate accommodation in the reception centre, they are placed in another appropriate institution or they may be granted accommodation in accordance with the regulations on social welfare. In 2021, according to the data of the MoI, two adult applicants for international protection and one asylum seeking child were accommodated in a foster family due to health reasons, one applicant was accommodated in a home for adults due to permanently impaired health, while two applicants were accommodated in healthcare institutions due to the need for prolonged treatment. At the same time, five children, who were initially accommodated in RCAIP together with their parents, were provided with accommodation in a social welfare institution due to inadequate parental care. A total of 64 unaccompanied children were accommodated in juvenile homes in 2021. Special reception guarantees due to impaired health conditions were provided for 164 applicants, 64 pregnant women and 75 identified survivors of sexual and gender-based violence.

According to the data provided by the MoI, within the projects financed by the Asylum, Migration and Integration Fund, which were implemented at RCAIP by CRC<sup>89</sup> and MDM-BELGIQUE<sup>90</sup>, quality and comprehensive care and support for applicants was provided by providing adequate psychosocial support from the staff and/or, if necessary, outside the RCAIP in other appropriate institutions, always in the presence of an appropriate interpreter.

In 2021, the MDM-BELGIQUE team provided daily healthcare for applicants at the RCAIP. Their team, consisting of a general practitioner, a nurse and 4 interpreters, conducted initial health examinations of new applicants every working day, as well as continuous health

---

<sup>89</sup> The project entitled "Social services and psychosocial support for the applicants for international protection"

<sup>90</sup> "SP - Disease prevention, health promotion and protection, psychological support, access to and assistance in healthcare for applicants for international protection"



consultations and, if necessary, facilitated access to public health institutions to gain access to primary healthcare, specialist and diagnostic examinations and treatments. Two MDM-BELGIQUE psychologists conducted the initial psychological assessment and individual counselling with elements of psychotherapy and/or short psychological consultations, and crisis interventions when needed, while their external psychiatric associate conducted psychiatric examinations in Zagreb three times a month. During the year, the MDM-BELGIQUE team conducted 1,603 health consultations, 657 individual psychological consultations, and 136 specialist psychiatric examinations. As positive changes, MDM-BELGIQUE points out that all the children who stayed at the RCAIP upon arrival and for whom it was possible to get an appointment, underwent a thorough examination and were vaccinated by a paediatrician if necessary, while all pregnant women who stayed at the RCAIP were examined by a gynaecologist. As one of the challenges, MDM-BELGIQUE points out that in 2021, RCAIP accommodated people who have suffered serious bodily injuries as a result of accidents<sup>91</sup>, which required daily care, nursing and dressing in conditions not intended for the treatment of such injuries, and in addition to taking care of physical injuries, they also needed to be provided with adequate psychological assistance and psychiatric care. As in 2020, MDM-BELGIQUE was in charge of prevention, but also of providing healthcare to applicants suffering from COVID-19 in 2021. The total number of applicants in isolation during 2021 was 2797 people, a total of 420 people were tested, of which 48 were positive.<sup>92</sup>

According to the data provided by the MoI, all the material conditions of reception were available to persons in self-isolation/isolation, as well as to all other applicants; food, clothing, medicines and hygiene supplies were delivered to them three times a day, in compliance with all the epidemiological measures, together with cleaning products and other necessary items, and at the same time, in the presence of a interpreter, they were explained the purpose of the isolation/self-isolation and their obligations during the quarantine period.

In July, the Government of the Republic of Croatia passed a decision to ensure the vaccination against COVID-19 of the citizens of the Republic of Croatia and other persons

---

<sup>91</sup> Information provided by MDM included the following: ten people died in a minefield near Blato in March; a traffic accident in March on the motorway near Okučani in which a truck overturned, after which 11 foreign nationals were admitted to the Nova Gradiška General Hospital and four died; a traffic accident in July near Velika Gorica in which one person died and about 20 were injured; an Afghan national drowned in December in the Korana River in Točak near Slunj, while her husband and three children survived, and a Turkish girl (disabled) drowned in December while her mother and brother survived.

