

THE CROATIAN ASYLUM SYSTEM IN 2022

- NATIONAL REPORT -



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2022 AT A GLANCE

The year 2022 was marked by several significant events and changes, both at the national and European level.

1. The event that marked the 2022 the most and which required quick and efficient planning in all EU Member States was the mass influx of persons displaced from Ukraine due to the outbreak of the war. Based on the implementing decision of the EU Council 2022/382 of March 4, 2022, which established the existence of a mass influx of displaced persons from Ukraine and activated the institution of temporary protection, Croatian Government adopted the decision on the activation of temporary protection on March 7, 2022. In total, 19,885 applications for temporary protection were submitted in Croatia, while 19,440 applications were approved.

2. At the national level, the procedure to amend the Act on International and Temporary Protection was initiated with the purpose of establishing higher standards in relation to procedural issues, as well as in relation to the rights and obligations of persons covered by the Act itself. A decision was officially made on Croatia's accession to the Schengen area, and at the end of the year, structural preparations within the Ministry of Interior began so that everything would be ready for January 1, 2023, when Croatia officially entered the Area.

3. In 2022, a significant increase was recorded in the number of persons who applied for international protection. In total, 12.872 persons expressed their intention to apply for international protection, while 21 persons were granted the asylum. At the same time, various civil society organizations that monitor access to the asylum system continue to testify that pushback practices continue at Croatian borders. The work of the Independent Monitoring Mechanism continued in 2022.

4. High number of applicants for international protection left Croatian territory during the procedure. It is a continuation of the trend observed in earlier years, which leads to conclusion that Croatia is still perceived as primarily transit country.

5. The challenge was the reception and accommodation of applicants for international protection due to a record number of expressed intentions, and measures introduced due to the COVID-19 pandemic.

6. Civil society and international organizations are very active in the asylum system, implementing numerous activities aimed at improving the existing system, increasing the availability of services for beneficiaries and their empowerment, expanding cooperation between the organizations themselves, raising public awareness and strengthening capacities of the key stakeholders.

1. INTRODUCTION

The Croatian Law Centre (CLC) has been actively engaged in the Croatian asylum system since 2003 as the implementing partner of UNHCR. The CLC systematically follows legislation and its implementation in practice in the field of asylum, on the basis of which its national reports on the asylum system have been prepared since 2010. All previous reports are available on the CLC website.

This Report is made within the Project "Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia" implemented in 2023 and financed by UNHCR. It is based on the publicly available data, data provided to CLC by different public bodies, international organizations and civil society organizations, while the Ministry of Interior provided data to UNHCR.

CLC is exclusively responsible for the content of this Report.

2. WAR IN UKRAINE AND TEMPORARY PROTECTION FOR DISPLACED PERSONS

Following the Council's Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection, the Croatian Government adopted the Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine (hereinafter: Government's Decision) on 7 March 2022.¹

Temporary protection was introduced into the asylum legislation of the Republic of Croatia in 2003 as part of harmonization with the EU *acquis*, more precisely in the then Asylum Act², while the aforementioned Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (hereinafter: Temporary Protection Directive) was transposed into the legal order of the Republic of Croatia in December 2013³.

Pursuant to the Government's Decision, Croatia shall grant temporary protection to the citizens of Ukraine and members of their families:

- residing in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;

¹ Croatian Government: Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine, available at: <https://bit.ly/37yIO2c>

² Asylum Act (OG 103/03)

³ Act on Amendments to the Asylum Act (OG 143/13)

- stateless persons and third country nationals who were under international or equivalent national protection in Ukraine on 24 February 2022 and members of their families who were granted residence in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;
- third country nationals who had a valid permanent stay in Ukraine on 24 February 2022 in accordance with Ukrainian regulations and who cannot return to their country or region of origin in safe and permanent conditions and who left Ukraine since 24 February 2022.

As regards those who had fled Ukraine before 24 February 2022, temporary protection shall also be granted to the displaced citizens of Ukraine and members of their families who left Ukraine immediately before 24 February 2022 due to the security situation and cannot return to the country because of the armed conflict. According to the official statement of the Ministry of Interior (hereinafter: MoI)⁴ 'immediately before' is to be considered as starting from 1 January 2022. Therefore, the Government decided to apply the broad scope of temporary protection proposed by the Temporary Protection Directive.

Following decisions aimed at efficient and timely implementation of the obligations from the Temporary Protection Directive were adopted by the Government:

- Decision on the establishment of the Interdepartmental Working Group for the implementation of the activities of the reception and care of the refugee population from Ukraine from 28 February 2022,
- Decision on the procurement and use of goods and service of strategic goods stocks caused by war operations, reception and care of refugees from Ukraine from 28 February 2022,
- Decision on the introduction of temporary protection in the Republic of Croatia for displaced persons from Ukraine from 7 March 2022,
- Decision on financing costs for housing care for displaced persons from Ukraine in individual accommodation from 23 March 2022,
- Public call for the submission of offers by owners of housing units for housing care for displaced persons from Ukraine in individual accommodation from 22 April 2022.

Furthermore, the competent ministries and relevant services issued the following decisions, guidelines and instructions:

- Measures for protection against infectious diseases and content of the health examination of refugees from Ukraine by the Croatian Institute of Public Health dated 3 March 2022,
- note with instructions on providing health care to refugees from Ukraine sent by the Ministry of Health to contracted health institutions and contracted private practice offices and pharmacies on 1 March 2022, with additional note from 4

⁴ Information provided by the MoI on 10 November 2022

March 2022 and 14 March 2022, which extended rights of persons displaced from Ukraine,

- note on the inclusion of refugee children and students from Ukraine in the educational system of the Republic of Croatia to all primary and secondary schools in the Republic of Croatia sent by the Ministry of Science and Education (hereinafter: MSE) on 4 March 2022,
- the Decision of the MSE on conducting preparatory classes in the Croatian language was adopted on 1 April 2022,
- note of the MSE dated 16 March 2022 on the inclusion of children, displaced persons from Ukraine under temporary protection in the system of early and preschool upbringing and education of the Republic of Croatia sent to all kindergartens and kindergarten founders,
- note from the MSE dated 18 March 2022 on the obligation to inform the competent school doctor about the inclusion of students in schools,
- note from the MSE to elementary and secondary schools from 31 May 2022 on the procedures that precede the end of the 2021/2022 school year and the MSE's letter dated 15 June 2022 on enrolment of displaced persons from Ukraine in secondary school for the 2022/2023 school year.

At the legislative level, two ad hoc amending procedures were initiated and the following acts were adopted: the Act on Amendments to the Act on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia⁵ which entered into force in April 2022 and the Act on Amendments to the Act on Social Welfare which entered into force on the same day. With the aforementioned amendments, foreigners under temporary protection are guaranteed the right to health care to the same extent as a person insured in compulsory health insurance, at the expense of the State budget. Furthermore, they are entitled to receive all benefits and services from the social welfare system under the conditions prescribed by the Act on Social Welfare, the acts regulating protection against human trafficking and the AITP.

According to the data of the Mol⁶, 19.885 applications for temporary protection were submitted until 31 December 2022, while a total of 19.440 applications were approved.⁷ On the other hand, 28 applications were rejected and 25 were dismissed, while there were 401 suspensions.⁸ Furthermore, Mol adds that there were 371 applications in process on 31 December 2022. However, according to the Mol data the sum of

⁵ The Law on Amendments to the Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia (OG 80/13, 15/18, 26/21, 46/22)

⁶ Letter from the Mol dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁷ While in another part of the Mol's report another number of approved applications in 2022 was mentioned – 19,249

⁸ According to the Mol's data this includes persons who submitted an application, but subsequently withdrew it, whether they themselves requested regulation of residence based on the Aliens Act, or they went to another member state and they regulated residence; also persons who, after submitting an application did not report to the competent police station for delivery of the ID; or were not found at the address of residence that they indicated

approved, dismissed, denied, suspended applications and those still in process on 31 December does not correlate to the total number of submitted applications in 2022, as stated in the report.⁹ Furthermore, there were no cases of exclusion from temporary protection, nor cancelation of temporary protection due to the voluntary return to Ukraine.

Further numbers on persons granted with temporary protection were given in the same statistical data of the Mol – of the 19.249 persons who were granted temporary protection until 31 December 2022, 50,6 % (9.745) were women, 15,4 % (2.962) men and 34 % (6.542) minors¹⁰. In addition, 161 minors were not accompanied by an adult person, while 632 children were not accompanied by their parents. On the other hand, the Ministry of Labour, Pension System, Family and Social Policy (hereinafter: MLPFS) states that the total number of unaccompanied or separated children who came to Croatia without their parents or legal guardian in 2022 was 413.¹¹

As regard the Mol data on identity cards of an alien under temporary protection, altogether 22.279 identity cards were issued by Mol to 18,764 persons.¹² On 31 December 2022 18.548 identity cards were valid.

According to the Mol statistical data, overview of the number of persons under temporary protection in Croatia by category is as follows: 18.172 citizens of Ukraine, 741 citizens of Ukraine who left Ukraine before 24 February 2022, 211 family members of Ukrainian citizens, 42 family members of Ukrainian citizens who left Ukraine before 24 February 2022, 63 third-country nationals with permanent residence in Ukraine, 3 third-country nationals under international protection in Ukraine, 2 family members of a third-country national under international protection in Ukraine, 10 minor children, 4 others, 1 refugee (humanitarian reasons).

According to the Mol statistical data, on 31 December 2022 a total of 1.552 people were accommodated in collective accommodations. Furthermore, on 31 December 2022, 2.824 persons under temporary protection were accommodated in individual housing units in accordance with the public call for submission of offers by owners of housing units for the housing care of displaced persons from Ukraine in individual housing¹³.

