

**Croatia –**  
**Country fact sheet**  
**Migreurop – October 2014**

**General information**

Like other countries in the area of Western Balkans, Croatia has been for most of recent history a country of emigration. Since the 1960s, many Croatians have emigrated – either temporarily or permanently – to countries of Western Europe as “guest workers” (*gastarbeiter*). During the war following the breakdown of Yugoslavia, there were both a lot Yugoslav refugees coming to Croatia, as well as leaving Croatia – this is why the term “izbjeglica” (meaning “refugee”) is reserved in the public discourse for Yugoslav refugees from the war in the 1990s.

The geographical position of Croatia on the Balkans migratory path towards the EU, as well as its post-socialist orientation towards joining the EU have significantly impacted Croatia's becoming also partly a country of immigration. With the efforts to harmonise its legislation and migrant management practices with the EU standards, Croatia has adopted an independent asylum system in 2004, strengthened its border controls, and is currently in the process of constructing two additional detention centres and making structural changes to join the Schengen space in 2015. This means Croatia has been “buffer” zone of externalisation of the EU migration politics until July 2013, when it also joined the EU. Since joining the EU, it is also part of the Dublin III system of deporting asylum seekers to the state responsible for their asylum application, which is usually the first state they have entered the EU<sup>1</sup>. Croatia being on the outskirts of the EU, it means that many asylum seekers are returned to Croatia once they seek asylum elsewhere. Thus even though Croatia is failing to provide proper integration to migrants, many are increasingly “stuck” there.

**Harmonisation with EU requirements**

The legislation affecting foreigners and migration management has largely been harmonised with the

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1 The Dublin III system determines the responsibility for processing asylum claims in the EU. According to the Dublin III Regulation which establishes this system, an asylum seeker is deported back to the country where he or she has first sought asylum, or could have first sought asylum.

EU standards. The most important piece of legislation is the **Aliens act**<sup>2</sup>, which regulates the conditions of entry, movement, residence, employment and conditions of work of foreigners in Croatia. Since 2003, when it was adopted, it was changed several times, latest one in 2013<sup>3</sup>. The paragraph 4 of article 1 lists the directives and regulations of the EU that this law integrates.

Croatia is the successor of all international obligations of the Socialist Federal Republic of Yugoslavia (SFRY) and since SFRY ratified the **Geneva convention** on the 29th of September 1959, and the Additional Protocol to the convention on 11th of October 1967, Croatia has since the breakdown of SFRY been a signatory of the Geneva convention. However, it was not until 1st of July 2003 that the Asylum Act has been passed. It came into force on the 1st of July 2004, so Croatia has had its independent asylum system for 10 years and the legislation of asylum has been changed several times since, latest in 2013.<sup>4</sup>

The border management efforts have started to be coordinated with the standards of the EU through the adoption of the **Law on State Border Surveillance**<sup>5</sup>, adopted in 2003. The latest change dates from 2013.<sup>6</sup>

Besides these laws, it is crucial to mention the **Migration policy for the period 2013-2015**<sup>7</sup>, adopted in 2013. It is the first update to the migration policy specified for the period of 2007-08 and it outlines the trends and efforts of the Croatian states for the next two years. Its stated aim is to complete the harmonisation with the EU standards, as well as to ensure that the migration movements in Croatia are in the benefit of the economic and social development.

Up to now, Croatia signed 27 **readmission agreements**, with 25 countries (including Benelux). In the Migration policy, it underlines that signing new readmission agreements with both countries of origin, and transit, of migrants is one of the main ways of “combat irregular migration” – besides further

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2 Zakon o strancima – available in Croatian here: <http://www.zakon.hr/z/142/Zakon-o-strancima>

3 The changes of the law are the following: „Narodne novine“ br. 109/2003, 182/2004, 79/2007, 36/2009, 130/2011, 74/2013

4 The changes of the law are the following: „Narodne novine“ br. 103/2003, 79/2007, 88/2010, 13/2013

5 Zakon o nadzoru državne granice, available in Croatian here: <http://www.zakon.hr/z/450/Zakon-o-nadzoru-dr%C5%BEavne-granice>

6 The changes of the law are the following: »Narodne novine«, br. 173/2003, 141/2006, 8/2007, 40/2007, 146/08, 130/2011, 83/2013.

7 The Migration Policy in English is available here:

[http://www.mup.hr/UserDocsImages/minstarstvo/2013/Migration%20policy%20RoC\\_en\\_2013%2002%2005.pdf](http://www.mup.hr/UserDocsImages/minstarstvo/2013/Migration%20policy%20RoC_en_2013%2002%2005.pdf)

developing and improving “border management policies” and “encouraging voluntary return of irregular migrants”.