<sup>92</sup> Information received from MDM-BELGIQUE on 19 January 2022, internal documentation of the Croatian Law Centre

without the status of an insured person in the Republic of Croatia<sup>93</sup> According to the data provided by the MoI, from July to the end of 2021, 198 applicants were vaccinated against COVID-19.

In cooperation with the MoI, UNHCR produced posters on gender-based violence which contain information for applicants on what gender-based violence is, how it can be reported and what support they can get in RCAIP. UNHCR also produced posters for LGTBIQ + applicants. Posters were placed in RCAIP as Centres are considered as safe places for applicants.

As far as the right to elementary and secondary education is concerned, asylum-seeking children exercise this right in accordance with the AITP under the same conditions as Croatian nationals. In practice, the access to the education system is organized in such a way that the MoI, within 30 days of receiving an application for international protection, sends a notice to the Ministry of Science and Education (hereinafter: MSE) and the City Office of Education about the number of asylum-seeking children for whom the procedure for enrolment in the educational system is initiated. The notification includes the basic data (name, surname, age and mother tongue), while other data is collected during the testing for enrolment in an educational establishment that follows the medical examination. The testing is followed by the procedure for determining the level of elementary/secondary education in which the child will be enrolled. In practice, the difference between the number of children for whom the procedure for inclusion in the educational system has been initiated and the number of children enrolled in the educational system represents a continuous problem; on the one hand, this is a consequence of the short stay of applicants in the RC, while on the other hand, there is resistance from parents who oppose the inclusion of their children, especially female children, in the education system. Thus, according to the data of the RC MoI, in 2021, the procedures were initiated for the enrolment of 116 children in elementary and secondary education, but most children left RCAIP before joining the education system. During the year, 45 asylum-seeking children were included in the educational system: 1 child in a preschool institution, 40 children in elementary schools, and 4 children in secondary schools. As of 31 December 2021, three children were enrolled in elementary education. The CRC also provided assistance for the asylum-seeking children to master the school curriculum through activities included in the

---

<sup>93</sup> Available at: <https://vlada.gov.hr/UserDocImages/2016/Sjednice/2021/srpanj/69%20sjednica%20VRH/69%20-%206.docx>

project entitled “Social services and psychosocial support for applicants for international protection”.

Regarding the right to obtain legal and procedural information prescribed by Art. 59, para. 3 of the AITP, in 2021, no organization implemented a project to provide legal advice in the procedure for the approval of international protection, and, when necessary, legal information was provided to applicants by civil society organizations. Within the project financially supported by UNHCR, in 2021 legal aid was provided to applicants by CLC.

In September 2021, the MoI announced a public tender<sup>94</sup> for the financing of a project to provide legal advice in the procedure for the approval of international protection.

As for the applicant’s right to work, according to the Croatian Employment Agency (hereinafter: CEA)<sup>95</sup>, on 31 December 2021, there were two applicants for international protection with the right to work (of which one was a woman) in the register of unemployed persons kept by the CEA, whereas 1 applicant was included in the individual counselling activities. According to the data provided by the MoI, in 2021, 5 applicants submitted their employment contracts to the MoI Service for Reception and Accommodation, but none of the applicants participated in the accommodation costs based on their employment.

When it comes to the integration of asylees and foreigners under subsidiary protection into Croatian society and the exercise of their rights, despite the announcements, no Action Plan for the integration of persons granted international protection was adopted in 2021. However, in 2021, the City of Zagreb prepared a Draft Action Plan for the Integration of Persons Granted International Protection for the 2021-2022 period<sup>96</sup> and conducted a public consultation with the interested public.