⁹ The mentioned sum is 20.265, while Mol stated that the total number of submitted applications is 19,885

¹⁰ Here the Mol report states that 19.249 persons were granted with temporary protection, i.e. the number of approved applications is lower than the number mentioned earlier in the same report – 19.440.

¹¹ Letter from the MLPFS, dated 6 March 2023, received by the UNHCR on 29 March 2023, internal documentation of the CLC

¹² Altogether 3.731 identity cards were replaced or annulled, according to the Mol data

¹³ Public call for the submission of offers by owners of housing units for housing care for displaced persons from Ukraine in individual accommodation from 22 April 202 (OG 37/22), available at: https://narodne-novine.nn.hr/clanci/sluzbeni/2022_03_37_439.html.

As per the preschool and school education, MSE reported¹⁴ that in 2022 total of 154 children in 39 settlements are enrolled in pre-school institutions, 1,295 pupils in primary schools and 260 in secondary schools. All pupils participate in preparatory Croatian language classes lasting 70 hours, as well as supplementary Croatian language classes lasting an additional 70 hours in case of need. In addition, in 2022, 49 persons under temporary protection were enrolled in Croatian universities. Persons under temporary protection are not entitled to scholarships.

In order to successfully include children and students under temporary protection in the preschool and school system, MSE reported that they established a list of Ukrainian language teachers, as well as cooperation with relevant stakeholders. In addition, letters were sent to schools and kindergartens and county education offices, guidelines and manuals for working with refugee children were issued for teachers and professional associates, a student registration system via e-Matica was established, laptops were purchased and material and other conditions were provided for the successful inclusion of children in the education system, a system of national final exams was established for high school students outside of Ukraine for the purpose of entering universities.

Regarding the realization of rights from the social welfare system, the MLPFS reported¹⁵ that the Regional Offices of the Croatian Social Work Service recognized 6.001 one-off financial allowances, 154 guaranteed minimum allowances, 14 personal disability allowances, 9 assistance and care allowances. Furthermore, they reported that 31 persons with disabilities and 7 accompanying persons are accommodated in social welfare institutions.

In the procedures of family reunification, family members who wish to be reunited with a temporary protection beneficiaries must meet all the conditions prescribed by the Decision of the Government on the introduction of temporary protection.¹⁶ This means that, if a family member did not reside in Ukraine on 24 January 2022 or "immediately before" as interpreted by MoI, the person would not have a legal right to family reunification in accordance with the Act on International and Temporary Protection (hereinafter: AITP)¹⁷ or in accordance with the provisions of the Aliens Act.¹⁸

Pursuant to the Government's Decision a family member is considered to be: spouse/common-law partner, their minor children, regardless of whether they were born in a marriage or common-law union or were adopted, and other former relatives who lived in the same household at the time of occurrence of circumstances related to

¹⁴ Letter from the MSE dated 6 March 2023, received by the UNHCR on 27 March 2023, internal documentation of the CLC

¹⁵ Letter from the MLPFS dated 6 March 2023, received by the UNHCR on 29 March 2023, internal documentation of the CLC

¹⁶ https://hrvatskazaukrajinu.gov.hr/UserDocsImages/dokumenti/HR/odluke/022-03-22-04-77_3-07-03.pdf

¹⁷ Article 89 Act on International and Temporary Protection.

¹⁸ Article 63 (1) Aliens Act.

the displacement of persons from Ukraine, which at that time were completely or mainly dependent on these persons.¹⁹

The mentioned efforts of the Government enabled the establishment of an efficient and coordinated system of reception and care for persons displaced from Ukraine without significant difficulties in the implementation thereof.

3. DEVELOPMENTS IN ASYLUM LEGISLATION AND TRENDS IN PUBLIC POLICIES

3.1. Developments at the EU level

There were no significant activities at the EU legislative level related to asylum issues in 2022. Most of the agreements reached fall under the scope of non-binding acts and constitute preparation for the future development of asylum and migration system. In addition to that, in September 2022, European Parliament and five rotating Council Presidencies reached an agreement that they will „commit to work together to adopt the reform of the EU migration and asylum rules before the 2024 EU elections.“²⁰

However, the most significant event that marked the year 2022 in the area of migration is the activation of temporary protection. In March 2022, the EU and its Member States decided to activate for the first time the Temporary Protection Directive²¹. „This instrument has granted people fleeing the war in Ukraine temporary protection status on a group basis, along with a wide set of common EU rights. In an unprecedented move, temporary protection beneficiaries have been recognised the right to freely move or self-relocate and enjoy the protection associated with that status across Member States.“²²

Following the agreement to transform the European Asylum Support Office into the EU Agency for Asylum, the new mandate of the EU Agency for Asylum entered into force in January 2022.

As far as non-binding agreements are concerned, one of them was adopted in June 2022 at the informal meeting and under the auspices of the French Presidency of the Council of the EU²³, *i.e.* representatives of 18 EU Member States and 3 Schengen-

¹⁹ Information provided by the Mol on 20 December 2022

²⁰ <https://www.europarl.europa.eu/news/en/press-room/20220905IPR39714/migration-and-asylum-roadmap-on-way-forward-agreed>.

²¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12–23)

²² https://www.ceps.eu/wp-content/uploads/2022/10/CEPS-In-depth-analysis-2022-04_Voluntary-Solidarity.pdf.

²³ https://www.ceps.eu/wp-content/uploads/2022/10/CEPS-In-depth-analysis-2022-04_Voluntary-Solidarity.pdf.

associated States adopted the Declaration on a Voluntary Solidarity Mechanism. Intention behind the Declaration is to establish(ed) the set-up of the Voluntary Solidarity Mechanism (VSM) that aims to provide a concrete response to the migratory difficulties of the Mediterranean Member States through relocation of asylum seekers and refugees or through financial contributions.²⁴ In addition, the Commission has established a Solidarity Platform on the Voluntary Solidarity Mechanism which it chairs in cooperation with the Presidency of the Council in order to coordinate the implementation of the mechanism.²⁵ Following the adoption of the Declaration, Croatian Government adopted the Decision on relocation of citizens of third countries or stateless persons who meet the conditions for approval of international protection²⁶ and agreed to receive 60 persons.

Another agreement has been achieved in December 2022 between European Parliament and the Council²⁷ where the respective parties agreed on the draft text of the recast of the Directive 2013/33/EU laying down standards for the reception of applicants for international protection.²⁸ In order for the agreed draft to enter into force, it has to be endorsed by the Civil Liberties Committee and the plenary, as well as the Council. The aforementioned Directive seeks to ensure equivalent reception standards across EU member states when it comes to material conditions, including housing, health care and an adequate standard of living for applicants.²⁹ One of the most significant proposals concerns the reduction of the deadline for acquiring the right to work for applicants from 9 months to 6 months.

In January 2022, the European Ombudsman released a report and recommendations following an inquiry into Frontex's transparency obligations and fundamental rights safeguards under the Frontex Regulation in which she „identified several areas where Frontex could improve its practices, including by publishing summaries of its operational plans, and further training its fundamental rights monitors.“³⁰

A significant decision for the Republic of Croatia was made on 8 December 2022, when the EU Council adopted the Decision on the full application of the provisions of the Schengen *acquis* in the Republic of Croatia³¹ by which Croatia becomes a member state of the Schengen area starting from 1 January 2023. As a result, certain changes related to crossing the internal and external border, controls on persons at the internal

²⁴ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice_en.

²⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=COM:2022:740:FIN#footnote61>.

²⁶ Decision on relocation of citizens of third countries or stateless persons who meet the conditions for approval of international protection (OG 88/22)

²⁷ <https://www.europarl.europa.eu/news/en/press-room/20221214IPR64716/asylum-deal-on-reception-conditions-for-applicants-to-international-protection>

²⁸ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013)

²⁹ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013)

³⁰ <https://www.ombudsman.europa.eu/en/news-document/en/151372>.

³¹ Council Decision on the full application of the provisions of the Schengen *acquis* in the Republic of Croatia (OJ L 320, 14.12.2022, p. 41–46)

land and sea borders with Croatia are abolished, while the provisions of the Schengen acquis from the Annex to Council Decision (EU) 2022/2451 are applied to Croatia in its relations with other member countries.³²

3.2. Legislation and policies in Croatia

The most significant novelty which directly affects the asylum in 2022 was procedure for amending the AITP³³. Thus, in July 2022, the Proposal of the Act on Amendments to the Act on International and Temporary Protection (hereinafter: amendments to the AITP) was submitted to the Croatian Parliament by the Government. On 22 November 2022, a parliamentary debate was opened, while on 29 November a conclusion was reached on the acceptance of the draft of the AITP. Preparations continued until the end of the year for the final proposal of the AITP, which eventually entered into force on 1 April 2023.³⁴

The proposed amendments to the AITP were as follows:

- more precise definition of the existing reasons for movement restriction and the obligation to act without delay if a court decision proves that the mentioned restriction is illegal,
- possibility of competent authorities to search the applicants for international protection and their belongings,
- obligation of applicants to cooperate with the competent authorities in order to establish their identity and other elements necessary for the processing of the application
- the scope of work related to the recording of the expressed intention for submission of application for international protection and the registration of applicants has been precisely defined by the amendments to the AITP in order to avoid conflict of competences between the Reception Service and the border police, police stations/administrations,
- possibility of submitting application in written form for applicants with certain health problems,
- possibility of carrying out certain actions in the procedure by means of audio-visual devices,
- comprehensive regulation of the temporary accommodation for persons already granted with international protection in reception centres which are primarily intended for accommodation of applicants
- inclusion of applicants for international protection in the labour market, *i.e.* obtaining the right to work, after a period of 6 months (in opposition to 9 months