## **Asylum system**

In the first few years of the Croatian independent asylum system, the numbers of asylum seekers have been very low and migrants generally stayed in Croatia for limited periods of time, on their way further into the EU. However, the numbers of asylum seekers have quadrupled between 2010 and 2012 (from 290 in 2010, 807 in 2011, to 1193 in 2012<sup>8</sup>). However, 2013 has seen a slight decrease in asylum seekers (1048)<sup>9</sup>, probably due to the fact that Dublin III regulation is in place since Croatia joined the EU in July 2013. This means that if migrants seek asylum in a different country, they can be deported back -- and this is a deterrent for migrants to seek asylum in Croatia in the first place and try to continue further into the EU. Those that seek asylum in Croatia find themselves trapped by the threat that they might be returned back and increasingly wait for their decision in Croatia.

The asylum system, however, is rather slow and the percentage of people who have gotten one of the two international protection statuses (either refugee status, or the status of subsidiary protection) is very low. By July 2014 – that is in exactly 10 years of Croatian asylum system – of the 4588 people who sought asylum, only 126 people received international protection, out of this only 68 received refugee status.<sup>10</sup> Due to the lack of integration measures, difficulties with finding employment in Croatia – which is a push factor for the emigration of many Croatians – many migrants under refugee protection leave, either permanently or temporarily, to find better life opportunities elsewhere in Europe. It is estimated that only around 50 people of those who were granted international protection have stayed in Croatia.<sup>11</sup>

## **Open reception centres for asylum seekers**

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<sup>8</sup> The source of this data is the UNHCR website, available here <http://www.unhcr.hr>. The Ministry of the Interior also regularly updates its statistics on asylum seekers – the latest one for mid-2014 can be found here: [http://www.mup.hr/UserDocsImages/statistika/2014/azil/azil\\_do\\_20.5.2014..pdf](http://www.mup.hr/UserDocsImages/statistika/2014/azil/azil_do_20.5.2014..pdf).

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> This information comes from discussions with NGOs who work with migrants in Croatia. CMS, for example, has been working on integration of migrants under international protection since the start of the asylum system and they have been able to come to an estimation of roughly how many migrants have left Croatia after obtaining status there.

When Croatia adopted its asylum system in 2004, the temporary reception centre for asylum seekers was situated in the facilities of an old refugee camp from the 1990s in Šašna greda<sup>12</sup>, in the vicinity of the town of Sisak, located 60km south-east of Zagreb. It was seen only as a temporarily reception centre and in 2006 the permanent reception centre has been constructed in Kutina, a small town 80 km south-east from Zagreb. At the start, it was enough to accommodate all the asylum seekers, but with the increase in the number of asylum seekers, Kutina was consistently overcrowded. To resolve the overcrowding in the period from 2011-2013, two other reception centres were opened. These were considered more as a temporary solution – both were previously built for other uses, and not specifically for the purpose of housing asylum seekers. The first was in Valbaldon, close to Pula in the very south of the Istrian peninsula, which only functioned as a reception centre in winter months of 2012 and 2013, as in the summer months, it was a holiday facility for the employees of the Ministry of the Interior. The second was an old hotel “Porin”, in the Zagreb suburban neighborhood of Dugave – which has subsequently become the main reception centre. This is because in 2013, the camp in Kutina was closed down, because of renovation due to overuse. It was reopened in 2014 as a place for housing only vulnerable asylum seekers (women, families, unaccompanied minors, elderly).<sup>13</sup>

## **Detention**

Detention of migrants is regulated by the Aliens Act and Asylum Act. According to the article 124 of the Aliens Act, migrants can be detained for 3 months, if their presence is required to ensure their deportation from the territory of Croatia, if they present a danger for national security or they have been convicted for a criminal offence. Further, the article 125 allows for a prolongation of detention to 6 months, if further time is needed to organize a deportation. And finally, according to the article 126, a further 12 months prolongation is allowed in cases when the migrant refuses to give his personal data, gives fake personal data or in other way tries to stop or delay his or her deportation, or if it is reasonably expected that the documents necessary to organize the deportation will be obtained.

Besides, asylum seekers can be detained, according to the article 74 of the Asylum Act, for maximum 6 months. The cases in which they can be detained are: if they have tried to leave Croatia before the end

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12 <http://www.index.hr/vijesti/clanak/trazitelji-azila-u-hrvatskoj-bit-ce-smjesteni-u-sasnoj-gredi-kraj-siska/216008.aspx>

13 <http://emi-cfd.com/echanges-partenariats/?p=3666>

of their asylum procedure, if their detention is needed to protect the life or property of other people, if they are a threat to national security, if they sought asylum during the procedure of deportation with the aim to avoid deportation, if it is temporarily impossible to take their fingerprints due to having intentionally damaged them.