In November 2021, the Commission for the Development and Monitoring of the Implementation of the Action Plan of the City of Zagreb for the Integration of Applicants for

---

<sup>94</sup> Decision on announcing and implementing a public tender for the financing of a project in the field of providing legal advice in the procedure for the approval of international protection, available at: <https://eufondovi.mup.hr/UserDocImages/dokumenti/Natje%C4%8Daji/Odluka%20i%20tekst%20natje%C4%8Daja%20-%20PS%202021..pdf?vel=2387888>

<sup>95</sup> Information received from the Croatian Employment Agency, 11 January 2022, internal documentation of the Croatian Law Centre

<sup>96</sup> A Draft Action Plan of the City of Zagreb for the Integration of Persons Granted International Protection for the 2021-2022 period, available at: <https://www.zagreb.hr/UserDocImages/ljudska%20prava/nacr%20akcijskog%20plana%20grada%20zagreba%20za%20integraciju%20osoba%20kojima%20je%20odobrena%20me%C4%91unarodna%20za%C5%A1tita%20za%20razdoblje%20od%202021-2022/AP%20GZ%20za%20integraciju%20osoba%20kojima%20je%20odobrena%20me%C4%91unarodna%20za%C5%A1tita%202021-2022.pdf>

International Protection and Persons Granted International Protection for 2022 was established.<sup>97</sup> The Action Plan was finally expanded to include applicants for international protection and adopted in January 2022, making the City of Zagreb the first unit of local and regional self-government in the Republic of Croatia to adopt such a strategic document.<sup>98</sup>

According to the data provided by the MoI,<sup>99</sup> in 2021, 257 residence permits were issued to asylees and 24 residence permits to foreigners under subsidiary protection, 4 long-term residence permits were approved (3 to asylees, 1 to a beneficiary of subsidiary protection), and two persons who were granted subsidiary protection got Croatian citizenship. In 2021, a total of 77 travel documents were issued in accordance with Convention relating to the Status of Refugees, and 5 special travel documents for persons granted subsidiary protection. A total of 60 applications for temporary residence authorisations were submitted for the purpose of family reunification with persons granted international protection, of which 47 were adopted (Bangladesh 1, DR Congo 7, Egypt 1, Eritrea 4, Iraq 2, Iran 1, Yemen 1, Jordan 1, Pakistan 3, Sierra Leone 2, Syria 20, Northern Macedonia 1, Sudan 1, Turkey 1, Ukraine 1) while 13 (Afghanistan 1, Eritrea 4, Russia 1, Syria 7) were pending at the time of the submission of data by the MoI.

According to the data provided by the MSE,<sup>100</sup> preparatory classes in the Croatian language were approved for a total of 36 pupils with granted asylum (for 24 students in the City of Zagreb, 9 in Sisak-Moslavina, and 3 students in Primorje-Gorski Kotar County) in 2021. As of 31 December 2021, 5 children under international protection enrolled/attended elementary and secondary school. Two beneficiaries of international protection enrolled in higher education institutions and were entitled to a scholarship. During 2021, 7 groups of Croatian language courses were organized (5 in Zagreb, 2 in Sisak), but according to the information provided by the MSE, a large number of participants did not attend the course – a percentage higher than 50%.

---

<sup>97</sup> Official Gazette of the City of Zagreb, No. 27 of 24 November 2021, Conclusion on the Establishment and Appointment of the Commission for Drafting and Monitoring the Implementation of the Action Plan of the City of Zagreb for the Integration of Applicants for International Protection and Persons Granted International Protection for 2022, available at: <http://www1.zagreb.hr/slglasnik/index.html#/akt?godina=2021&broj=270&akt=1796C665B839E91AC1258797002A4FF3>

<sup>98</sup> See more at: <https://www.zagreb.hr/en/donesen-akcijski-plan-grada-zagreba-za-integraciju/176980>

<sup>99</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre

<sup>100</sup> MSE information delivered to the UNHCR on 23 February 2022, internal documentation of the Croatian Law Centre

According to CEA data<sup>101</sup>, as of 31 December 2021, there were 88 asylees in the CEA register of unemployed persons (of which 41 women), 8 beneficiaries of subsidiary protection (of which 3 women), 7 family members of persons under international protection (of which 6 women), 40 asylees, 4 foreigners under subsidiary protection and one family member of a beneficiary of international protection were involved in the individual counselling activities, while 6 asylees were involved in active employment policy measures (2 - public works, 1 - internship for the real economy, 2 - employment aid, 1 - on-the-job training). According to the CEA, lack of knowledge of Croatian and/or English, and the low motivation of some beneficiaries, both for learning Croatian and for inclusion in other programs that can improve their employability, still represent the major obstacles to better integration into the labour market and society as a whole.