³² <https://mup.gov.hr/schengen-faq/290115>

³³ Act on International and Temporary Protection (OG 70/15, 127/17, 33/23); details on the accepted amendments will be covered in the report for 2023

³⁴ Details on the accepted amendments will be covered in the report for 2023

as prescribed by the AITP) from the date of submission of the application, in case the application has not been decided within that period.³⁵

- strengthened role of the special guardian in the care of unaccompanied minors, especially in relation to finding family members and reuniting the child with the family,
- housing units owned by the Republic of Croatia could be assigned to the management of local and regional self-government units in order to encourage and strengthen the role of the local community in the long-term integration of persons under international protection,
- persons who have already been granted international protection, in addition to the current maximum of 2 years of the right to accommodation in a housing unit owned by the Republic of Croatia³⁶, have the possibility to use this accommodation for additional 2 years at the proposal of the competent centre for social welfare, and with the consent of the Central State Office for Reconstruction and Housing
- more detailed regulation of jurisdiction for deciding on the application for the issuance of travel documents for applicants for international protection, as well as the applicant's right to a legal remedy against the decision of the police department/police station when the application for the issuance of a travel document is rejected,
- obligation to seek the consent of the MoI before issuing travel documents for applicants for international protection and foreigners under subsidiary protection,
- regulation of the terms and method of reporting the loss, disappearance or theft of residence permits for applicants for international protection and foreigners under subsidiary protection, as well as their travel documents due to the inexistence of such provisions,
- more detailed provisions on the rights and obligations of persons under temporary protection and adjustments to the acts regulating social welfare system and mandatory health insurance.

The year 2022 was marked by two amendments to the Aliens Act in urgent procedure. The first amendment was voted in September³⁷ for the purpose of harmonizing the aforementioned Act with Croatia's entry into the Eurozone, and the second amendment was voted in December 2022³⁸ and refers to the establishment of legal prerequisites for the application of the Schengen *acquis* in Croatia. Latter amendment to the Aliens Act stipulate that the national contact point for informing the competent EU authorities

³⁵ During second reading of the amendments to the AITP, conducted in 2023, new amendment was proposed and eventually accepted – obtaining the right to work after a period of 3 months from the date of submission of the application. Details on the accepted amendment will be covered in the report for 2023

³⁶ Provided that they do not have financial resources or property with which they can provide support - Art. 67 of the AITP

³⁷ Act on Amendments to the Aliens Act (OG 114/22)

³⁸ Act on Amendments to the Aliens Act (OG 151/22)

of the obligations stipulated in the European Regulations on the establishment of the European Travel Information System and Travel Authorizations (ETIAS) and on the establishment of the Entry/Exit System (EES) for data registration on entry and exit, and data on refusal of entry for third-country nationals crossing the external borders of member states is the Mol. It also prescribes the collection and storage of biometric data for third-country nationals when applying for a visa, and more specifically prescribes the obligation for carriers to check whether passengers – third-country nationals have a valid travel authorization (through ETIAS system).

In June 2022, the new Act on Recognition and Evaluation of Foreign Educational Qualifications³⁹ entered into force, which introduced the possibility of evaluating foreign educational qualifications for the purpose of continuing education at the same or higher level of education and for the purpose of accessing the labour market for beneficiaries of international protection and the family members of an international protection beneficiary legally residing in the Republic of Croatia, who are unable to provide documentation proving a foreign educational qualification or period of education.

In July 2022, Government adopted the Decision on relocation of citizens of third countries or stateless persons who meet the conditions for approval of international protection⁴⁰, by which it undertook, based on the Declaration on the Voluntary Solidarity Mechanism, to participate in the relocation of 60 third-country nationals or stateless persons who meet the conditions for granting international protection from Greece, Cyprus, Italy, Malta and Spain. In the Declaration on the Voluntary Solidarity Mechanism, a period of one year with the possibility of extension is indicated as the time provided for the relocation of the mentioned persons.

In January 2022, the Ordinance on the stay in the reception centre for foreigners and the method of calculating the costs of forced removal⁴¹ entered into force. The most significant amendments were deletion of the provision by which the head of the Reception Centre for Foreigners is allowed to temporarily disable religious ceremonies in the event of a threat to safety, order and peace and extension of one free private telephone call from three minutes to five minutes. Other amendments to the aforementioned Ordinance were made due to the entry of the Republic of Croatia into the Eurozone.⁴²

In January 2022, the Croatian Parliament passed a new Social Welfare Act⁴³, which introduces structural and qualitative changes in social welfare centres through the establishment of the Croatian Social Work Service. Only few months later, in April

³⁹ Act on Recognition and Evaluation of Foreign Educational Qualifications (OG 69/22)

⁴⁰ Decision on relocation of citizens of third countries or stateless persons who meet the conditions for approval of international protection (OG 88/22)

⁴¹ Ordinance on the stay in the reception centre for foreigners and the method of calculating the costs of forced removal (OG 145/21), entered into force on 6 January 2023

⁴² Ordinance on the stay in the reception centre for foreigners and the method of calculating the costs of forced removal (OG 155/22), entered into force on 1 January 2023

⁴³ Social Welfare Act (OG 18/22), mentioned structural and qualitative changes, entered into force on 1 January 2023

2022, amendments to the Act on Social Welfare⁴⁴ were adopted, by which foreigners under temporary protection and members of their families are entitled to receive all benefits and services from the social welfare system under the conditions prescribed by the same Act. Moreover, in October 2022, other amendments to the Act on Social Welfare were adopted for the purpose of Croatia's entry into the Eurozone and the transitional regime related to the recognition of the right to the status of a parent or carer and the right to compensation for personal needs for those beneficiaries who were beneficiaries of these rights on the date of entry into force of the Act on Social Welfare (February 2022), including refugees.

Although in February 2022 the Mol stated⁴⁵ that the draft Migration strategy of the Republic of Croatia "will present an overview of measures adapted to the profile and needs of several target groups of desired immigrants, which include foreign students, researchers, people immigrating for the purpose of work, Croatian emigrants and their descendants" and that after coordination between the Mol and other competent departments, the document will be sent to a further procedure, the deadline by which the final adoption of the migration strategy can be expected was not specified, nor the strategy was adopted during 2022. The government adopted at its session on 16 December 2022 a decision on establishment of the intersectoral working group for drafting the immigration policy of the Republic of Croatia.⁴⁶

4. INSTITUTIONAL CAPACITIES

The internal structure of the Mol, as the main state administrative body for the implementation of asylum policy in Croatia, did not change during 2022, and the organizational structure remained the same when it comes to the part pertaining to the implementation of activities relating to the asylum system. Although the structure remained the same, a series of reorganizational changes was initiated as preparation for the entrance into the Schengen area, especially regarding the protection of the state border, the abolition of internal borders, and additional strengthening of the protection of external borders and the introduction of a system of compensatory measures.⁴⁷

According to the data from the Mol in 2022 record number of applicants for international protection was registered in Croatia, which required great efforts in adapting the reception and accommodation conditions. The Service for Reception and Accommodation, together with their partners, the Croatian Red Cross (hereinafter:

⁴⁴ The Act on Amendments to the Law on Social Welfare (OG 46/22)

⁴⁵ <https://n1.info.hr/vijesti/nova-migracijska-politika-zna-se-koje-su-pozeljne-skupine-useljjenika/>.

⁴⁶ <https://vlada.gov.hr/sjednice/178-sjednica-vlade-republike-hrvatske-37523/37523>

⁴⁷ The Government adopted the proposal on amendments to the Regulation on the internal organization of the Mol (OG 149/22), at the 178th plenary sitting on 16 December, 2022

CRC) and Medecins du Monde (hereinafter: Mdm), as well as other educational and health institutions, made great efforts in relation to the adaptation to the new situation.⁴⁸

In 2022, the implementation of the project “Renovation of the Reception Centre for International Protection Seekers in Kutina” which total worth was 1.251.000,00 EUR co-financed from the AMIF fund by 90%, was finished. The aim of the project was to improve reception and accommodation conditions, and one of the results was that accommodation capacity has been increased.⁴⁹ The capacity of Kutina center was increased from 100 to 140.

At the session held in January 2022, the Government passed the Decision on the Establishment of the Interdepartmental Committee for the Protection of Unaccompanied Children⁵⁰ with the aim of improving the interdepartmental cooperation of competent authorities and other stakeholders involved in the protection of unaccompanied children and separated children. The above-mentioned Committee is in charge of discussing the current state of unaccompanied children in Croatia and making recommendations on the improvement of cooperation and the protection of unaccompanied children.