For a long time, the only detention centre – officially called *Prihvatni centar za strance* or “reception centre for foreigners” – in Croatia has been situated in Ježevo, 30km east of Zagreb. It has been opened in 1997 and its capacity has been around 100 places<sup>14</sup>. The number of people detained there has ranged from 460 to 784 in the last few years.<sup>15</sup> Besides Ježevo, there are plans to construct two new “transit camps” by the end of 2014: one in Tovarnik (which is just across the Serbian border, close to the town Šid, located in the Vukovar-Syrmia county<sup>16</sup>) and one in Trilj (which is close to the Bosnian border and the Adriatic sea). The Aliens act does not currently mention these transit camps and it is not clear what their legal status and role will be exactly. However, it is estimated that before they are finally constructed, the Aliens act will change to prescribe their function. The transit camps will be financed by the Schengen Facility Fund.<sup>17</sup>

The rights and rules of the detainees in the centre are summarised in the *Ordinance for Accommodation at the Detention Centre for Foreign Citizens*, adopted on 11<sup>th</sup> of June 2008 and changed in 2011<sup>18</sup>. A particularly cynical aspect of the rules of stay in the detention centre is that those migrants that have any financial means whatsoever, are obligated to bear the costs of their deportation, as well as their stay in the detention centre, which amount to 200 Croatian kunas (around 26 euros) per day.

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14 According to the Migration policy for the period of 2013-5, the capacity has been increased from 96 to 116 places. The Migration Policy in English is available here:

[http://www.mup.hr/UserDocsImages/ministarstvo/2013/Migration%20policy%20RoC\\_en\\_2013%2002%2005.pdf](http://www.mup.hr/UserDocsImages/ministarstvo/2013/Migration%20policy%20RoC_en_2013%2002%2005.pdf)

15 The statistics are from the official sources of the Croatian ministry of the interior – for 2013, the number is 534 on p.139 of the Report published online here:

<http://www.mup.hr/UserDocsImages/statistika/2014/Statisticki%20pregled2013.pdf> (in Croatian only). For other years: 2012 – 784, 2011 – 649, 2010 – 559, 2009 – 460, 2008 – 773.

<sup>16</sup>The Vukovar-Syrmia county, or *Vukovarsko-srijemska županija* in Croatian, is the county bordering with Serbia, where a big percentage of undocumented border crossings is recorded. In its Ministry of the Interior's statistical review for the year 2013 – available here in Croatian

<http://www.mup.hr/UserDocsImages/statistika/2014/Statisticki%20pregled2013.pdf> – it is noted that out of all the 4734 undocumented border crossings recorded in 2013, 993 were detected in that county -- see page 134 of the review). The Migration policy for the period of 2013-5 also mentions that more than 80% of illegal crossings *into* Croatia are recorded in the Vukovar-Syrmia county (see p. 18 of the Migration policy).

17 Some info on the budget for building the two transit centres is available in the document entitled “plan of purchases Schengen Facility Fund” – available here in Croatian here:

[http://www.mup.hr/UserDocsImages/ministarstvo/javna%20nabava/2014/PLAN\\_NABAVE\\_SFF.pdf](http://www.mup.hr/UserDocsImages/ministarstvo/javna%20nabava/2014/PLAN_NABAVE_SFF.pdf).

18 Available in Croatian here: [http://narodne-novine.nn.hr/clanci/sluzbeni/2013\\_06\\_66\\_1312.html](http://narodne-novine.nn.hr/clanci/sluzbeni/2013_06_66_1312.html)

## **Integration and civil society's involvement with the issues of migration**

Most migrants, even those who receive a status of international protection, find it extremely difficult to be included in the society. The economic situation in Croatia has been rather bad, with high unemployment rates even among the local population. For migrants, even those with a permission to work, finding work is even more difficult. The situation is not aided by the largely inadequate integration measures. The Migration Policy of the Republic of Croatia for the period 2013-5 recognises the need for better integration measures, and as a result of it an *Action plan for removing obstacles to the exercise of rights in the field of integration*<sup>19</sup> was drafted.