In 2021, in cooperation with the MoI, the CCD continued the implementation of the project entitled *New Neighbours - Inclusion of Persons with Granted International Protection in Croatian Society*. In 2021, the project ensured regular individual assistance for 126 persons with granted international protection accommodated in Zagreb, Sisak, Karlovac, Rijeka, Viškovo and Maruševac.<sup>102</sup>

The Centre for the Integration of Foreigners was established in Sisak in January 2021.<sup>103</sup>

The CRC continued to carry out activities in the field of integration in 2021, primarily providing assistance in enrolment in the educational system, assistance to children in mastering the curriculum, assistance in healthcare, employment assistance and counselling services.<sup>104</sup>

Activities in the field of integration were also carried out by other civil society organizations, primarily CPS, JRS, the Rehabilitation Centre for Stress and Trauma (hereinafter: RCT) and CLC (*more information available under 6.2*).

Civil society organizations state that there are still challenges in exercising the rights of beneficiaries of international protection, primarily in relation to the Croatian language course, healthcare and access to the labour market, though there is also the issue of housing after the expiry of two years of paid accommodation.

## **6.2. Activities of the civil society organizations**

---

<sup>101</sup> Information received from the Croatian Employment Agency, 11 January 2022, internal documentation of the Croatian Law Centre

<sup>102</sup> Information received from CCD on 13 January 2022, internal documentation of the Croatian Law Centre

<sup>103</sup> Information received from BPS Sisak on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>104</sup> Information received from the CRC on 4 January 2022, internal documentation of the Croatian Law Centre

In order to prevent the spread of COVID-19 and due to the limited access to the RCAIP in Zagreb and Kutina until the end of 2021, apart from the officials and employees of the MoI, only the staff of MDM-BELGIQUE and the CRC were present at the RCAIP during the year. For this reason, civil society organizations continued to carry out their activities outside the RCAIP.

The CPS<sup>105</sup> carried out its activities (providing information on the international protection system, legal support and counselling, support in learning the Croatian language, support in job searching, courses on social entrepreneurship, employment and self-employment workshops, workshops on racism and discrimination, providing information on life in Croatia, psychosocial support) with applicants and persons granted international protection outside RCAIP since September 2018 at the CPS premises, partner associations, outdoor public spaces or online. In 2021, CPS organized several social activities and cultural events in order to promote integration and communication with the local population; also, through lectures and workshops, they worked on raising public awareness about the problems and needs of refugees and other foreigners in Croatia.

AYS<sup>106</sup> provided information to applicants about their right to work, and also provided support in finding a job (writing a resume, contacting employers), and held an informal introductory Croatian language course. In addition, on the one hand, they informed the applicants and persons under international protection about the scope of their right to healthcare, and on the other hand, they informed the health institutions about their rights and the necessary procedure for patient admittance and further processing. They also provided information on how to exercise the right to child allowance, guaranteed minimum benefit, the procedure for applying for permanent residence, the family reunification procedure, the procedure for vaccination against COVID-19 and obtaining a digital certificate, the procedure for recognizing foreign higher education qualifications, etc. AYS provided assistance in finding accommodation after the expiry of two years of subsidized accommodation and, in response to the rise in unemployment among beneficiaries of international protection caused by the COVID-19 epidemic, continued its support program to cover a single rent for people unable to cover their housing costs. *Free shop* run by AYS, a place where people in need can get free clothes, shoes, hygiene items, bedding, dishes and other household items, continued to operate in 2021.

---

<sup>105</sup> Information received from the CPS, on 10 January 2022, internal documentation of the Croatian Law Centre

<sup>106</sup> Information received from AYS on 7 February 2022, internal documentation of the Croatian Law Centre

The JRS<sup>107</sup> organized its activities at the SOL Refugee Integration Centre, and usually provided free legal aid in the context of preparing for the interview or status issues related to the residence and work permit. In addition, the majority of JRS activities in 2021 were of an integration nature, which included informal courses at the beginner's level in the Croatian language, and qualification upgrades for certain catering professions. For each person who underwent a qualification upgrade, individual change plans, CVs and job applications were prepared in cooperation with the social worker, as well as training for self-employment.