When it comes to capacity buildings, within the Service for International Protection, the employees attended two national workshops organized under the curriculum of European Agency for Asylum (EUAA). Furthermore, 13 employees of the Service for Reception and Accommodation attended various workshops in the field of reception and accommodation with special emphasis on the vulnerable groups in need of special reception/procedural guarantees (e.g. unaccompanied children, GBV survivors). Workshops were organized by EUAA, UNHCR, Council of Europe, UNICEF, CRC, Frontex, Judicial Academy and State school for public administration.⁵¹

5. ASYLUM IN PRACTICE: ACCESS TO THE ASYLUM SYSTEM AND THE ESTABLISHMENT OF THE STATUS

5.1. Access to the territory and the asylum system

The year 2022 was marked by a significant increase in the number of irregular arrivals, and according to the data from the MoI official report, 50.624 of them were recorded in Croatia.⁵² Although, according to the Ombudsman's report, the number of complaints

⁴⁸ Letter from the MoI dated 21 February, received by the UNHCR on 1 March, 2023, internal documentation of the CLC

⁴⁹ Letter from the MoI dated 21 February, received by the UNHCR on 1 March, 2023, internal documentation of the CLC

⁵⁰ Decision on the establishment of the Interdepartmental Commission for the Protection of Unaccompanied Children (OG 3/22)

⁵¹ Letter from the MoI dated 21 February, received by the UNHCR on 1 March, 2023, internal documentation of the CLC

⁵² Report of the MoI Statistical overview of basic safety indicators and work results in 2022, available at: <https://mup.gov.hr/pristup-informacijama-16/statistika-228/statistika-mup-a-i-bilteni-o-sigurnosti-cestovnog-prometa/283233>

in relation to pushbacks has decreased,⁵³ various civil society organizations that monitor access to the asylum system continue to testify to pushback practices.

According to the Border Monitoring Factsheets published on a monthly basis by the Danish Refugee Council, the total of 3.461 persons reported being pushed back from Croatia to Bosnia and Herzegovina in 2022.⁵⁴ Thus, in 2022, the increase in the issuance of the so-called 7 day-papers, i.e. decisions for voluntary departure from the European Economic area as a measure to ensure return, was noted.⁵⁵ In its annual report, Ombudsman itself pointed out the problematic nature of the aforementioned practice, considering that a large number of migrants do not have personal/travel documents and, as a rule, cannot obtain them due to the absence of diplomatic consular missions.⁵⁶ Moreover, according to the data from the Ombudsman's report for 2022, the MoI issued 30,595 voluntary return decisions in 2022.⁵⁷ Centre for Peace Studies pointed in their report that the issuance of such decisions leads to persons staying in inhumane conditions, because persons often spend the night in public areas, in unsecured buildings damaged by the earthquake without adequate humanitarian aid and institutional support.⁵⁸

In November 2022, a new Cooperation Agreement was signed, by which the work of the Independent Monitoring Mechanism is continued, between the MoI and civil society organizations, with the purpose of monitoring the work of MoI officials in the field of border protection, irregular migration and international protection.⁵⁹ The following organizations are included in the Mechanism: the Croatian Academy of Medical Sciences, the Croatian Academy of Legal Sciences, the Centre for the Culture of Dialogue, the CRC and one independent expert. Special emphasis is placed on respecting the principle of prohibition of forced removal or return, prohibition of collective expulsion, prohibition of torture or other forms of ill-treatment. The annual report published in July 2022, concludes that "based on observations, irregularities regarding the right to seek asylum and access to the asylum procedure were not

⁵³ Report of the Ombudsman for 2022, published on 3 March, 2023, page 200, available at: <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravoraniteljice-za-2022-godinu/?wpdmdl=15489&refresh=642a802fb93881680506927>

⁵⁴ DRC Border Monitoring Factsheets; available at: <https://pro.drc.ngo/resources/documents/border-monitoring-factsheet/>

⁵⁵ Jutarnji list, published on 28 September, 2022, available at: <https://www.jutarnji.hr/vijesti/zagreb/policija-otkrila-detanje-o-migrantima-na-tomislavcu-protjerali-smo-ih-ovog-ljeta-preko-2000-samo-ih-10-posto-ostane-15254209>

⁵⁶ Report of the Ombudsman for 2022, published on 3 March, 2023, page 201, available at: <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravoraniteljice-za-2022-godinu/?wpdmdl=15489&refresh=642a802fb93881680506927>

⁵⁷ Report of the Ombudsman for 2022, published on 3 March, 2023, page 201, available at: <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravoraniteljice-za-2022-godinu/?wpdmdl=15489&refresh=642a802fb93881680506927>

⁵⁸ CPS, report „Systematic human Right Violations at Croatian Border, published in 2022, page 17, available at: https://www.cms.hr/system/publication/pdf/182/CommonReport_2022.pdf

⁵⁹ MoI official web page, published on 4 November, 2023 <https://mup.gov.hr/vijesti/potpisan-sporazum-o-suradnji-radi-provedbe-nezavisnog-mehanizma-nadzora-zastite-temeljnih-ljudskih-prava-u-postupanju-policijskih-sluzbenika-ministarstva-unutarnjih-poslova-u-podrucju-zastite-granica-nezakonitih-migracija-i-medjunarodne-zastite/289002>

established in border police stations” but noted that police officers in isolated cases conducted illicit deterrence in mine-suspected areas. The report made a number of recommendations to improve the identification of applicants for international protection at the border and enhance training for border guards..⁶⁰ The report lists the implemented activities and findings of the Mechanism's supervision related to the area of irregular migration and international protection, as well as irregularities in the work of police officers and examples of good practice, but also the difficulties encountered by irregular migrants themselves.

On 4 April, 2022, a committee of five judges of the Grand Chamber of the European Court of Human Rights rejected the request of Croatia that the case M.H v. Croatia is submitted to the Great Chamber.⁶¹ This made the judgment from 18 November, 2021 final, and the Office of the Representative of the Republic of Croatia before the European Court of Human Rights began to prepare an Action Plan in relation to its execution.

Following the example of the city of Rijeka, which was the first local community to organize humanitarian support for refugees and migrants, on November 22, the City of Zagreb did the same - by opening a humanitarian station for migrants, in the centre of the City. The entire process was coordinated in cooperation with the MoI. The humanitarian station serves as a short-term refreshment station and offers a hot meal, hygiene, a heated tent and showers every day from 8 a.m. to 8 p.m.⁶²

In July 2022, the Rohingya refugee child U.F. reported Croatia and Slovenia for violations of the articles of the Convention on the Rights of the Child to the UN Committee on the Rights of the Child in relation to forced expulsion by the border police, ill-treatment, failure of the state to determine his age or apply any of the relevant guarantees prescribed by the provisions of the Convention on the Rights of the Child. U.F. alleged having been illegally expelled several times and that his expressed intention to seek international protection was not taken into account. The illegal deportation included a chain deportation from Slovenia through Croatia to Bosnia. According to his statements, the Croatian border police used force, burned his possessions and took away his shoes before the pushback. The applicant is represented by ECCHR partner lawyer.⁶³

⁶⁰ Annual report of the Independent Mechanism Oversight for the period from June 2021 to June 2022, published in July 2022 https://www.hck.hr/UserDocImages/dokumenti/Dokumenti%20uz%20vijesti/Mehanizam/Godisnje%20izvjesce%20Nezavisnog%20mehanizma%20nadzora_1%20srpnja%202022a.pdf?vel=5786027

⁶¹ Office of the Representative of Croatia before the ECHR, official website, published on 5 April <https://uredzastupnika.gov.hr/vijesti/europski-sud-odbio-je-zahtjev-za-preispitivanje-presude-m-h-protiv-hrvatske/808>

⁶² Jutarnji list, published on 19 November, 2022, available at: <https://www.jutarnji.hr/vijesti/hrvatska/u-zagrebu-postavljeni-satori-za-migrante-imat-ce-kontejnere-s-tusevima-i-toaletom-sve-ih-je-vise-15277617>

⁶³ ECCHR official webpage, published 21 November, 2022: <https://www.ecchr.eu/en/event/challenging-child-pushbacks-from-croatia-and-slovenia-panel-discussion-on-widespread-rights-violations-against-minors-along-the-balkan-route/>

5.2. Expressions of intention and applications for international protection

According to the Mol⁶⁴, in 2022, 12.872 persons expressed their intention to apply for international protection (7.660 males and 5.212 females).⁶⁵ This is an exceptional increase comparing to the 2021 when 3.039 people expressed such intention.⁶⁶ The largest number of people who expressed their intention were nationals of Iraq (2.434 or 19%), Russia (2.064 or 16%), Burundi (2.051 or 16 %), Turkey (1.572 or 12 %), Afghanistan (1.390 or 11%), Cuba (1.065 or 8%) and Syria (628 or 15%).

The largest number of intentions was expressed at border police stations (10.087 or 76%), followed by police stations (2.318 or 18%), the Reception Centre for Foreigners (138 or 1%), Pleso Airport police station (137 or 1%), police administrations (112 or 0,80%), Transit Reception Centre Tovarnik (50 or 0,38%) and Transit Reception Centre Trilj (30 or 0,23 %).¹

5.3. The Dublin procedure

According to data from the Mol,⁶⁷ in 2022, Croatia received 11.931 incoming requests according to the following categories: 8.636 request (72%) for reacceptance (take back), 1.882 requests (16%) for the acceptance of responsibility (take charge), 618 requests (5%) for information, 743 requests (6%) for the reconsideration of requests for reacceptance and 51 requests (0,4%) for reconsideration of requests for the acceptance of responsibility. The most incoming requests came from Germany (5.054 or 42%), Slovenia (2.687 or 23%), Switzerland (1.212 or 10%), France (1.121 or 9%) and Belgium (1.100 or 9%).

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).⁶⁸ In 2022, a total of 167 people were transferred to Croatia under the Dublin Regulation.