Nevertheless, in the first 10 years of the asylum system, there were several institutional obstacles to integration migrants faced in Croatia and that made their stay there much more difficult. To start with, there are no language courses provided to them systematically and by the government. While the NGOs present in the centre for asylum seekers provide a partial solution through offering sporadic educational and psycho-social activities, these are not systemic, as they do not happen every day and not all asylum seekers get included. Migrants also have insufficient financial support: they are entitled to receive 100kn per month (around 13euros), but in reality due to bureaucratic complications most do not receive this money, or they receive it with a few months delay. This is insufficient even for the public transport to the centre of the city. Asylum seekers have the right to work after a year of their stay in Croatia – but they remain uninformed as to how they can effectively realise this right. In practice, no asylum seeker gets employed, or even registered as unemployed. Their access to health is also limited, as they only have a right to urgent medical<sup>20</sup>, leaving them unable to access most of medical services.

The institutional obstacles remain a problem for integration even after migrants receive a status of international protection. Even for them, there are no Croatian courses, which impacts on their employment opportunities. The right to receive financial support and an accommodation for the first period of integration last for the first two years, and after that, migrants are left completely to their own resources. However, even this period of two years often gets shortened, as it often takes several months or up to half a year for the authorities to find adequate accommodation. As a result, people with a refugee or subsidiary protection status end up living in the Porin reception centre for asylum seekers for

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<sup>19</sup> The Action plan is available online at: [http://www.uljppnm.vlada.hr/images/30092013/Integration\\_Action\\_Plan.pdf](http://www.uljppnm.vlada.hr/images/30092013/Integration_Action_Plan.pdf)

<sup>20</sup> Article 31 of the Asylum Act specifies that asylum seekers are entitled to urgent medical care.

several months. Their integration is further encumbered because, during this time, they do not receive the financial support they are entitled to.<sup>21</sup>

Given that the immigration of non-European population in Croatia being a recent phenomenon, migrants are still rather isolated and pushed to the margin of society. The issue of migration is thus largely excluded from the public discourse and it is present in the media only when it is seen as being “out of control”. There have been a few anti-migrant mobilisations and media stories -- for example when the reception centre for asylum seekers in Kutina was overcrowded during the years 2012 and 2013<sup>22</sup> and when the media reports on supposed criminal activities, conducted by the inhabitants of the reception centre for asylum seekers near Zagreb, contributed to creating a panic among the local population.<sup>23</sup>

In terms of the NGO and civil society initiatives, there are few organisations providing assistance to migrants in Croatia and there is no organisation assisting specifically undocumented migrants. The three main organisations limited support can be obtained from are:

- **CMS – Centar za Mirovne Studije (centre for Peace Studies)** – <http://www.cms.hr/>. CMS is a civil society organisation, working on a variety of topics, among them also migrants and asylum seekers rights. Their priority is working on advocacy, but they also provide psycho-social assistance, mainly through the work of volunteers who visit the centres for asylum seekers, provide Croatian language lessons etc.
- **HPC – Hrvatski Pravni Centar (Croatian Law centre)** – <http://www.hpc.hr/>. HPC provide free legal assistance to asylum seekers, write reports and conduct monitoring of asylum seekers and migrants rights in Croatia.

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<sup>21</sup> The reason why they do not receive social support, to which they are entitled as refugees (or persons under subsidiary protection), while they are staying in the reception center for asylum seekers, has a legal basis. According to the Law on Social Care (*Zakon o socialnoj skrbi* – available in Croatian here: <http://www.zakon.hr/z/222/Zakon-o-socijalnoj-skrbi>), of which the latest version was adopted in December 2013, a person only receives financial social support in those cases, when they are accommodated *outside* of state institutions, which provide them with the basic needs (accommodation, three meals daily, etc.). Refugees and persons under subsidiary protection thus only receive the financial social support once they have accommodation outside of the state institutions.

<sup>22</sup> For a brief overview of the problems in Kutina, see the article 'Prezide Tvrdave Evrope' by Julija Kranjec, available online here: <http://lemondediplomatique.hr/predzide-tvrdave-evrope/> (in Croatian only).

<sup>23</sup> For a critical reaction to the journalist reporting about this, see CMS's press-release, available online here: <http://www.cms.hr/izjave-za-javnost/izjava-centra-za-mirovne-studije-povodom-clanka-jutarnjeg-lista-o-prihvatilistu-za-trazitelje-azila-u-dugavama> (in Croatian only).

- **Hrvatski Crveni križ – Croatian Red Cross.** The Croatian Red Cross provides humanitarian assistance to migrants detained in the detention centre of Ježevo, those waiting for the response to their asylum claim in the reception centres for asylum seekers, as well as migrants who have received the status of international protection in Croatia.