In partnership with the UNHCR, the JRS promoted a dialogue within the Catholic Church in Croatia on opportunities how to help persons under international protection and support their integration.

Festival of Tolerance in Zagreb promoted the inclusion of persons under international protection through community activities and raised awareness of their protection and integration. Activities included exhibitions, movies' projection and other public events. Festival of Tolerance also organized educational meetings for primary and secondary schools through the 'Dialogue' platform with the participation of persons under international protection, UNHCR and JRS. Activities were implemented in partnership with UNHCR.

UNHCR, in partnership with the Association MI from Split, cooperated with the university community to develop scientific and professional papers in the field of refugee protection, improve teaching curriculums and promote interest in an academic context for persons under international protection and applicants.

The most important activity of the Sisak Civil Rights Project (hereinafter: CRP Sisak)<sup>108</sup> in 2021 was the establishment of the Centre for the Integration of Foreigners in Sisak in which they provide applicants, persons granted international protection, refugees resettled through the resettlement program from Turkey and other foreigners who do not have a regulated status in the Republic of Croatia with comprehensive support, including legal and psychological assistance. CRP Sisak organized a Croatian language course and a workshop for people located in the Karlovac area on their labour and social rights, and also provided help in finding suitable accommodation after the expiration of the two-year period of secured accommodation financed by the Republic of Croatia. CRP Sisak has prepared an informal coordination involving all relevant stakeholders in their local area who deal with all legal and other issues of beneficiaries of international protection, and also an informal mailing list for sharing information for persons granted international protection.

---

<sup>107</sup> Information received from the JRS on 15 January 2022, internal documentation of the Croatian Law Centre

<sup>108</sup> Information received from CRP Sisak on 10 January 2022, internal documents of the Croatian Law Centre

In 2021, IOM also implemented the project entitled “Assisted Voluntary Return”, which provided information and organizational, financial, health and reintegration support for voluntary return to the country of origin.<sup>109</sup> According to the IOM,<sup>110</sup> unlike 2020, a large number of returns of migrant workers was covered by this program, while the number of applicants for international protection and irregular migrants has decreased significantly. Due to the limited access to RCAIP and reception centres for foreigners, informative multilingual posters and leaflets were placed at such institutions to refer the applicants to IOM if they wish to return voluntarily; also, open communication channels for access to information are maintained with the staff of the Mol at the reception centres for foreigners and the staff of the Mol and NGOs working at the RCAIP.

The CCD<sup>111</sup> organized a number of activities aimed at providing employment assistance, and also participated in an initiative led by UNHCR in the UNHCR/IKEA internship program to employ persons with approved international protection at the IKEA office building in Zagreb. In cooperation with the UNHCR, the CCD mediated in finding adequate staff among persons with granted international protection, so that 15 people completed an internship program, after which nine of them stayed to work at IKEA. The CCD also carried out activities aimed at strengthening the interaction of persons granted international protection with the local community, both adults and children, and in 2021, in an independent arrangement and in cooperation with various stakeholders, provided humanitarian aid to people who have been granted international protection.

The RCT<sup>112</sup> focused its activities in 2021 on socio-economic inclusion, especially of women with granted international protection, and on psychosocial counselling for persons with chronic or acute mental health problems due to traumatic experiences. In 2021, the RCT was selected to provide group and individual psychosocial support services to persons granted international protection who did were selected for UNHCR/IKEA internship program.