As for outgoing requests, in 2022, Croatia submitted 2.272 outgoing requests under the Dublin Regulation in the following categories: 1.718 requests (76%) for

⁶⁴ Letter from the Mol dated 21 February, 2022, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁶⁵ RC Mol: Statistical indicators for applicants for international protection in 2022, available at: <https://mup.gov.hr/UserDocsImages/OTVORENI%20PODACI/Tra%C5%BEitelji%20me%C4%91unardne%20za%C5%A1tite/web%20statistike%202022%20Q4%20TMZ.pdf>

⁶⁶ RC Mol, Statistical indicators for applicants for international protection in 2022, available at: https://mup.gov.hr/UserDocsImages/statistika/2021/Medjunarodna_zastita/Statisticki-pokazatelji-trazitelja-medjunarodne-zastite-do-31-12-2021.pdf

⁶⁷ Letter from the Mol dated 21 February 2022, received by the UNHCR on 1 March 2022, internal documentation of the CLC

⁶⁸ 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

reacceptance (take back), 241 requests (11%) for the acceptance of responsibility (take charge), 254 requests (11%) for information, 36 requests (2%) for the reconsideration of applications for reacceptance and 23 requests (1%) for reconsideration of requests for the acceptance of responsibility. Croatia sent the most outgoing requests to Greece (1.654 or 73%), Bulgaria (188 or 8%), Germany (164 or 7%) and Hungary (36 or 2%). Croatia returned one person under the Dublin Regulation in 2022. The most common criterion for outgoing requests was Art. 18, para. 1, item b) of the Dublin Regulation.

According to data from EMN bulletin No. 39, in April 2022, the Administrative Jurisdiction Division of the Council of State ruled that Netherlands Immigration and Naturalization Service is obliged to conduct research in relation to applicants for international protection who are returned to Croatia on the basis of the Dublin III Regulation, due to the numerous reports about pushbacks on the territory of the Republic of Croatia, which also include applicants who were transferred to the territory of the Republic of Croatia from another EU member state. In May 2022, the Minister for Migration announced that no Dublin transfers to Croatia will be carried out, until the final investigation and research is concluded.⁶⁹

5.4. Restriction of freedom of movement

According to the MoI⁷⁰, in 2022 Service for Reception and Accommodation Reception Centre for Applicants for International Protection issued 85 decisions on restriction of the freedom of movement, among which movement was restricted by detention in Reception Centre for foreigners in Ježevo (45 applicants), Transit Reception Centre for Foreigners Trilj (32 applicants) and in Transit Reception Centre for Foreigners Tovarnik (4 applicants).

Regarding the gender structure of mentioned applicants, in Reception Centre for Foreigners Ježevo there were 89 % of male and 11% of female. According to the age structure, 75% were in the age group 18-34 and 25% in the age group 35-64. In Transit Reception Centre for Foreigners Trilj there were all male applicants, 66% in the age group 18-34 and 34% in the age group 35-64. In Transit Reception Centre Tovarnik there were also all male applicants, 50% in the age group 18-34 and 50% in the age group 35-64.

The average duration of the restrictions on the freedom of movement at the Reception Centre for Foreigners Ježevo was 2 months, while in Transit Reception Centre for Foreigners Trilj and Tovarnik 3 months.

Regarding the legal basis for detention in the Reception Centre for Foreigners Ježevo, for 32 applicants, the freedom of movement was restricted on the basis of Art. 54, para. 2, item 4 (prevention of abuse of procedure), and for 13 on the basis of Art. 54, para.

⁶⁹ EMN bilten https://emn.gov.hr/UserDocsImages/EMN_bilten/39th_Quarterly.pdf

⁷⁰ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

2, item 3 of the AITP (protection of the national security or public order of the Republic of Croatia). For all applicants in Transit Reception Centre Trilj and Transit Reception Centre Tovarnik the freedom of movement was restricted on the basis of Art. 54, para. 2, item 4.

During 2022, in 4 cases freedom of movement was restricted by applying alternatives to detention on the basis of Art. 54, para. 5, item 1 (measure of banning movement outside the Reception Centre for Applicants for International Protection – hereinafter: RCAIP). For 7 applicants the decision on the restriction of freedom were issued by police administrations or stations after expressing intention to seek international protection. All of them were accommodated in Reception Centre for Foreigners in Ježevo.

According to the MoI,⁷¹ in 2022 there were no child applicants (accompanied or unaccompanied) in detention.

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 2022, Administrative Court in Zagreb adopted 40 decisions in proceedings to restrict the freedom of movement. Out of which 27 cases were rejected (persons remain detained), 10 adopted (persons were released from detention), 1 adopted and referred back to MoI procedure while two cases were transferred to another court. The average duration of these procedures was 38 days.⁷²

In 4 cases, High Administrative Court decided on appeals against decisions of administrative courts in the procedure of restriction of movement by accommodation in Reception Centre for Foreigners or Transit Reception Centre for foreigners. In all cases, the appeals were rejected.⁷³

In 2022, there were no administrative disputes before other administrative courts, in cases of restriction of freedom of movement of applicants and foreigners in Dublin transfer.

According to the information of the Administrative Court in Zagreb, 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 alternatives to detention were considered⁷⁴

During 2022, CRC, continued to provide psychosocial support and made a leaflet on the topic of mental health and psychosocial support for persons whose freedom of

⁷¹ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁷² Information received from the Administrative Court in Zagreb on 7 February 2023, internal documentation of the CLC

⁷³ Information received from the High Administrative court in Zagreb on 13 January 2023, internal documentation of the CLC

⁷⁴ Information received from the Administrative Court in Zagreb on 7 February 2023, internal documentation of the CLC

movement was restricted by accommodating them in the reception centres for foreigners. For the employees of reception centres for foreigners CRC held a training, on the topics of the entry of the Republic of Croatia into the Schengen area and the changes that come with it, on international humanitarian law, international human rights law, communication with the migrant population, health-epidemiological difficulties in the migrant population and urgent first aid procedures with an emphasis on potential situations in detention⁷⁵.

5.5. Status determination procedure

In 2022, The Mol granted 21 persons with refugee status.⁷⁶ Except for those who were stateless, they were nationals of Afghanistan, Eritrea, Iran, Pakistan, Nigeria and Syria. International protection was revoked from one person.⁷⁷

According to the Art. 15, para. 1. of AITP appropriate support shall be provided for applicants in relation to their personal circumstances, amongst other things their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorder, or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence, through special procedure guaranties. However, the Mol does not keep statistics regarding special procedure guaranties nor statistics regarding duration of the procedure.⁷⁸

In 2022, a total of 14 applicants for international protection were registered whose applications were processed in an accelerated procedure (nationals of Morocco, Albania, Kosovo, Serbia and Turkey – 1). In 13 cases Mol rejected them as clearly unfounded, in the accordance with the Art. 38, para. 1, item 5 AITP.

The cases in which the Mol dismissed the applications on the grounds of inadmissibility are as follows: for one applicant, the decision was made on the basis of Art. 41, para. 2 of the GAPAA (lack of legal preconditions to initiate the proceeding), for 35 applicants on the basis of Art. 43, para. 1, item 1 of the AITP (granted international protection in another EEA Member State), for 29 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), and for 10 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, i.e. that the subsequent application is not comprehensible or does not contain the relevant facts and evidence which arose after the finality of the decision or which the applicant for justified reasons did not

⁷⁵ Information received from CRC on 18 January 2023, internal documentation of the CLC

⁷⁶ RC Mol: Statistical indicators for applicants for international protection in 2022, available at: <https://mup.gov.hr/UserDocsImages/OTVORENI%20PODACI/Tra%C5%BEitelj%20me%C4%91unardne%20za%C5%A1tite/web%20statistike%202022%20Q4%20TMZ.pdf>

⁷⁷ Letter from the Mol dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁷⁸ Letter from the Mol dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

present during the previous procedure relating to establishing the meeting of the conditions for approval of international protection

The application for international protection was rejected in 82 cases (63 males and 19 females). They were nationals of Turkey (29), Iran (9), Russia (8), Cuba (7), Morocco (7), India (5) and other (17).

As mentioned before, in 2022 there were 12.872 applicants who expressed their intention to seek international protection, while 2.727 of them submitted application for international protection from which we can conclude that while not all 10.145 may have left (as some may have submitted application in 2023), the data underlines the pressure on the asylum system in Croatia.

Regarding the decisions of administrative courts in administrative disputes in first instance appeal against the decision of the MoI in procedures for the approval of international protection⁷⁹ (tuzba), the majority of disputes were initiated before the Administrative Court in Zagreb⁸⁰, which received a total of 35 appeals in the process of granting international protection, which is a significant drop compared to 2020 and 2021.⁸¹ The majority of appeals were rejected (29), in four adopted and referred back, in one case the procedure was suspended and one case was transferred to another court. The average duration of the administrative disputes in these cases was 181 days.

An administrative dispute was initiated before the Administrative Court in Split⁸², in which lawsuit was rejected. Duration of the mentioned dispute was 5 months and 13 days. Administrative Court in Rijeka⁸³ received one administrative dispute which was transferred to another court. There was no administrative dispute initiated before Administrative Court in Osijek.

In 2022, the High Administrative Court⁸⁴ decided on second instance appeals against decisions of administrative courts in the procedures for approval international protection in 19 cases, with 15 cases rejected, 3 cases adopted and 1 case suspended (rate of recognition of IP is 15%).

⁷⁹ The proper term for "žalba" and "tužba" is appeal. "Žalba" is the first instance appeal to higher administrative body (for example Ministry) and "tužba" is a second instance appeal to judicial body (Court). In asylum cases, "tužba" is commonly the first instance appeal.

⁸⁰ Information received from the Administrative Court in Zagreb on 7 February 2023, internal documentation of the CLC

⁸¹ In 2020, the Administrative Court in Zagreb received 123 cases in the procedure for the approval of international protection and in 2021 54 cases

⁸² Information received from the Administrative Court in Split on 30 January 2023, internal documentation of the CLC

⁸³ Information received from the Administrative Court in Rijeka on 31 January 2023, internal documentation of the CLC

⁸⁴ Information received from the High Administrative Court on 13 January 2023, internal documentation of the CLC

6. ASYLUM IN PRACTICE: ASYLEES, FOREIGNERS UNDER SUBSIDIARY PROTECTION AND UNACCOMPANIED ASYLUM SEEKING CHILDREN

6.1. *The rights and obligations of applicants and beneficiaries of international protection*

When talking about exercising the rights and fulfilling the obligations of applicants for international protection as well as the beneficiaries with granted status, MoI as a competent body continued its cooperation with a number of other organizations and institutions active in the field of asylum and migration systems (see more in the chapter 7 of this Report).

The year 2022 was the most challenging year regarding the reception and accommodation of applicants for international protection due to the two reasons, the first is a record number of expressed intentions, and the second is the protection of public health due to the COVID-19 pandemic. The practice of placing all newcomers in the Reception Centre in self-isolation, in accordance with health recommendations, continued until May 2022. According to MoI data, in 2022 1,403 applicants for international protection went through self-isolation, 199 people were tested, and the total number of COVID-19 positive people was 48. Furthermore, all interested applicants were given the opportunity to be vaccinated, and in 2022 a total of 125 people were vaccinated.⁸⁵

In 2020, MoI restricted access to the Reception Centres for asylum seekers in Zagreb and Kutina for all persons who are not deemed essential for its functioning due to the COVID-19 pandemic.⁸⁶ Although the measures related to the pandemic have been eased, civil society organizations are still prevented from accessing the Reception Centres, and based on their project with the MoI, only the CRC and MdM have access to the Reception centres.

As mentioned previously, in 2022, project „Renovation of the Reception Center for international protection seekers in Kutina“, co-financed to the extent of 90% from the AMIF fund, has been completed.⁸⁷ Besides that, within the framework of the AMIF fund, three more projects are being implemented, the purpose of which is to improve the acceptance and accommodation conditions for the applicants for international protection.⁸⁸

In relation to persons with special needs who were accommodated outside Reception centres, in 2022 there were two adult applicants for international protection who were

⁸⁵ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁸⁶ MoI official web page: <https://mup.gov.hr/vijesti/trazitelji-medjunarodne-zastite-u-rh-nisu-zarazeni-koronavirusom/286104>

⁸⁷ MoI official web page: <https://eufondovi.mup.hr/vijesti/uspjesno-završena-provedba-projekta-uredjenje-prihvatilista-za-trazitelje-medjunarodne-zastite-u-kutini/570>

⁸⁸ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

in bad health and therefore provided accommodation in special social welfare institutions.

As for applicants for international protection who requested confirmation for the purpose of employment during 2022, a total of four applicants submitted their employment contracts to the Service for Reception and Accommodation on their own initiative.⁸⁹

In 2022, the total number of persons who submitted an application for international protection was 2.727, while identity cards of applicants for international protection were issued to 2.520 persons.⁹⁰

On the other hand, in 2022, residence permits were issued to a total of 211 persons who has been granted with international protection status, of which 183 asylees⁹¹ and 28 persons under subsidiary protection.⁹² Furthermore, in the process of naturalization, in 2022 two persons granted with subsidiary protection were granted Croatian citizenship.⁹³

In the reporting year, a total of 64 requests for family reunification with beneficiaries of international protection were submitted, and in 2022, 21 requests were in the process, while 43 requests were approved. The largest number of requests were submitted by nationals of Syria, Iraq and Iran.⁹⁴

According to the data of the MLPFS, in 2022 a total of 18 persons under international protection has been granted with a minimum guaranteed allowance, one person has been granted with disability allowance and one person was granted a allowance for assistance and care. One person has been granted with status of a parent-caregiver and in the reporting period there were 85 proceedings in which the right to a one-time

⁸⁹ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁹⁰ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁹¹ An asylee means a refugee within the meaning of the 1951 Convention relating to the status of refugees (International and Temporary Protection Act, Art. 4(6)). According to the The 1951 Refugee Convention, Article 1, the term refugee is related to the person: *who is outside the country of his citizenship due to events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.*

⁹² Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁹³ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

⁹⁴ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

financial compensation was approved.⁹⁵ Furthermore, in 2022, four decisions on the right to housing were adopted according to the provisions of the AITP.⁹⁶

Regarding data related to education, during 2022 the MSE organized 23 courses of Croatian language, history and culture learning for asylees and foreigners under subsidiary protection with the aim of their inclusion in Croatian society.⁹⁷ Furthermore, in the same period documentation (diplomas and certificates) were translated for 15 asylees and foreigners under subsidiary protection. In 2022, 5 persons under international protection enrolled at the following universities: Faculty of Law, Faculty of Political Sciences, Faculty of Mining and Geology, Faculty of Architecture and Faculty of Civil Engineering, while only one refugee student is the beneficiary of a stipend.⁹⁸

According to the data received from Croatian Employment Service (CES) on the day 31 December, in unemployment register there were 55 asylees, 5 persons under subsidiary protection, 5 family members of persons under international protection and two applicants for international protection.⁹⁹ In 2022, 165 consultations were conducted with the aim of employment or revising the professional plan for 157 direct beneficiaries (asylees, persons under subsidiary protection and asylum seekers) and for 8 indirect beneficiaries (family member of direct beneficiaries). Two unemployed asylees and one person under subsidiary protection were included in the active policy measures of employment and faster integration into the labor market in 2022.¹⁰⁰

6.2. Protection of children in the asylum system

According to the data of the MoI¹⁰¹, in 2022, 4.733 children expressed intention to seek international protection, among them a total of 436 unaccompanied children, of which 337 were boys and 99 were girls. According to the Ombudswoman for children, they were accommodated in RCAIP (329) and child care institutions (109).¹⁰²

According to the information provided from the MoI Border Directorate¹⁰³, in Reception Centre for Foreigners in Zagreb 5 separated children were accommodated – nationals of Turkey, China and Iraq.. In Transit Reception Centre for Foreigners Tovarnik 2

⁹⁵ Letter from the MLPFS dated 6 March 2023, received by the UNHCR on 29 March 2023, internal documentation of the CLC

⁹⁶ Letter from the MLPFS dated 6 March 2023, received by the UNHCR on 29 March 2023, internal documentation of the CLC

⁹⁷ Letter from the MSE dated 6 March 2023, received by the UNHCR on 27 March 2023, internal documentation of the CLC

⁹⁸ Letter from the MSE dated 6 March 2023, received by the UNHCR on 27 March 2023, internal documentation of the CLC

⁹⁹ Letter form CES dated 12 January, received on 12 January 2023, internal documentation of the CLC

¹⁰⁰ Letter form CES dated 12 January, received on 12 January 2023, internal documentation of the CLC

¹⁰¹ RC MoI: Statistical indicators for applicants for international protection in 2022, available at: <https://mup.gov.hr/UserDocsImages/OTVORENI%20PODACI/Tra%C5%BEitelj%20me%C4%91unardne%20za%C5%A1tite/web%20statistike%202022%20Q4%20TMZ.pdf>

¹⁰² Report on the work of ombudswoman for children for 2022., available on <https://dijete.hr/hr/izvjesca/izvjesca-o-radu-pravobranitelja-za-djecu/>

¹⁰³ Letter from the MoI - Border Directorate, received by the UNHCR from 27 March 2023, internal documentation of the CLC

unaccompanied children from Turkey were detained. There were no unaccompanied children detained in Transit Reception Centre for Foreigners Trilj..

Regarding the implementation of the procedure for the approval of international protection, according to the data provided by the MoI¹⁰⁴, 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 2022, 104 unaccompanied children submitted applications for international protection whereas 32 procedures were suspended, two dismissed and 70 are ongoing. Regardless of the year when application were submitted, in 2022 one unaccompanied children was granted international protection, 116 procedures were suspended, three dismissed and one annulled.¹⁰⁵

During 2022, the CRC continued the implementation of two projects aimed at supporting unaccompanied children and experts working with unaccompanied children - "Integrative support for unaccompanied children", co-financed by the European Union from the European Social Fund and "Access to protection for asylum seekers and refugees" financed by UNHCR. CRC provided psychosocial support and tracing services to unaccompanied children accommodated in social welfare institutions throughout Croatia and reception centres for applicants for international protection. In 2022, the Interdepartmental Committee for Unaccompanied Children was established, in which the CRC is one of the representatives of the non-governmental sector and has the opportunity to present observed difficulties and possible examples of good practice in order to work on improving cooperation and protection of unaccompanied children.¹⁰⁶

Looking back to 2022, the civil society organizations pointed out the problems with the inadequate accommodation of unaccompanied children. Most children who were older than 16, were placed in reception centres for applicants for international protection, together with adults where they were at risk of potential exploitation and abuse or in social welfare institutions intended for children with behavioural problems and in conflict with the law. 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.¹⁰⁷

Through initial and individual interviews with unaccompanied children, CRC learned that growing up, most of them have lived through multiple traumatic experiences, losses, that they were left without the support of parents/guardians, family members and important persons. In addition, numerous difficulties were observed in the system of care for unaccompanied children. Also, additional challenges include difficulties in

¹⁰⁴ Letter from the MoI dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

¹⁰⁵ Report on the work of ombudswoman for children for 2022., available on <https://dijete.hr/hr/izvjesca/izvjesca-o-radu-pravobranitelja-za-djecu/>

¹⁰⁶ Information received from CRC on 18 January 2023, internal documentation of the CLC