The CRC carried out activities and provided support for applicants accommodated in RCAIP and in social welfare institutions in which unaccompanied children are accommodated in the previously described manner. In addition, the CRC organized training for experts from institutions in which children were accommodated and the competent Social Welfare Centres

---

<sup>109</sup> RC Mol, AVRR project “Assisted voluntary return”, <https://eufondovi.mup.hr/fondovi-za-unutarnje-poslove/amif/avrr-projekt-potpomognuti-dragovoljni-povratak-452/452>, and the IOM, AVRR project “Voluntary return from Croatia”, <https://avrr.hr/hr/naslovna-stranica/>

<sup>110</sup> Information received from the IOM on 7 February 2022, internal documentation of the Croatian Law Centre

<sup>111</sup> Information received from the CCD on 13 January 2022, internal documentation of the Croatian Law Centre

<sup>112</sup> Information received from the RCT on 14 January 2022, internal documents of the CRC



in order to allow them to acquire new knowledge and skills about mental health and psychosocial support for unaccompanied children, their specific needs and ways to respond to such needs, as well as about the rights of children in the procedure for the approval of international protection. Also, training for Red Cross volunteers was organized in order to prepare the implementation of volunteer activities with unaccompanied children with the aim of reducing the negative effects of institutionalized accommodation, to strengthen the social network and increase inclusion in the local community. In addition, training was organized for employees at the Ježevo, Trilj and Tovarnik Reception Transit Centres, aimed at capacity building, cooperation and the exchange of best practices, as well as the identification of vulnerable groups of migrants.

In cooperation with the UNHCR, the CRC continued to provide support in the employment to persons granted international protection. A draft leaflet for potential employers of beneficiaries of international protection was prepared and presented at a workshop for employers, state bodies and civil society organizations.

IKEA Croatia, in cooperation with the UNHCR, organized the employment of persons granted international protection through a three-month internship program. Fifteen persons who were granted international protection were selected to receive additional IKEA support, including psychosocial support provided by the RCT. Upon completion of the program, nine beneficiaries of international protection were employed by IKEA. CRC, RCT and CCD also supported the project through assistance in the selection of candidates.

### **6.3. Legal routes of arrival**

In 2021, due to the continuation of the pandemic, the resettlement program was not implemented, but according to the MoI, based on the Decision on the resettlement of third-country nationals or stateless persons eligible for international protection for 2019, the plan is to continue with resettlement after the objective conditions for implementation are met. In 2021, the MoI developed the mobile application (Re)Settle in Croatia.<sup>113</sup> The application was created for persons arriving in Croatia under the resettlement program, but also offers information on important aspects of life in Croatia to all persons granted international protection. Apart from information about the procedure in Turkey and arrival in Croatia for persons from the resettlement program, the application also offers information about the rights acquired by

---

<sup>113</sup> Available from Google Play: <https://play.google.com/store/apps/details?id=com.mup.resettleincroatia>,  
Apple App Store: <https://apps.apple.com/us/app/resettle-in-croatia/id1573712941>

persons after being granted international protection and the ways to exercise such rights. The application is available in Croatian, English, Arabic and Kurdish.<sup>114</sup>

Although Croatia decided to participate in the program for the relocation of unaccompanied children from Greek refugee camps in 2020, and expected to receive 12 unaccompanied girls in 2021, according to the data provided by the MoI, such relocation was not executed because one of the children gave up on relocating to Croatia, while on the day of their trip to Croatia in April 2021, while in transit through Amsterdam Airport, the other children sought international protection in the Netherlands. Although the transfer from the Netherlands to Croatia was nevertheless agreed for December 2021, the Netherlands informed Croatia that the Dutch Court had ruled that it was in the best interests of the children to initiate the international protection procedure in the Netherlands. Following the above, the Dutch Court ruled to cancel the relocation of these children to Croatia.

In 2021, Croatia participated in the evacuation of potentially vulnerable nationals of Afghanistan, providing a legal way for the arrival of persons in need of international protection. In the period from August to December, according to the data provided by the MoI, Croatia evacuated 41 Afghan nationals for whom international protection procedure was initiated upon their arrival, and they were granted international protection and apartments in which they were accommodated.<sup>115</sup>

---

<sup>114</sup> EMN: Resettle in Croatia, available at: <https://emn.gov.hr/vijesti/resettle-in-croatia/735>

<sup>115</sup> Letter from the Ministry of the Interior of the RC dated 15 February 2022, received by the UNHCR on 21 February 2021, internal documentation of the Croatian Law Centre