¹⁰⁷ Information received from CRC and CPS on 18 January 2023, internal documentation of the CLC

coping with stress due to separation and/or loss of contact with family members, language barrier, lack of documentation as proof of identity, previous schooling and acquired knowledge and skills, assessment of the child's age and lack of educated special guardians.¹⁰⁸ CPS suggest that there is still an insufficiently adequate system for identifying vulnerable groups within the RCAIP, and especially in reception centres for foreigners.¹⁰⁹

Vaccination of children applicants for international protection and/or conducting medical visits for pre-school/school enrolment continuously took place in cooperation of Mdm with Outpatient Clinic Zagreb-Centar and Teaching Institute for Public Health "Dr Andrija Štampar".¹¹⁰

During 2022, for 74 children (both unaccompanied, and accompanied by their families) the process of enrolment was initiated, but only 18 of them attended school – 1 child in preschool programme, 13 children in primary education and 4 children in secondary education. Big disproportion between the number of children for whom the enrolment in education system was initiated and the number of children who attended it is the result of the dynamics of movement of applicants for international protection and the fact that Croatia is not their destination country. Also, in several cases parents resisted to enrol their children in education system, especially girls.¹¹¹

Civil society organizations continue to emphasize the problem of organizing preparatory classes for pupils who do not know Croatian at all or do not know the Croatian language enough. The time of waiting for the beginning of classes for each student is a minimum of two months, as well as the possibility of an additional cycle of 70 hours and supplementary work outside the curriculum, which delays support for the child. While waiting for the approval of the class, the children stay in class with other students, they do not know the language and content of the lecture. Some children have not attended the educational system for years, and the level of education is difficult to determine due to the lack of documents. Therefore, children are often placed in lower classes than their peers, which makes socialization difficult and isolation stronger. The lack of teaching assistants is also a problem and often the only systematic support for children with trauma is school psychologist, which is insufficient compared to the needs.¹¹²

In 2022, the CLC implemented the project "Legal counselling in the procedure for the approval of international protection in 2021"¹¹³ Within the framework of the project, the

¹⁰⁸ Information received from CRC on 18 January 2023, internal documentation of the CLC

¹⁰⁹ Information received from CPS on 18 January 2023, internal documentation of the CLC

¹¹⁰ Médecins du Monde ASBL - Dokters van de Wereld VZW in the Republic of Croatia Annual Report 2022, received by Mdm on 14 February 2023, internal documentation of the CLC

¹¹¹ Letter from the Mol dated 21 February 2023, received by the UNHCR on 1 March 2023, internal documentation of the CLC

¹¹² Report on the work of ombudswoman for children for 2022., available on <https://dijete.hr/hr/izvjesca/izvjesca-o-radu-pravobranitelja-za-djecu/>

¹¹³ The Project was co-financed with the funds of the Fund for Asylum, Migration and Integration, and based on the contract concluded with the Responsible Authority for the Management of Funds for

activity implementers provided legal advice and/or information to unaccompanied children, applicants for international protection. It was observed that some guardians do not fully realise their role and obligations towards this category of children, about the Protocol on the Treatment of Unaccompanied Children, and are not familiar with all stages of international protection procedure. Also, it should be emphasized that in some cases CLC noticed that there is still a time gap (days) from the appointment of a special guardian after the identification of an unaccompanied child on the territory of the Republic of Croatia to the placement and appointment of the subsequent guardian, which is a problem in practice. In some cases, it was observed that guardians do not contact unaccompanied children due to lack of experience and being overloaded with other tasks, as well as not using a translator for conversations with the child. Therefore, it is observed that children often do not have adequate information about their rights and obligations. On the other hand, unaccompanied children increasingly quickly leave the institutions where they are accommodated and leave Croatia in most of cases irregularly, which is also a trend among adult applicants for international protection. During the implementation of the project, CLC published informative material (brochure), visually and terminologically/linguistically adapted to children, in seven languages: English, Turkish, Arabic, Farsi, Pashto, Russian and Spanish. The brochures were sent to social welfare institutions where unaccompanied children were accommodated and are also available on CLC website. Within the project, CLC organized and held a meeting with the institutions where unaccompanied children were accommodated and centres for social welfare in order to obtain more detailed information about the project and the importance of legal advice for children and their guardians. Some of the topics in the meeting were: legal duties and responsibilities of guardians – such as initiation of the family reunification procedure, informing about the procedure regarding the request for international protection and representation of the children's rights in the procedure, inappropriate accommodation of unaccompanied children in child care institutions for children with behavioral disorders and/or in contact with the law, the language barrier problem and hiring a translator.

7. THE ROLE OF INTERNATIONAL AND CIVIL SOCIETY ORGANIZATIONS

The engagement of Croatian civil society and international organizations¹¹⁴ in the field of international and temporary protection system resulted in numerous activities aimed at improving the existing system, increasing the availability of services for applicants

Internal Affairs, the Directorate for European Affairs, international relations and European Union funds of the Ministry of the Interior.

¹¹⁴ For the purpose of writing this report CLC used information on the activities of those organisations who shared their reports with CLC

for international protection, persons granted with international and temporary protection and their empowerment, expanding cooperation between the organizations themselves, raising public awareness and strengthening capacities of the key stakeholders.

While most civil society organizations still do not have access to reception centres for international protection seekers in Zagreb and Kutina, access to collective accommodation centres where persons under temporary protection are accommodated, is made possible for organizations that want to provide them with certain type of support. Regular access to the reception centres for international protection seekers in 2022 was allowed only to the CRC and MdM, while some organisations were allowed to enter the premises of aforementioned centres in case that was agreed upon with Mol for the purpose of implementing project activities foreseen by the projects that the organization implements in cooperation with Mol.¹¹⁵ Therefore, civil society organisations are left to provide support and assistance to those asylum seekers who are able to reach the respective organizations, who use the Internet or who are able to attend activities organized by civil society organizations outside the reception centres.

During 2022, the CRC¹¹⁶, as part of the project "Social services and psychosocial support for international protection seekers", carried out social activities and provided psychosocial support to applicants in the RCAIP. The activities carried out in 2022 relate to the reception of newly arrived applicants for international protection, accommodation in isolation, distribution of hygiene packages, bedding, blankets and towels, as well as clothes and shoes, enabling access to health institutions and medical supplies, assisting applicants during medical examinations, organization of care for children of single parents, social inclusion of international protection applicants, help for children with enrolment in school and mastering the school curriculum, Croatian language workshops, IT workshops for children and adults and providing psychosocial support through initial, individual and group interviews, but also systematic support for applicants who need specific support. During 2022, the CRC also conducted a series of trainings for employees of city and county Red Cross societies, as well as for other actors in the system of temporary and international protection. Employees and volunteers of the CRC provided psychosocial support, support in family tracing, distributed humanitarian aid, and collected information about displaced persons from Ukraine for the purposes of data entry into the Search service of the CRC and assistance in family tracing.

In 2022, the CPS¹¹⁷ carried out its activities of providing free legal assistance to applicants for international protection and to international protection beneficiaries, related to the system of international protection and other status issues, as well as

¹¹⁵ For example IOM in order to inform applicants about the possibility of voluntary return and CLC in order to inform applicants about their right to free legal aid

¹¹⁶ Information received from the CRC on 18 January 2023, internal documentation of the CLC

¹¹⁷ Information received from the CPS on 19 January 2023, internal documentation of the CLC

providing support in exercising their rights, in accessing the labour market, in family reunification procedures, in learning the Croatian language. Furthermore, CPS continued to monitor irregularities in police treatment of migrants and work on strategic litigation cases. In addition to numerous organized workshops, social activities and cultural events, advocacy activities continued as well, all with the aim of strengthening and promoting integration, strengthening the stakeholders of the asylum system and the refugees themselves, which resulted, *inter alia*, in the first conference in Croatia that was thematically designed and fully implemented by refugee and migrant activists. Furthermore, as part of the ASAP project, CPS conducted research and produced a report on the assessment of the needs of third-country nationals in accessing basic services and specific needs in the sectors of employment, housing, education and health care.

Throughout the 2022, AYS¹¹⁸ dealt with informing applicants and beneficiaries of international protection about the right to work, right to health care and with providing support in exercising their rights, in finding a job, holding Croatian language courses, assisting in finding accommodation, providing support in learning language and mastering school curriculum, monitoring the irregularity of actions of police officers at the border and by providing free clothes, shoes, hygiene items, bedding, dishes and other household items through Free Shop.

In its work during 2022 the Civis Mundi (hereinafter: CM)¹¹⁹ association carried out various activities with beneficiaries of international protection, such as donations of various necessities, organizing tours of the city, assistance in finding a job, learning the Croatian language, assistance in integration, provision of psychosocial assistance. Furthermore, the CM published numerous analyses in the field of international protection and joined in providing assistance and support to persons under temporary protection in the form of donations.

During 2022, IOM¹²⁰ carried out information and counselling activities for applicants for international protection on the possibility of voluntary return to their countries of origin and, if necessary, organized voluntary return for applicants who decided for this option. Furthermore, the IOM dealt with the training of border police officers on the topic of health protection, and, in cooperation with the MoI, started the implementation of the project "Technical assistance in the integration of citizens of third countries into the Republic of Croatia", in the context of which an analysis of the legislative framework in the field of integration related to the third-country nationals, as well as the analysis of stakeholders within the respective system were conducted.

The Centre for Missing and Abused Children (hereinafter: CMAC)¹²¹, in cooperation with the Osijek-Baranja County, adopted the Action Plan "Slavonian Heart for the Families of Ukraine", which established the first steps to ensure a timely response to

¹¹⁸ Information received from the AYS on 7 February 2023, internal documentation of the CLC

¹¹⁹ Information received from the CM on 14 February 2023, internal documentation of the CLC

¹²⁰ Information received from the IOM on 18 January 2023, internal documentation of the CLC

¹²¹ Information received from the CMAC on 24 February 2023, internal documentation of the CLC

the needs of refugees from Ukraine who are located in the Osijek-Baranja County. The Action Plan covers the following services: provision of psychosocial assistance and counselling, provision of free legal assistance regarding status and other rights, assistance in exercising rights to health care and social welfare system, preparation of materials in Croatian, English and Ukrainian with important information, psychoeducational, cultural, sports and creative workshops for children and young people, organized Croatian language courses, information on ways of looking for employment and opportunities for retraining, help with the inclusion of children in the preschool and school system. In response to the needs of refugees, the CMAC designed and implemented a series of activities such as the Info Centre, the Children's Corner, the Croatian language course, Day centre for the needs of socializing and various workshops.

The activities of the Sisak Civil Rights Project (hereinafter: SCRP)¹²² in 2022 included the provision of legal assistance, including assistance in finding appropriate accommodation for persons under international protection and access to the labour market, provision of psychosocial assistance and organisation of joint gatherings of refugees and local residents.

The Rehabilitation Centre for Stress and Trauma (hereinafter: RCST)¹²³ carried out activities with applicants for international protection and persons under international protection as well as persons under temporary protection in the form of psychosocial assistance, assistance in finding accommodation and work, assistance in exercising their rights, organization of social and cultural events and providing group support and individual psychotherapy aimed at dealing with trauma.

Association SVOJA (hereinafter: SVOJA)¹²⁴ was founded in August 2022 by Ukrainian women displaced from Ukraine. Main activities that SVOJA carried out in 2022 were related to assistance in employment, implementation of training programs and assistance in integration of Ukrainian refugees into Croatian society. SVOJA provided counselling on employment and self-employment, established contacts with employers, held educational conferences and many online events in cooperation with other NGOs and foundations in Croatia.

The Centre for Children, Youth and Family Modus (hereinafter: Modus)¹²⁵ was primarily concerned with providing psychosocial support within its counselling centre for persons under international protection, while Modus volunteers were helping children studying. As part of the implementation of the project "Ensuring mental health and psychosocial support for children and guardians from Ukraine in Croatia", in cooperation with UNICEF, the following activities were carried out: training for the Croatian Social Work Service' officials, volunteers and supervisors, individual expert supervision, group consultative supervision, psychological counselling, group

¹²² Information received from the SCRP on 9 January 2023, internal documentation of the CLC

¹²³ Information received from the RCST on 18 January 2023, internal documentation of the CLC

¹²⁴ Information received from the SVOJA on 14 February 2023, internal documentation of the CLC

¹²⁵ Information received from the Modus on 9 January 2023, internal documentation of the CLC

programs of psychosocial support for children and parents in collective accommodation.

D kolektiv¹²⁶ started numerous activities aimed at providing support and help to people displaced from Ukraine - *Ukrainian social club*, *Living in Osijek* - cafe for sharing experiences with Ukrainians, educational workshops for pre-schoolers and individual help in learning mathematics for pupils. In cooperation with the Nansen Dialogue Centre, D kolektiv organised education for cultural mediation through social and communication skills workshops for persons under temporary protection.

UNHCR Croatia¹²⁷ continued to carry out their activities, in cooperation with their partners¹²⁸, in the area of the asylum procedure monitoring and advocating for access to territory and asylum, capacity building events aimed at strengthening the asylum procedure and promoting local integration prospects and positive attitudes towards forcibly displaced and stateless people.

UNHCR undertakes a range of advocacy and operational activities to promote respect for international law and safeguard access to territory and the right to seek asylum. This includes protection monitoring, the provision of information on how to seek asylum, and capacity building of border police and asylum officials.

In June 2021, Croatia established an independent national monitoring mechanism (INMM) and UNHCR has accepted the invitation to be part of the INMM's Advisory Board, to provide guidance and advice on possible enhancements to its Coordination Board in conducting border monitoring. Through the Advisory Board, UNHCR supports further strengthening of the INMM with a view to ensuring its independent and effective functioning.

UNHCR supports unaccompanied and separated children throughout the asylum procedure, through a mobile team and capacity building programme implemented by the CRC, ensuring visits to children and support to special guardians. On World Refugee Day, 20 June 2022, the Ombudsperson for Children and UNHCR organized a joint Round Table entitled "Protection of Asylum Seeker, Refugee, and Stateless and at-risk Children in Croatia: Current issues and the way forward," in Zagreb. The event served to emphasize key positive developments and areas for improvement in the child protection system in Croatia.

In the field of integration, UNHCR presented the Toolkit for Effective Inclusion of Refugees, developed by UNHCR and the Migration Policy Group, to local and regional authorities, local NGOs, representatives of public services and other key stakeholders. Second year of partnership with IKEA Croatia, which provided three-month fully paid internship opportunities for 11 refugees in IKEA Zagreb, has successfully continued.

¹²⁶ Information received from the D kolektiv on 22 December 2022, internal documentation of the CLC

¹²⁷ Information received from UNHCR Croatia on 19 May 2023, internal documentation of the CLC

¹²⁸ CRC, CLC, Association Mi, Festival of Tolerance, JRS, SCRIP and SVOJA

Support was also provided by the UNHCR to the first refugee-led organization in Croatia - SVOJA Association, which focuses on the economic empowerment of refugees. Another form of support for Ukrainian refugees was provided in partnership with Association Mi by supporting four local volunteering schemes and grassroots initiatives aimed at developing structures for meeting the needs of Ukrainian refugees in local communities, especially by provision of Croatian language classes and psychosocial support.

In 2022, UNHCR launched an awareness-raising campaign in the ten largest Croatian cities on the occasion of World Refugee Day, which included the creation of visual works in key urban locations by renowned Croatian artists. In addition, UNHCR organized a conference for Croatian journalists on the topic of reporting on refugee inclusion (increasing visibility in the media, ethical dilemmas and professional standards when reporting on refugees).

UNHCR also carried out capacity-building activities with key stakeholders dealing with refugees, more specifically through trainings on gender-based violence, protection from sexual exploitation and abuse (PSEA), the fight against human trafficking and communication with communities. The activities involved state and non-governmental workers, members of the Coordination group for gender-based violence, operators of the 112 emergency telephone line and the newly established telephone line run by UNHCR and partner Croatian Legal Centre specifically for Ukrainian refugees. In addition to the above, numerous informative materials on the mentioned areas were created and their distribution ensured. Furthermore, UNHCR and the Council of Europe (CoE) organized an online event on the topic 'Preventing, combating and responding to gender-based violence in the context of asylum and migration', which gathered experts and key stakeholders of the system who encounter gender-based violence issues in their work.

The work of the CLC focused on activities intended for applicants for international protection, beneficiaries of international and temporary protection, police officers, administrative judges and other stakeholders in the system of international and temporary protection. Legal assistance for applicants was provided within the framework of the project "Legal counselling in the procedure for the approval of international protection in 2021", carried out in cooperation with the Mol, which included information sessions on legal counselling services held at the RCAIP and counselling with interested applicants as well as counselling of unaccompanied children applicants and support provided to their guardians. On the other hand, legal support and counselling for persons under international and temporary protection were provided within the project "Legal assistance and capacity building for access to territory and asylum in Croatia", which was funded by UNHCR Croatia. Beginning from March 2022, CLC lawyers visited numerous collective and reception centres in order to inform displaced persons from Ukraine about their rights and obligations, while a special telephone line was established so that said persons could contact CLC at any time in Ukrainian. Moreover, online info sessions for beneficiaries in Istria and Zadar County and info sessions held in language schools in Zagreb were organised as well

for persons accommodated in private housing. Within the same project activities related to monitoring access to the asylum system were carried on, as well as three capacity building events for border officials on sensitive border management issues. Another project activity concerned a seminar for administrative judges on the topic of protection of selected rights of applicants for international protection and persons with granted status.¹²⁹ One workshop in cooperation with Judicial Academy and Faculty of Law on the subject of asylum and migration was held as well.

Three meetings of the Coordination Group for Sexual and Gender-Based Violence were held during 2022 in order to discuss recorded data on the number of cases of sexual and gender-based violence reported in reception centres for applicants for international protection and to evaluate the efficacy 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 Croatia which entered into force on 22 March 2021.¹³⁰

In 2022, the penultimate phase of the two-year project „INCluDE – interdepartmental cooperation in empowering third country citizens”¹³¹ ended with three two-day workshops on the topic of development and strengthening of interdepartmental cooperation in local self-government units. The last phase of the project referred to the adoption of the Protocol of Procedures for the Integration of Persons Granted International Protection and the corresponding Manual with examples of good practice, that was prepared during 2022.¹³²

In January 2022, the CLC started the implementation of the project "Complementary pathways for access to international protection in Southeast Europe - COMP4SEE". The project aims to contribute to the development of complementary pathways by creating new models of private sponsorship and by making and advocating recommendations for improving national systems in the area of family reunification.

¹²⁹ Seminar was organised by the CLC, UNHCR Croatia and Judicial Academy

¹³⁰ CLC received the text of the Standard Operating Procedure from UNHCR on 29 November 2020, internal documentation of CLC

¹³¹ Project was run by the Governmental Office for Human Rights and Rights of National Minorities.

¹³² The Standing Committee for the Implementation of the Integration of Foreigners into Croatian Society unanimously adopted the aforementioned Protocol in December 2022, while the authors of the written version of the Protocol, which was published in 2023, are the president of the CLC and a legal expert in the field of public administration